

TOWNSHIP OF NORTH DUMFRIES OFFICIAL PLAN

CONSOLIDATION DATE: NOVEMBER 2018



Explanatory Note

On December 16, 2013, Township Council passed By-law No. 2605-13 to adopt Official Plan Amendment (OPA) No. 26 to the Official Plan for the Corporation of the Township of North Dumfries, which had the effect of updating the Township's Official Plan to bring it into conformity with the Regional Official Plan (ROP), the Growth Plan for the Greater Golden Horseshoe, and to ensure consistency with the Provincial Policy Statement (PPS).

The Region of Waterloo approved OPA No. 26, in part, with modifications on August 21, 2014 under Section 17 and 26 of the *Planning Act*. Portions of OPA No. 26 were deferred and various parties appealed part of OPA No. 26 to the Ontario Municipal Board.

When the Region approved OPA No. 26, the entire ROP was still under appeal before the Ontario Municipal Board. Some of the key issues under appeal related to:

- Area municipal population and employment forecasts to 2031;
- Allocation of the Region's 45 percent residential intensification target;
- Minimum density targets for designated greenfield areas; and
- Mineral aggregate resource policies.

To avoid any potential conflicts between OPA No. 26 and the yet-to-be approved ROP, the Region deferred various policies in OPA No. 26 for further consideration.

Some of these deferrals and appeals remain pending at this time and are explained in more detail below. This consolidation also incorporates site specific amendments that have been approved, which are outlined in a table at the end of this Section.

The Township prepared this Consolidation of the Official Plan to reflect the status of the Official Plan as of November 2018. This Consolidation has been published for reference only. In the case of a discrepancy or inconsistency between this Consolidation and the Township's Official Plan, or any amendments thereto, as approved by Regional Council or the Ontario Municipal Board/ Local Planning Appeal Tribunal, the content of the approved Official Plan or the amendments thereto shall prevail. To obtain the legal status of any specific policy in this Official Plan, please contact the Township's planning department.

Items Deferred for Further Consideration

When Regional Council approved OPA No. 26 in 2014, it deferred portions of OPA No. 26 for further consideration. On December 11, 2017, the Region of Waterloo issued a further Notice of Decision in accordance with By-law 17-035 with respect to Deferrals Nos.1 and 3, and parts of Deferral 4. Where a decision has been deferred in relation to a part of this Plan, that part of the Plan is not in effect. To assist the reader, the remaining deferred parts of this Plan have been highlighted in light grey. The numbers shown in the box beside each deferral correspond to the numbers used in the Region's Notice of Decision.

The areas of the Township's Official Plan for which no decision has been made are as follows:

Deferral No. 2

Beginning on page 16, no decision is being made with respect to Policy 2.4.1 (Reurbanization Target) in its entirety.

Deferral No. 4

Deferral 4 pertains to the Township's mineral aggregate policies. The Region deferred these policies in 2014 due to the corresponding appeals to aggregate policies in the ROP.

The Local Planning Appeal Tribunal approved the Region's mineral aggregate policies, with modifications, save and except for the two outstanding issues:

- 1) Extraction of mineral aggregate resources within the two-year time of travel of municipal water supply wells; and
- 2) Municipal regulation of extraction of mineral aggregate resources below the water table (i.e., vertical zoning).

Accordingly, no decision has been made with respect to the following deferrals:

- Deferral 4.1 Policy 5.2.2.3 only insofar as they relate to the words "or increase the depth of extraction";
- Deferral 4.2 Policy 5.2.4.1 only insofar as they relate to the words "or increase the depth of extraction";
- Deferral 4.3 Policy 5.2.3.1 only insofar as it relates to the entire last sentence;
- Deferral 4.4 Policy 5.2.3.2;
- Deferral 4.5 Policy 5.2.5.4;
- Deferral 4.6 Policy 5.2.5.11 b) only insofar as it relates to any site-specific zoning regulations pertaining to depth of extraction;
- Deferral 4.7 Policy 5.2.6.1 only insofar as it relates to the word "through an amendment to this Plan and to the ROP"; and
- Deferral 4.8 Policy 5.2.6.2.

Appeals to the Ontario Municipal Board (Local Planning Appeal Tribunal)

Portions of this Official Plan were appealed to the Ontario Municipal Board and are not yet in effect. On April 23, 2018 the Local Planning Appeal Tribunal approved a series of appeals including Appeal Nos. 1, 2, 3, 5, 6, 7, 8, and 11. To assist the reader, any appeal of this Plan that has not been resolved is enclosed with a black box. Any part of this Plan that has been appealed will be adjudicated by the Local Planning Appeal Tribunal as part of a future hearing.

The sections of OPA No. 26 that remain under appeal are as follows:

Appeal No. 4

Chapter 2, Subsection 2.6.10 (Agricultural), in relation to the Activa Lands and Hallman/Gatestone Lands.

Appeal No. 9

Map 5A (Greenlands Network), in relation to the Activa Lands and Hallman/Gatestone Lands

Appeal No. 10

Map 5B (Environmental Constraint Areas), in relation to the Activa Lands and Hallman/Gatestone Lands

List of Amendments Incorporated into the November 2018 Consolidation

OPA No.	Township By-law No.	Location	Description
10	2318-2008	Lot 33, Concession 8 (located south of CP Rail, east of Main Street, north of Scott Street)	Map 2.1: Change designation from Agriculture Special Policy 2.7.6 to Urban Residential and Ancillary, Open Space, Open Space / Environmental Constraint.
20	2557-13	1535 New Dundee Road	Map 2: Change designation from Rural Area / Agricultural to Rural Area / Open Space
23	2548-13	88 Gibson Street, Ayr	Map 2.1: Change designation in Part 1 to Urban Residential and Ancillary with Special Policy Area 2.7.12. Change designation in Part 2 (southeast corner) to Open Space Text: Add Special Policy Area 2.7.12 to allow a commercial office building.

25	2578-13	1011 Northumberland Street Regional Road 58 and Township Road 3 Rural Employment Area	Map 2.30 (Settlement Area): Add Special Policy Area 2.7.2.6.4 Text: Add Special Policy Area 2.7.2.6.4 to Section 2.9.3.4 to allow commercial activities such as a grocery store and drive-thru restaurant
27	2621-14	1910 Roseville Road	Map 2: Change land use designation from Rural Area / Agricultural to Rural Area / Open Space
28	2698-15	Part of Lots 32 and 33, Concession 7 (Challenger Avenue, Ayr)	Map 2.1: Remove north portion of Special Policy Area 2.7.9 and designate as Urban Residential and Ancillary
29	2714-15	180 Northumberland Street, Ayr	Map 2.1: Change designation from General Industrial to Urban Residential and Ancillary
30	2733-15	50 Bute Street, Ayr	Map 2.1: Change table lands portion designation from Open Space to Urban Residential and Ancillary
31	2863-17	Southeast corner of Northumberland Street and Greenfield Road	Map 2.1: Change designation from General Industrial to Urban Residential and Ancillary with Special Policy 2.7.11 Text: Add Special Policy Area 2.7.11 regarding to urban design

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CHAPTER 1: PLAN FRAMEWORK

1.1 INTRODUCTION

The Township of North Dumfries (the township) is located in southwestern Ontario and is one of seven area municipalities, as shown on Map 1, that comprise the Regional Municipality of Waterloo (the Region). While mainly rural in character, the Township's 18,733 hectares encompass a variety of urban environments, including the Ayr Urban Area and several smaller Rural Settlement Areas and Rural Employment Areas. As a result of its location adjacent to Highway 401, the township has experienced significant employment and residential development over the past several years. This development, which has been mainly centered in the Ayr Urban Area and in the Highway 401/Regional Road 97 Employment Area, has served to diversify and strengthen the local economy.

The township contains a diverse range of *environmental features* that comprise a broader Greenlands Network. The Greenlands Network, which includes *woodlands*, *wetlands*, watercourses, recharge areas and other natural areas, provide habitat and support environmental health required for healthy vibrant communities. In addition, the township also has an abundance of natural resources, such as agricultural lands, groundwater resources and mineral aggregate deposits that support agriculture, tourism, recreation and resources uses. These important renewable and non-renewable resources are essential for the long-term economic prosperity and quality of life of the township.

1.2 POLICY FRAMEWORK

The Township of North Dumfries Official Plan (Plan) establishes a policy framework to guide public and private sector decisions relating to development and the provision of *community infrastructure* and services. This Plan is a legal document which has been prepared in accordance with the provisions of the ROP, the Planning Act and other Provincial legislation and policies. This Plan sets out the intentions of Township Council relating to future economic, social and land use changes within the township to the year 2031. No public work will be undertaken, and no by-law will be adopted for any purpose by Township Council which is not in conformity with the provisions of this Plan.

The main purposes of the Plan are to:

- a) provide a formal statement of the Township's intentions relating to growth management until the year 2031;
- b) establish goals and policies for maintaining and enhancing the township's valuable natural resources of land, air and water, and for providing for the development of a *sustainable* and *liveable* community with a strong and competitive economy;
- c) provide a legal framework to guide public and private decisions relating to development and the provision of *community infrastructure* and services within the Township; and
- d) build on and implement the policies of the Region and the *Province* as set out in the ROP, the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, the Provincial Policy Statement and other Provincial policies and legislation.

1.3 HIERARCHY OF PLANNING DOCUMENTS

Land use planning in the township is governed and implemented through a hierarchy of Regional, Provincial and Township planning documents. Collectively, these documents provide a framework for comprehensive, long-term planning that supports the creation of *sustainable* and *liveable* communities with a healthy natural environment, a strong and productive economy, and a high quality of life. The general purpose of each of the documents and how they influence planning in the township are described below:

1. **The Regional Official Plan (ROP)** - this document is the Official Plan of the Regional Municipality of Waterloo. It is adopted by Regional Council and approved by the Minister of Municipal Affairs and Housing. The ROP establishes the overall policy framework for planning within the region and therefore plays a significant role in shaping the township. It allocates future population and employment growth to the township, determines the *reurbanization* and density targets set out in this Plan, and plays a critical role in coordinating *infrastructure* investments and other matters while allowing for effective local decision-making. The ROP also ensures that Provincial interests in planning matters, as expressed in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the Greenbelt Plan, are appropriately addressed. Interpretation of the policies in the ROP is the responsibility of Regional Council.
2. **Growth Plan for the Greater Golden Horseshoe (Growth Plan)** – this Provincial Plan was prepared and approved under the Places to Grow Act, 2005 and took effect on June 16, 2006. The Growth Plan was established to better manage growth in the Greater Golden Horseshoe to the year 2031. It applies to all of the municipalities within the Greater Golden Horseshoe including the Township of North Dumfries. The Growth Plan is intended to guide decisions on a wide range of matters, such as transportation, *infrastructure* planning, land use planning, urban form, housing, natural heritage and resource protection, in the interest of better managing growth while promoting economic prosperity. Any planning decision of the Township Council must conform to the Growth Plan as implemented through the ROP.
3. **Greenbelt Plan** – this Provincial Plan was approved under the Greenbelt Act, 2005 and came into effect on December 16, 2004. The Greenbelt Plan provides an overarching strategy that identifies where future growth should be directed in the Greater Golden Horseshoe, and which areas must be protected for current and future generations. A portion of the Greenbelt Plan applies to the eastern edge of the township in the Beverly area. The policies of this Plan have been amended to conform to the Greenbelt Plan.
4. **Provincial Policy Statement (PPS)** – this document was issued under Section 3 of the Planning Act and came into effect on April 30, 2014. It provides overall policy direction on matters of Provincial interest related to land use planning and development in Ontario. In particular, it contains a set of policies that support appropriate development while protecting natural resources, public health and safety, and the quality of the natural environment. The policies of the PPS are to be read in conjunction with the Growth Plan and the Greenbelt Plan. Under the Planning Act, any planning decision of the Council of the Township of North Dumfries must be consistent with the PPS.
5. **Township of North Dumfries Official Plan** - this Plan functions as a link between the policies of the ROP, the Growth Plan, the Greenbelt Plan, the PPS and the municipal objectives of the Township of North Dumfries. This Plan provides policies to guide both development and *infrastructure* investment within the Township. In accordance with Section 27 of the Planning

Act, this Plan must conform with the ROP, however, the policies in this Plan may be more restrictive on the same subject, but may not be more permissive than the policy direction established by the ROP. Interpretation of the policies in this Plan is the responsibility of Township Council.

6. **Community Plans** - Community Plans have no legal status under the Planning Act. They serve as statements adopted by resolution of Township Council which serve to guide future decisions relating to the development of a community planning area. Community Plans are prepared to co-ordinate inter-related decisions regarding the distribution of densities, location of schools, the installation of *infrastructure*, protection of the environment, land use compatibility and the staging of development. Community Plans must conform to both the ROP and this Plan and cannot be used as instruments to introduce new policies which could be used as the basis for refusing *development applications*.
7. **Implementation Guidelines** - are recognized as statements adopted by Township Council which detail the manner in which policies of this Plan are implemented. Guidelines must conform to both the ROP and this Plan and cannot be used as instruments to introduce new policies which could be used as the basis for refusing *development applications*.
8. **Township Zoning By-laws** - Township zoning by-laws adopted in accordance with Section 34 of the Planning Act are used to implement the policies of this Plan and provide standards for individual developments within the broad planning context. Any zoning by-laws adopted by Township Council must conform to the policies of this Plan.

1.4 GENERAL INTERPRETATION

Chapter 8 sets out the detailed provisions on how the policies of this Plan are to be interpreted and implemented. The following section is intended to assist the reader in the general interpretation of this Plan.

This Plan, including the introductory text, goals, policies, definitions and schedules, is intended to be read in its entirety, and all relevant policies are to be applied to each situation. Where the terms “Township”, “Region” or GRCA are capitalized, they refer to the Corporations of the Township of North Dumfries, Region of Waterloo or the Grand River Conservation Authority respectively. Where the terms “township” or “region” are used in lowercase letters, they refer to the geographic area comprising the Township of North Dumfries or the Region of Waterloo respectively.

Policies in this Plan that use the word “will” express a mandatory course of action. Where the words “encourage” or “may” are used, it indicates that the Township requires consideration be given to the policy, but not necessarily compliance in all instances. Such policies are intended to provide direction and support for achieving the overall goals of this Plan. Italicized terms in this Plan are defined in the Glossary. Defined terms are intended to capture both the singular and plural of forms of these terms. For undefined terms, the normal meaning of the word applies.

1.5 GOALS

The Goals as outlined in this section are the basic decision making guidelines of this Plan. They reflect the general long range intent of the Plan and are further interpreted by the policies of the Plan. The Goals of this Plan are described below.

1. To guide future land use decisions in the township in a manner that provides for the needs of existing and future residents, enhances the natural and human environment, separates incompatible land uses and ensures orderly development within the township.
2. To preserve, protect and encourage the continued use of *prime agricultural areas* for agricultural purposes.
3. To protect, conserve or wherever feasible, enhance the natural environment within the township.
4. To protect, conserve or wherever feasible, rehabilitate and/or reuse the *cultural heritage resources* of the township.
5. To provide for the management of natural resources within the township in a manner that minimizes undesirable short and long term impacts on the natural environment, the quality and quantity of ground and surface water, and the quality of life for existing and future residents.
6. To minimize the threat to life and destruction of property from flooding and other natural hazards.
7. To concentrate the majority of growth in the township within the Ayr Urban Area, with limited growth in designated Rural Settlement Areas and Rural Employment Area where municipal services can be provided in a cost effective and environmentally responsible manner.
8. To encourage a range of housing types, sizes and densities to meet the needs of existing and future residents.
9. To promote the expansion of existing businesses and the attraction of new businesses to the township to provide for a balance of residential and employment opportunities, and to support a strong and competitive economy.
10. To optimize the use of new and existing *community infrastructure* and services, and consider opportunities for adaptive re-use, to meet the current and future needs while minimizing land consumption and servicing costs.
11. To provide opportunities for both active and passive recreational pursuits by combining the provision of parkland, sports fields, community facilities, and natural areas to satisfy the recreational needs of existing and future residents.
12. To improve accessibility for persons with disabilities by identifying, preventing and removing land use barriers which restrict their full participation in society.
13. To promote land use and development patterns that are *freight-supportive* and transit-supportive, support energy conservation and efficiency, improved air quality, and climate change mitigation and adaptation.
14. To foster the development of compact, vibrant and complete communities and to achieve the *reurbanization* and density targets set out in this Plan.

1.6 POPULATION AND EMPLOYMENT FORECAST

The township population and employment forecasts contained in Table 1 of this Plan are taken from Regional Forecasts contained in the ROP. These population and employment forecasts will be used in all planning, *infrastructure*, and other studies undertaken by, or for the Township. Longer term forecasts may be used if based on the Regional Population and Employment Forecast.

TABLE 1 – Population and Employment Forecasts

	2006	2031
Population	9,200	16,000
Employment	6,080	8,700

Note:

1. Population figures in this table show “census-based population plus 4% under coverage.” As such, it does not include university and college students who temporarily reside in the Township (either in student residences or other accommodation) to study at post-secondary institutions.
2. All population and employment numbers in this table represent mid-year figures.
3. The above figures are intended to be forecasts. The amount or timing of development of lands within the Township is not to be restricted on the basis that the forecasts in Table 1 could be exceeded. This statement is not intended to restrict or otherwise prevent the Township from implementing staging/phasing policies for purposes unrelated to the forecasts in Table 1, consistent with this Official Plan and the policies contained herein.
4. The above population forecasts do not take into account the development potential of the lands identified as Special Policy Area 2.5.2 b) iv) on Map 2 of this Plan. If it is determined that these lands will not be incorporated into the City of Cambridge as one of the options provided for under Policy 2.D.30 of the ROP, the 2031 population forecast shown in this table and elsewhere in the Plan will be revised to 17,400 people (i.e., $16,000 + 1,400 = 17,400$) without the need for an amendment to this Plan or the Regional Official Plan. No change is required to the associated employment forecast.”

CHAPTER 2: GENERAL DEVELOPMENT POLICIES

2.1 PLANNED TOWNSHIP STRUCTURE

This plan supports the development of a Planned Township Structure that is based on five distinct areas as designated on Maps 2 and 2.1 through 2.35 inclusive. These areas include the Ayr Urban Area, Rural Settlement Areas, Rural Employment Areas, the Urban Area and the Countryside. This section establishes the general land uses that will be permitted within each of these areas.

To guide the direction of future growth within the township, this Plan also delineates a Countryside Line around the Ayr Urban Area and the Urban Area, as designated on Map 7 of this Plan. The Countryside Line is intended to serve as a long-term boundary between the existing Ayr Urban Area, the Urban Area and the Countryside.

2.1.1 Ayr Urban Area

The Ayr Urban Area is designated on Maps 2 and 2.1 of this Plan. This designation is intended to serve as the primary focus for growth and development in the Township to the year 2031. Development within this designation will provide for a range of residential, commercial, employment, recreational and institutional uses. Future development within the Ayr Urban Area will be directed predominantly to the Urban Growth Centre and Designated Greenfield Area. Specific land use designation policies relating to the Ayr Urban Area are contained in Section 2.7 of this Plan.

2.1.2 Rural Settlement Areas

Rural Settlement Areas are designated on Maps 2 and 2.2 to 2.25 inclusive of this Plan. This designation identifies the township's smaller settlement areas, such as hamlets and rural clusters that generally comprise a limited mix of residential, commercial and institutional uses serving primarily the local community. These rural communities have historically been developed on private wells and *individual wastewater treatment* systems, or in the case of Roseville and Branchton, predominately in the form of municipal drinking-water supply systems and *individual wastewater treatment* systems. Therefore these settlements will experience limited growth and change. Specific policies for the Rural Settlement Areas are set out in Section 2.9 of this Plan.

2.1.3 Rural Employment Areas

Rural Employment Areas are designated on Maps 2 and 2.26 to 2.35 inclusive of this Plan. This designation identifies existing clusters of industrial and associated commercial and ancillary uses and is intended to support the long-term employment needs of the township. Specific policies for the Rural Employment Areas are contained in Section 2.9 and 2.10 of this Plan.

The Township will provide additional opportunities for employment growth and business development within the Highway 401/Regional Road 97 Employment Area designated on Map 2 and 2.27. Future development within this designation will generally be limited to logistics and warehousing uses that require close access to the Highway 401 corridor to move goods efficiently into and out of the region. Section 2.9.3.2 of this Plan contains

specific policies relating to the Highway 401/Regional Road 97 Employment Area

2.1.4

Urban Area

The Urban Area is designated as shown on Map 2 of this Plan. This designation is established by the Regional Official Plan and identifies the primary urban areas of the Cities of Cambridge, Kitchener and Waterloo. A small portion of the Urban Area extends into the Township of North Dumfries from the City of Cambridge and is intended to be developed on municipal water and wastewater services through the City of Cambridge. The Region has allocated a residential population forecast to these lands equivalent to 1,400 persons as described in Policy 1.6 and Table 1 (Population and Employment Forecast) to this Plan.

Future *development applications* within the Township's portion of the Urban Area will be considered as premature for processing prior to June 30, 2019. In order to facilitate appropriate integration and phasing of development, future *development applications* will be subject to the following requirements prior to final approval.

- a) Confirmation from the Region of Waterloo that the additional traffic resulting from the development of the lands can be accommodated within the Region's existing and planned transportation network and that any operational improvements to Regional roads that may be required to accommodate such traffic have been identified with the physical and financial resources for such improvements having been secured by the Region prior to registration of any plans of subdivision,
- b) Confirmation that either the lands have been incorporated into the City of Cambridge, or that municipal water and wastewater servicing of the lands as required will be accommodated through a cross-border servicing agreement entered into between the City of Cambridge and the municipality having jurisdiction over municipal water distribution and wastewater collection services within the Township of North Dumfries and
- c) Development will occur in accordance with an amendment to this Official Plan, which will establish amongst other matters the hierarchy of residential and other land use designations, urban design policies, open space and environmental policies and strategies, and servicing and transportation policies. To support this amendment and the associated *development applications*, the owner/applicant will be required to complete appropriate servicing studies that build-on and supplement the preliminary technical review and associated analysis completed for the lands as part of the approved Cambridge West Master Environmental Servicing Plan, an Environmental Impact Study, Transportation and Transit Plan, and a Financial Impact Analysis Study.

2.1.4.1

The following provisions will apply to the lands identified as Special Policy Area 2.1.4.1 on Map 7 of this Plan:

- a) As part of the next *municipal comprehensive review* of the Regional Official Plan, the Region will be giving priority consideration to including the subject lands within the Urban Area boundary and the Urban Designated Greenfield Area designation shown on Map 3a (Urban Area) of the Regional Official Plan. If following this review it is determined that the subject lands will be included within the Urban Area and the Urban Designated Greenfield Area, the Township will establish the land use designations and associated policies for the subject lands through the next scheduled review of this Plan. Any *development applications* submitted before the review of this Plan to amend the designations on the subject lands, may be processed concurrently with the *municipal comprehensive review* of the Regional Official Plan,
- b) If the lands are ultimately re-designated and included within the Urban Area boundary, development will only proceed on the basis of municipal water and wastewater services,
- c) The subject lands will be considered as developable for the purposes of infrastructure planning, including any infrastructure master plan updates undertaken by the Township of Region, prior to the completion of the *municipal comprehensive review* process noted in subsection a) and
- d) Unless the subject lands are incorporated into the City of Cambridge, final approval of any *development applications* on the lands will be subject to confirmation that servicing of the lands as required will be accommodated by the City of Cambridge through a cross-border servicing agreement executed with the municipality having jurisdiction over municipal water distribution and wastewater collection services within the Township of North Dumfries.

2.1.5 The Countryside

The township's Countryside includes all of the residual lands not located within the Ayr Urban Area, Residential Settlement Areas, or Rural Employment Areas or the Urban Area. This area also includes *prime agricultural areas* and *rural areas* as designated on Map 7 of this Plan. The primary land uses permitted within these designations will include *agricultural uses*, *agriculture-related uses* and *secondary uses*. The Countryside also includes a broad band of permanently protected *environmental features* and agricultural lands known as the Protected Countryside. This Regional designation contains a unique concentration of farmlands, *woodlands*, watercourses, river valleys and *wetlands*. The Protected Countryside is intended to permanently protect these critical areas from urban development. Specific policies for the township's Countryside are outlined in Sections 2.9 and 5.1 of this Plan.

2.1.6 The Countryside Line

The Countryside Line is designated on Map 7 of this Plan. The Countryside Line represents the long-term boundary between the existing Ayr Urban Area, the Urban Area and the Countryside, subject to Policy 2.1.4.1. Where the Countryside Line coincides with the Protected Countryside designation as shown on Map 7, the Countryside Line

will be considered a permanent boundary.

2.2 RESIDENTIAL GROWTH STRATEGY

- 2.2.1 Township Council may adopt by resolution, a Residential Growth Strategy to outline how the Township will accommodate the population forecasts shown in Table 1 of this Plan, and achieve the *reurbanization* and density targets set out in Sections 2.4 and 2.5 of this Plan.

2.3 EMPLOYMENT LAND STRATEGY

- 2.3.1 In conjunction with the approval of this Plan, and any future *municipal comprehensive reviews* of the policies and mapping of this Plan, Township Council will adopt by resolution, an Employment Land Strategy to outline how the Township will accommodate the employment forecasts shown in Table 1 of this Plan, and achieve the *reurbanization* and density targets set out in Sections 2.4 and 2.5 of this Plan.
- 2.3.2 The Township will maintain an employment land inventory including available lot sizes and will from time to time update this inventory taking into consideration new development, expansions, and intensification of *existing* properties.

2.4 REURBANIZATION TARGET

- 2.4.1 The *built-up area* is designated on Map 2 of this Plan. This area identifies all lands within the *built boundary* of the Ayr Urban Area and the Highway 401/Regional Road 97 Employment Area as of June 16, 2006. This boundary was established by the *Province* as part of the Growth Plan for the Greater Golden Horseshoe, and will remain fixed in place to monitor the density targets and *reurbanization* targets of this Plan.

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- 2.4.2 In accordance with ROP Policy 2.C.3., the Township, in collaboration with the Region, will establish a *reurbanization* target and associated policies in this Plan to ensure that a minimum percentage of new residential development occurring annually within the Township will be within the *built-up area* of the Ayr Urban Area. Until such time as this target has been established, the Township will endeavour to ensure that by 2015 and each year thereafter, new residential development occurring annually within the township will contribute to the achievement of the Region's 45 percent *reurbanization* target.
- 2.4.3 The Township will phase in and achieve the *reurbanization* target of this Plan by:
- undertaking the Residential Growth Strategy set out in Section 2.2, identifying *reurbanization areas* as well as the appropriate type and scale of development within those areas;
 - encouraging *reurbanization* generally throughout the *built-up area*, where appropriate;
 - recognizing Ayr's Urban Growth Centre as a focus for development to accommodate *reurbanization*;
 - supporting the creation of secondary suites throughout the *built-up area* in accordance with the housing policies of this Plan;

- e) promoting the efficient use of land, resources, *infrastructure* and public service facilities;
- f) avoiding the need for unnecessary and/or uneconomical expansion of *infrastructure*; and,
- g) encouraging development appropriate to the type of wastewater and water systems which are planned or available.

2.4.4 The Township will not approve any *development applications* to reduce the *net residential density* in areas planned for medium or high density housing, if the reduction in density will significantly impact the ability to achieve the density and *reurbanization* targets established in Sections 2.4 and 2.5 of this Plan.

2.4.5 The Township will encourage the provision of new dwelling units in *built-up areas* in the Ayr Urban Area and existing Rural Settlement Areas, through infill, conversion, intensification or redevelopment compatible with surrounding uses, except where *infrastructure* is inadequate or there are significant physical constraints.

2.5 DESIGNATED GREENFIELD AREAS

2.5.1 The Township's Designated Greenfield Areas are designated on Map 2 of this Plan. This designation identifies lands within the Ayr Urban Area, the Urban Area and the Highway 401/Regional Road 97 Employment Area that are outside the *built boundary*.

2.5.2 The Township, in collaboration with the Region, will ensure that development occurring in the township's Designated Greenfield Areas will be planned to:

- a) conform to the applicable policies of Section 2.D of the ROP;
- b) achieve the following density targets
 - i) areas serving primarily a residential function will meet or exceed a minimum average density of 45 residents and jobs combined per hectare on lands not subject to a plan of subdivision application as of June 16, 2006;
 - ii) areas serving solely an employment function (serviced) will be planned to meet or exceed a minimum average density of 40 jobs per hectare;
 - iii) areas serving primarily an employment function (un-serviced) will be planned to meet or exceed a minimum average density of 25 jobs per hectare; and
 - iv) notwithstanding subsection i) above, and subject to the requirements set out in Policy 2.D.30 of the Regional Official Plan, the lands identified as Special Policy Area 2.5.2 b) iv) on Map 2 of this Plan will be planned and developed to meet or exceed a minimum average density and jobs combined per hectare.

The above density targets are intended to contribute to the achievement of the Region of Waterloo's overall density target of 50 residents and jobs per hectare measured on average over the entire Urban and Township Designated Greenfield Areas shown in the Regional Official Plan.

- c) provide a development pattern and road network that supports the integration of transit services, where planned to be available in the future; and
- d) within the Ayr Urban Area, and the Urban Area, support development on municipal water and wastewater services.

2.5.3 The Township will develop phasing policies and other strategies for Designated Greenfield Areas to ensure a logical and orderly progression of development and to minimize partially developed communities.

2.5.4 The Township may prepare urban design guidelines for development within Designated Greenfield Areas.

2.6 LAND USE DESIGNATIONS

The land use designations and policies contained in Sections 2.6 to 2.11 inclusive, and illustrated on Maps 2 and 2.1 to 2.35 inclusive, are intended to guide the future use of land within the township and form the basis for implementation through zoning or other development controls.

2.6.1 Urban Residential and Ancillary

2.6.1.1 The Urban Residential and Ancillary designation provides for the development of residential and associated ancillary uses on municipal water and wastewater services within the Ayr Urban Area. Development within this designation is intended to accommodate an appropriate range and mix of housing in terms of density and affordability to satisfy the long-term needs of the township in accordance with the policies in Section 3.2 of this Plan.

2.6.1.2 Ancillary uses within this designation will be restricted to those uses normally associated with residential neighbourhoods and may include Home Occupations, convenience commercial establishments, places of worship, nursing homes, elementary schools, parks, and storm water management facilities.

2.6.1.3 The type and density of residential development and specific ancillary uses will be regulated through the Township Zoning By-Law.

2.6.2 Urban Growth Centre

2.6.2.1 The Urban Growth Centre designation coincides with the traditional urban core area of the Ayr Urban Area designated on Map 2. The lands within this designation will be planned and developed to:

- a) accommodate additional population and compatible employment growth consistent with Ayr's traditional role as the focus for social, economic and cultural activities in the township;

- b) serve as focal points for investment in institutional and local *human services* as well as commercial, recreational, cultural and entertainment land uses; and
- c) provide for a development pattern that supports the integration of Regional transit services, where planned to be available in the future.

2.6.2.2 Specific uses within the Urban Growth Centre will be regulated through the Township Zoning By-law.

2.6.3 Settlement Residential and Ancillary

2.6.3.1 The Settlement Residential and Ancillary designation is intended to provide for primarily low density residential development within Rural Settlement Areas.

2.6.3.2 Ancillary uses within this designation will be restricted to Home Occupations, parks, and storm water management facilities.

2.6.1.3 Specific types and densities of residential development and ancillary uses will be regulated through the Township Zoning By-Law.

2.6.4 Settlement Core Area

2.6.4.1 The Settlement Core Area designation applies to Rural Settlement Areas and provides for a limited mix and range of residential and commercial uses. The Township encourages the mixing of compatible uses within Settlement Core Areas.

2.6.4.2 Specific uses within Settlement Core Areas will be regulated through the Township Zoning By-law.

2.6.5 General Industrial

2.6.5.1 The General Industrial designation provides for a range of light industrial uses and related activities which are compatible with surrounding uses, and do not utilize significant quantities of water or generate significant quantities of wastewater within their processes.

2.6.5.2 The General Industrial designation applies only to lands located within the Ayr Urban Area which have, or will be required to have, access to municipal water and wastewater services.

2.6.5.3 Uses permitted within the General Industrial designation shall not include those uses deemed to be hazardous and/or offensive, but may include:

- a) light manufacturing, assembly and processing industries;
- b) service uses including small equipment and business machine sales and service, printing and/or publishing establishments, rent-all establishments, landscaping and garden centre sales and service, public garages, car washes and sales of automotive parts, sales and servicing of industrial or commercial motor vehicles or motorized equipment,

- c) building contractors yards;
- d) dry cleaning plants;
- e) security and janitorial services;
- f) industrial research and development facilities;
- g) computer based technologies;
- h) training facilities relating to uses such as industrial trades, service industries, computer based technologies; and arts and crafts;
- i) recycling facilities; but not including the recycling of plastics and/or tires;
- j) indoor storage facilities;
- k) courier or delivery services;
- l) restaurants or catering establishments
- m) veterinary offices;
- n) compatible recreational facilities;
- o) retail sales of products manufactured on the same site; and
- p) offices required for the administration of an industrial activity or for the provision of technical and professional services to an industrial activity.

2.6.5.4 Specific uses within the General Industrial designation will be regulated through the Township Zoning By-law.

2.6.6 Dry Industrial/Commercial

2.6.6.1 The Dry Industrial designation is applicable to lands generally serviced by private wells and *individual wastewater treatment systems*. The Dry Industrial designation provides for a range of light industrial uses and related activities similar to the uses in the General Industrial designation.

2.6.6.2 Commercial uses within Rural Employment Areas will generally be restricted to uses which:

- a) are intended to primarily serve the Rural Employment Area; or
- b) because of proximity to a Provincial Highway or Regional Road would normally be considered for inclusion within a highway commercial category.

2.6.6.3 Retail outlets which provide for day-to-day retail shopping needs, power centres, shopping

centres, or the type of retail outlet normally found within a shopping centre facility, will not be permitted within Rural Employment Areas.

- 2.6.6.4 Uses within Urban Employment Areas will be restricted to uses which do not require large amounts of water for the operation, and the nature of wastes generated must be demonstrated to be appropriate for private servicing to the satisfaction of the Region. Specific uses within the Dry Industrial designation will be regulated through the Township Zoning By-law.

2.6.7 Prime Industrial/Strategic Reserve (Un-serviced)

- 2.6.7.1 The Prime Industrial/Strategic Reserve (Un-serviced) designation applies to portions of the Highway 401/Regional Road 97 Employment Area designated on Maps 2 and 2.27. Lands within this designation are intended to provide additional opportunities for employment growth and business development within the township. Development within the Prime Industrial/Strategic Reserve (Un-serviced) designation will generally be limited to privately serviced logistics and warehousing uses that require close access to the Highway 401 corridor to efficiently move goods into and out of the region.

- 2.6.7.2 Lands designated as Prime Industrial/Strategic Reserve (Un-serviced) will be developed as parcels greater than eight hectares in size, unless otherwise compromised by such considerations as design limitations associated with *environmental features*, property configurations, and the provision of new local roads or *existing* development.

- 2.6.7.3 Notwithstanding Policy 2.6.7.2, where monitoring clearly demonstrates that there will be a critical shortfall in the inventory of un-serviced lands available in the short to medium term to meet the needs of new and expanding businesses requiring lot sizes less than eight hectares, the Township may permit, through an amendment to this Plan, the creation of smaller parcels to meet those needs.

2.6.8 Rural Institutional

- 2.6.8.1 The Rural Institutional designation provides for such uses as schools, medical offices, government uses, libraries, senior citizen homes, day care centres, places of worship, community centres, arenas and community halls within the township's countryside. Such uses relate to and are intended to serve the needs of the rural community.

- 2.6.8.2 Where lands are designated as Rural Institutional on Map 2 and Environmental Constraint Areas on Map 5B, uses permitted within the Rural Institutional designation will be subject to the restrictions as established through the policies contained in Sections 2.12 and 6.1 of this Plan.

- 2.6.8.3 Specific uses within the Rural Institutional designation will be regulated by the Township Zoning By-law.

- 2.6.8.4 The Township may permit the establishment or expansion of a Rural Institutional use within the *rural areas* designations by amendment to this Plan, provided that the proposed use:

- a) has a demonstrated need to locate within a *rural area*;

- b) is compatible with surrounding agricultural operations;
- c) minimizes the amount of land removed from agricultural production; and
- d) complies with all other applicable policies in this Plan and the ROP.

2.6.8.5 Within *rural areas* the Township may approve *development applications* to sever new lots for Rural Institutional uses established in accordance with this Plan, provided that the proposed lot complies with all applicable policies in the ROP.

2.6.8.6 Within the *prime agricultural areas* or *rural areas* designations, the Township may approve *development applications* to expand the lot areas of *existing* Rural Institutional uses, provided that the proposed lot complies with all applicable policies in the ROP.

2.6.9 Open Space

2.6.9.1 The Open Space designation will be applied to conservation areas, major public parks, privately owned recreation areas, cemeteries, appropriate heritage features, fairgrounds, golf courses, camping facilities and recreational trailer parks. This designation is also intended to accommodate for a range of *recreational and tourism uses* in the Countryside as provided for in the ROP.

2.6.9.2 Where lands are designated as Open Space on Map 2 and Environmental Constraint Areas on Map 5B, uses permitted within the Open Space designation will be subject to the restrictions as established through the policies contained in Section 6.1 of this Plan.

2.6.9.3 The Township will endeavour to provide high quality public open space that is walkable and has a high standard of urban design to create vibrant and complete neighbourhoods.

2.6.9.4 Specific uses within the Open Space designation will be regulated through the Township Zoning By-law.

2.6.10 Agricultural

2.6.10.1 Primary uses within the Agricultural designation will include *agricultural uses*, *agriculture-related uses* and *secondary uses*. Additional uses may be permitted in accordance with the provisions of the policies contained in Sections 2.11, 2.12 and 5.1 of this Plan.

2.6.10.2 Where lands are designated as Agricultural on Map 2 and Environmental Constraint Areas on Map 5B, uses permitted within the Agricultural designation will be subject to the restrictions as established through the policies contained in Section 6.1 of this Plan.

2.6.10.3 Within the Agricultural designation, all types, sizes and intensities of *agricultural uses* and *normal farm practices* will be promoted and protected in accordance with Provincial standards.

2.6.10.4 *Mineral aggregate operations* may be permitted as an interim use in the Agricultural designation in accordance with the Section 5.2 of this Plan and the applicable policies in the ROP.

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2.6.10.5 Farm-related infrastructure such as drainage and irrigation is encouraged to be maintained and improved throughout the Township.-

2.6.10.6 Uses within the Agricultural designation will be regulated through the Township Zoning By-law.

2.6.11 The Protected Countryside

2.6.11.1 The Protected Countryside is designated on Map 7 of this Plan. This designation identifies a continuous band of *environmental features* and agricultural lands within the township that are to be permanently protected. Lands within the Protected Countryside contain a large concentration of *prime agricultural lands*, *woodlands*, watercourses, portions of the Grand River valley, *wetlands*, Environmentally Sensitive Landscapes, Regional Recharge Areas, and portions of the Waterloo and Paris-Galt Moraines. The Protected Countryside is intended to permanently protect these valuable areas from urban development, while providing for the continued use of the lands for agriculture, environmental and other appropriate rural uses in conformity with the policies in this Plan.

2.6.11.2 Land uses within the Protected Countryside will be regulated in accordance with the underlying policies of the *prime agricultural area*, *rural areas* or Landscape Level Systems designations as shown in this Plan.

2.6.11.3 Expansions of the Ayr Urban Area, the Urban Area, the Highway 401/Regional Road 97 Employment Area, Rural Settlement Areas or Rural Employment Areas will not be permitted into the Protected Countryside, except as provided for in Policy 2.8.1 and 2.10.2.

2.6.11.4 Minor expansions of Rural Settlement Areas located within the Protected Countryside designation may be permitted to facilitate the enlargement of an existing employment, recreational or institutional use subject to the provisions of Policy 2.9.1.5 and 2.9.1.6 and, where applicable, Policy 6.1.3. Such expansions will not be permitted where the lands subject to the expansion proposal are also designated as Environmentally Sensitive Landscape in this Plan.

2.6.11.5 The designation of lands as Protected Countryside will not affect *agricultural uses* and associated *normal farm practices* as defined in applicable Provincial legislation and regulations in conformity with this Plan and the Township's Zoning By-laws, and statutes, policies and regulations of other government agencies, including agricultural drainage through municipal or agreement drains.

2.6.11.6 Nothing in this Plan shall prevent the owner of a legal lot of record located within the Protected Countryside designation from obtaining a building permit to construct or enlarge a house, accessory building or farm structure, provided it is in conformity with all other Township, Regional and GRCA and regulations.

2.6.12 Environmental Constraint

2.6.12.1 Environmental Constraint designations are as illustrated on Map 5B and are applied to lands designated on Environmental Area Map 5A as being of Provincial, regional or

local environmental significance. The Environmental Constraint designation is also applied to lands with potential hazards to urban related development as identified on Map 5C of this Plan. These potential hazards include lands with steep slopes, organic soils, erosion susceptibility, *floodplains*, other geophysical limitations and their associated buffers and setbacks.

2.6.12.2 Uses within Environmental Constraint areas may include agriculture, conservation, appropriate recreational uses, and forestry and wildlife management. Additional uses may be permitted within the buffer and setback areas subject to such uses conforming to the policies contained in Sections 6.1 and 6.2 of this Plan.

2.6.12.3 Uses within Environmental Constraint areas will be regulated by the Township Zoning By-law.

2.6.13 Special Policy Areas

2.6.13.1 Special Policy Areas may be established by Council to designate areas subject to specific constraints to development, policy exceptions, or which would require the submission of specific studies prior to consideration of a development approval.

2.6.13.2 Council established Special Policy Area 2.6.13.2 as designated in Maps No. 2A and No. 2.33 of the Plan and sets out the following policies in regards to that Special Policy Area and its surroundings.

- a) In Special Policy Area 2.6.13.2, Council may permit an electricity generation land use in addition to all other uses and purposes for which the subject lands are designated by the Plan through site specific zoning and site plan control, and such other studies as may be reasonably required by Council, so long as Council is satisfied that the electricity generation land use:
 - i) location is proposed after careful study of other potentially suitable locations elsewhere in the Region of Waterloo where such study compares the impacts upon *existing* land uses at those optional locations with the proposed location;
 - ii) protects the function and characteristics of the Provincially *Significant Wetland*;
 - iii) satisfies the requirements of the Provincial Policy Statement, 2005 regarding mitigating impacts upon *existing* agricultural land uses, and also satisfies the Ontario *Ministry of Agriculture, Food and Rural Affairs* (OMAFRA) Publication 707 – Minimum Distance Separation (MDS) Formulae Implementation Guidelines, 2006 or any successor publication as appropriate;
 - iv) produces electricity when dispatched by the Independent Electric System Operator, or successor organization, to promote a more reliable and consistent electrical supply in the local electrical power grid (i.e., only a so called “peaking power” supply), and does not operate regularly on a

continuous basis;

- v) includes no more than a maximum of three (3) turbines combusting natural gas each powering a generator creating electricity and including a step-up transformer;
 - vi) preserves the quality and quantity of surficial and ground water through appropriate measures;
 - vii) employs a design that minimizes the visual impact of the electricity generation land use upon surrounding land uses;
 - viii) shall be decommissioned should it cease to function, and that such activities as are required to complete such decommissioning shall be secured through means of Site Plan Control as further set out in Policy 8.8 of the Plan, and a work plan would be developed for review with the appropriate government and municipal agencies to ensure that it meets the regulatory requirements in effect at that time;
 - ix) emits exhaust, noise, or vibration as permitted by Provincial regulations and guidelines as set by the Province from time to time, and the Township will require use of Site Plan Control for achieving a physical design promoting noise levels consistent with such Provincial regulations and guidelines at the time of development; and
 - x) satisfies all other policies, standards and controls of this Plan generally applicable to all land uses or to the subject lands as a result of other designations of those lands.
- b) In the future on lands surrounding Special Policy Area 2.6.13.2, Council shall not allow any land uses to be developed that are not compatible with any electricity generation land use that Council may permit to be developed on the lands subject to Special Policy Area 2.6.13.2.

2.6.13.3 Council established Special Policy Area 2.6.13.3 as designated in Maps No. 2A and No. 2.34 of the Plan and sets out the following policies in regards to that Special Policy Area and its surroundings.

- a) In Special Policy Area 2.6.13.3, Council may permit a solar electricity generation land use in addition to all other uses and purposes for which the subject lands are designated by the Plan through site specific zoning and site plan control, and such other studies as may be reasonably required by Council, so long as Council is satisfied that the electricity generation land use:
 - i) designates approximately 6.11 hectares of land for a solar electricity generation land use in addition to the other uses designated by the Plan where the required site specific zoning shall be required, and such site specific zoning shall include detailed definitions, regulations, and controls (including phasing of development) regarding the land use;

- ii) balances the importance of a *prime agricultural area* and the designation in the Plan of the land as Prime Agricultural Areas with those regarding *renewable energy systems* (where the italicized terms included in this Paragraph of the Plan are defined in Section 6.0 of Part V of the Provincial Policy Statement, 2005) where careful study of issues compares the impacts upon existing land uses on the land subject to this Special Policy Area and the land surrounding it with optional locations within the Township and the Region of Waterloo;
 - iii) protects the function and characteristics of Provincially Significant Wetlands;
 - iv) satisfies the requirements of the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Publication 707 – Minimum Distance Separation (MDS) Formulae Implementation Guidelines, 2006 or any successor publication as appropriate;
 - v) preserves the quality and quantity of surficial and ground water through appropriate measures;
 - vi) employs a design that minimizes the visual and reflective light impacts of the electricity generation land use upon surrounding land uses;
 - vii) shall be decommissioned should it cease to function, and that such activities as are required to complete such decommissioning shall be secured through means of Site Plan Control as further set out in Policy 8.8 of the Plan and return the land to a use as described in the Prime Agricultural Areas designation of the Plan;
 - viii) emits exhaust, noise, or vibration as permitted by Provincial regulations and guidelines as set by the Province from time to time, and the Township will require use of Site Plan Control for achieving a physical design promoting noise levels consistent with such Provincial regulations and guidelines at the time of development; and
 - ix) satisfies all other policies, standards and controls of this Plan generally applicable to all land uses or to the subject lands as a result of other designations of those lands.
- b) In the future on lands surrounding Special Policy Area 2.6.13.3, Council shall not allow any land uses to be developed that are not compatible with any electricity generation land use that Council may permit to be developed on the lands subject to Special Policy Area 2.6.13.3.

2.6.13.4 Council established Special Policy Area 2.6.13.4 as designated in Maps No. 2A and No. 2.35 of the Plan and sets out the following policies in regards to that Special Policy Area and its surroundings.

- a) In Special Policy Area 2.6.13.4, Council may permit the land use designation for

the property legally described as Part Lot 25 and 26, Concession 11, Township of North Dumfries, Regional Municipality of Waterloo be amended from Rural Area/Agricultural to Rural Area/Agricultural with Special Policy Area Designation to allow for such uses as a small-scale academic meeting and conference centre, retreat, and for the short-term accommodation of visitors.

2.6.14 Uses Permitted in All Designations

2.6.14.1 The following uses will be permitted in all designations within the township except where they are expressly prohibited or precluded by any other policy of this Plan or the ROP:

- a) any use for the purpose of the Township, the Region, the Government of Ontario or Government of Canada or any department, agency, board or commission thereof, including Hydro One Networks Inc. and Cambridge and North Dumfries Hydro Inc.;
- b) the facilities, other than administrative offices, sales outlets, studios, garages, depots or yards, of any privately owned public utility, pipeline company or broadcasting company;
- c) a use accessory to a permitted use; and
- d) *alternative and/or renewable energy systems* are permitted in all designations subject to the *Provincial and Federal requirements*, including appropriate separation distances to reduce incompatible land uses in accordance with Section 3D of the ROP.

2.6.15 Existing Uses

2.6.15.1 Notwithstanding the provisions of this Plan, it is the policy of the Township that any lands used for any legally *existing* purpose in any designation for which no provision is made by this Plan for such activity to be undertaken, may continue to be used for such purpose.

2.6.15.2 Subject to the provisions of Chapters 3 to 7 inclusive of this Plan, Council may pass by-laws or otherwise facilitate the continuation, extension or enlargement of such uses within the confines of the lands on which the activity is located without amendment to this Plan, provided that:

- a) the *existing* use is an appropriate use of such lands and its continuation, enlargement or extension will not have a detrimental impact on the surrounding land uses; and
- b) such actions by Council do not provide for the expansion of the *existing* use onto adjoining lands.

2.6.15.3 Notwithstanding Policy 2.6.15.1, Council may pass by-laws or otherwise facilitate or encourage the relocation of an *existing* use where any of the following conditions exist:

- a) the use is located within lands designated as Environmental Constraint within this Plan and the continuation of this use poses a threat to the health and safety of residents or users of the property;
- b) the *existing* use is incompatible with *existing* or proposed uses on the surrounding lands;
- c) the buildings, facilities or infrastructure of the *existing* use are inadequate, obsolete, or structurally unsound;
- d) the *existing* use would benefit from relocation; or
- e) the site or facilities of the *existing* use are required for public purposes.

2.6.16 Temporary Uses

2.6.16.1 It is the policy of the Township that by-laws may be passed in accordance with the provisions of the Planning Act to authorize the temporary use of land, buildings or structures for a period of time not exceeding three years and to permit such temporary use to be continued thereafter for additional periods of time, not exceeding three years each, as determined by Township Council to:

- a) provide an opportunity for the owner or occupant of land, buildings or structures used for a purpose not otherwise permitted by this Plan to bring the use into conformity with this Plan;
- b) provide Township Council with an opportunity to fully assess whether a use which is unfamiliar to Council and which is not otherwise permitted by this Plan should be considered as a conforming use by site specific amendment to this Plan upon the expiry of the temporary authorization, or should be discontinued;
- c) provide for the temporary use of vacant land for the purposes of a parking lot which is not otherwise permitted by this Plan pending the development of the land;
- d) permit the establishment and use of a garden suite on a property; and
- e) permit any other use which Township Council deems appropriate on a temporary basis.

2.6.16.2 Notwithstanding Policy 2.6.15.1, the initial zoning by-law authorizing the temporary use of garden suite may be approved for a period of up to twenty years.

2.6.16.3 The Township may enter into an agreement with a property owner and/or other parties concerning the temporary use.

2.6.16.4 Where an authorized temporary use is discontinued prior to the expiry of the authorizing by-law, the use will not be resumed.

2.7 AYR URBAN AREA

2.7.1 The Ayr Urban Area is designated as illustrated on Maps 2 and 2.1 of this Plan.

2.7.2 In preparing or reviewing planning studies, or in reviewing *development applications* or *site plans*, the Township will ensure that development occurring within the Ayr Urban Area is planned and developed to:

- a) support the Planned Township Structure described in this Plan;
- b) contribute to the creation of *complete communities* that take into account the availability and location of existing and planned *community infrastructure* and *human services* with efficient and effective development patterns, densities and an appropriate mix of land uses that optimize the use of land, resources and public investment in *infrastructure* and public service facilities while supporting walkability, cycling and the use of transit;
- c) protect the natural environment, and surface water and groundwater resources;
- d) conserve *cultural heritage resources* and support the adaptive reuse of historic buildings;
- e) respect the scale, physical character and context of established neighbourhoods in areas where *reurbanization* is planned to occur;
- f) facilitate residents' access to locally grown and other healthy foods in neighborhoods; and
- g) promote building designs and orientations that incorporate energy conservation features and the use of *alternative and/or renewable energy systems*.

2.7.3 The Township will within one year of the approval of this Plan commence a community planning process for the Ayr Urban Area to address:

- a) the potential for implementation of a two-zone flood plain policy framework;
- b) the distribution of densities and land uses, including the appropriate integration of future development with the existing community;
- c) a review of the function of the Urban Growth Centre as designated on Map 2.1 with the intent being to identify means to promote the vitality of the Ayr Urban Core Area as the focus of the community;
- d) the future development of stormwater management facilities, and municipal water supply and wastewater treatment systems, including where feasible, the completion of associated *environmental assessments* required under the Environmental Assessment Act;
- e) the completion of a comprehensive traffic impact analysis to assess the impact of projected growth on the Township, Regional and Provincial road networks, including the identification of improvements required to accommodate such growth;

- f) the potential for enhanced transportation opportunities for *pedestrians* and cyclists;
- g) the determination of the appropriate designation for the vacant lands north of the railway tracks identified as Special Policy Area 2.7.7 on Map 2.1;
- h) the determination of the appropriate designation for the vacant lands located adjacent to the Regional Road No. 50 and Township Road No. 3 Rural Employment Area identified as Special Policy Area 2.9.3.5.3 on Map 2.30;
- i) staging for the development of the community;
- j) the location of schools and investigation of their potential development as multi-use facilities to accommodate libraries and municipal recreational facilities;
- k) appropriate integration of environmental areas into the urban environment; and
- l) the provision of parks and recreational amenities;

2.7.4 The community planning process for the Ayr Urban Area will include an extensive public consultation process, with a minimum of one public meeting being held prior to consideration of the Community Plan by Township Council. The notification for this meeting will be consistent with the notification process for an Official Plan Amendment under the provisions of the Planning Act.

2.7.5 The results of the community planning process will be adopted as a Community Plan by resolution of Township Council, with appropriate policy and mapping changes being considered for adoption by Township Council through amendment to this Plan. Portions of the Community Plan not adopted by amendment to this Plan will be subject to review and approval, where appropriate by the Region.

2.7.6 Prior to the approval of the Community Plan provided for in Policy 2.7.5, the redesignation of lands identified as Special Policy Area 2.7.6 on Map 2.1 of this Plan will not be permitted.

2.7.7 Notwithstanding the designation of General Industrial on the lands identified as Special Policy Area 2.7.7, no development of these lands will be permitted until such time as the Community Plan as provided for in Policy 2.7.5 has been approved.

2.7.8 Infill residential development, including new development on *brownfield* and *greyfield* sites, will be encouraged within the Urban Residential and Ancillary designation by way of consent where:

- a) the proposed development conforms to the policies of this Plan and the ROP;
- b) the severed and retained parcels conform to the requirements of the Township Zoning By-law or that a minor variance has been approved by the Committee of Adjustment;

- c) the severed and retained parcels have frontage on an existing open road of a standard satisfactory to the Township, and that no new road (other than road widening) will be required;
- d) that the proposed development conforms to the provisions of Subsection 53(1) of the Planning Act; and
- e) the proposed development will be compatible with the uses in the immediate neighbourhood in form and function with respect to lot size and configuration, so as to minimize the impact of the proposed development on *existing* uses.

2.7.9 Notwithstanding the designation of Urban Residential and Ancillary, this Plan recognizes the *existing* privately serviced residential development on lands identified as Special Policy Area 2.7.9 on Map 2.1. This Plan supports development proposing residential infill on private services on these lands, subject to the provisions of Policy 2.7.8.

2.7.10 Lands identified on Map 2.1 as Special Policy Area 2.7.10 will be identified with an ‘f’ suffix in the Township Zoning By-law. These lands are located below the regulatory flood plain as identified by the Grand River Conservation Authority. Prior to the establishment of a Two-Zone Flood Plain policy framework for the Ayr Township Urban Area, new development will not be permitted on these lands, however, additions to the *existing* structures may be permitted by amendment to the Township Zoning By-law and are subject to the approval of the Grand River Conservation Authority.

2.7.11 Freure Homes – Designated as Part 1 on Registered Plan 58R-9383
Part of Lots 35 and 36, Concession 8, Ayr
Southeast corner of Greenfield Road and Northumberland Street

In recognition of the strategic location of the property and its prominence at the northerly entrance into the Community of Ayr via Northumberland Street, the development of the subject lands warrants special considerations. Enhanced architectural and landscaping treatment, building massing, density and orientation of buildings is required at this strategic location so as to strengthen the area’s identity and to improve the quality of the public realm.

In this respect, development proposals shall have well defined and articulated street edges with a landscaped area between the public road allowance right-of-ways and any internal roads. Decorative fencing or similar structures or strongly defined landscape features shall be incorporated into the landscaping scheme. If buildings are proposed to frame from the public realm, varied building setbacks along the property frontages shall be pursued to reinforce the positive image and interaction between the public / private realm. No backlot development will be permitted along either road frontages.

Through the site plan process, an integrated architectural control manual and landscaping plan shall be undertaken by the Owner and submitted to the Township for review and approval, in addition to the standard menu of technical studies outlined elsewhere in this Plan.

Residential development may be in the form of townhouse, stacked townhouse and/or

low rise apartment buildings. The residential density target for this property shall be a minimum of 20 units / net ha to a maximum of 30 units / net ha for townhouse units and up to a maximum of 65 units / net ha for a low rise apartment building.

The development of this property shall require the incorporation of the triangular shaped parcel to be brought into the ownership and title of this larger landholding through the approval and finalization of Consent Application B-01/14.

- 2.7.12 Lands illustrated on Map 2.1 as Special Policy Area 2.7.12 and designated as Urban Residential and Ancillary Area may allow for commercial land use activities such as an office building.

2.8 AYR URBAN AREA EXPANSIONS/RATIONALIZATIONS

- 2.8.1 Future expansions to the boundaries of the Ayr Urban Area are only permitted onto lands within the Countryside Line as shown on Map 7 of this Plan, and will be subject to the following:
- a) the expansion is justified through the preparation of a Regional Land Budget completed by the Region as part of a *municipal comprehensive review* of the ROP, or the completion of a *municipal comprehensive review* as otherwise initiated by Regional Council;
 - b) the density targets and *reurbanization* targets contained in this Plan and the ROP have been met or exceeded, or it can be clearly demonstrated that achievement of such targets will not be hindered by the proposed expansion;
 - c) sufficient opportunities to accommodate the population and employment forecast in this Plan, through *reurbanization* and Designated Greenfield Areas, are not available:
 - i) within the region as a whole; and
 - ii) within the township to accommodate the growth allocated to the Township by the ROP.
 - d) the expansion provides sufficient lands for a time horizon not exceeding 20 years, using the density targets, *reurbanization* targets and other policies in this Plan;
 - e) the existing or planned *infrastructure* required to accommodate the proposed expansion is financially viable over its life-cycle, can be provided in an environmentally *sustainable* manner and is consistent with any applicable Township and/or Regional infrastructure master plan;
 - f) the expansion is of a sufficient size to be developed as a *complete community* by itself, or can be integrated with existing development to contribute to a *complete community*;

- g) any applicable *watershed studies* have been completed prior to the approval of the expansion;
- h) the expansion considers the potential impacts on any adjacent agricultural operations, including any reductions in tillable soils or pasture land, or alterations to the configuration of tillable lands that negatively impact the long term viability of the agricultural operations;
- i) the expansion conforms to the *minimum distance separation formulae*;
- j) the expansion is accompanied by detailed environmental and servicing studies as required by the policies of this Plan;
- k) the proposed expansion will maintain, or move significantly towards, a minimum of one full-time job per three residents within the Ayr Urban Area; and
- l) the expansion complies with all other applicable policies in this Plan and the ROP.

2.8.2 Prior to any future expansions of the Ayr Urban Area in accordance with Policy 2.8.1, the Township will initiate a community planning process to establish the detailed land, transportation and infrastructure policies to guide the development of the lands to be brought into the Urban Area. The results of the community planning process will be implemented through a future amendment to this Plan. Until such time as appropriate land use designation and planning policies are determined, land uses in this area will be in conformity with the underlying *prime agricultural areas* designation.

2.8.3 The Township may propose a rationalization of the boundaries of the Ayr Urban Area and/or the Countryside Line applicable to the Ayr Urban Area, to be implemented through a further amendment to this Plan, provided that the rationalization:

- a) only occurs at the time of the next *municipal comprehensive review* of this Plan;
- b) takes into consideration existing property configurations, patterns of existing land use, natural and constructed features, and will not extend or promote strip development;
- c) does not result in a net increase in the amount of land designated as Designated Greenfield Area and/or located within the Countryside Line, except as provided for in accordance with Policy 2.8.4; and
- d) does not exchange *provincially constrained environmental areas* for unconstrained developable areas.

2.8.4 To further focus growth in the Ayr Urban Area, any boundary rationalizations proposed under Policy 2.8.3 that would result in a net increase in the amount of land designated as Designated Greenfield Area and/or located within the Countryside Line, may be permitted where:

- a) the boundary rationalization deletes areas from a Rural Settlement Area

designation and adds it to the Ayr Urban Area designation;

- b) the area being transferred from the Rural Settlement Area to the Ayr Urban Area does not result in a net increase in the amount of developable land;
- c) the area being deleted from the Rural Settlement Area designation is re-designated as *prime agricultural areas*, or *rural area*, in this Plan; and
- d) the boundary rationalization is in conformity with all other applicable policies in this Plan and the ROP.

2.9 RURAL SETTLEMENT AREAS

The township's Countryside is home to several existing smaller Rural Settlement Areas and Rural Employment Areas. These settlement areas provide opportunities for living and working in the Countryside and play a significant role in the economic health and vitality of the township.

2.9.1 General Policies

- 2.9.1.1 Rural Settlement Areas are designated on Maps 2 and 2.2 to 2.25 inclusive of this Plan. This designation identifies the township's smaller settlement areas that generally comprise a limited mix of residential, commercial and institutional uses serving primarily the local community. Specific policies for the Rural Settlement Areas are set out in Subsection 2.9.2 of this Plan.
- 2.9.1.2 Rural Employment Areas are designated on Maps 2 and 2.26 to 2.35 inclusive of this Plan. This designation identifies existing clusters of industrial and associated commercial and ancillary uses and is intended to support the long-term employment needs of the township. Residential development will not be permitted in this designation. Future development within this designation will occur on individual water and wastewater services, and will be compatible with surrounding uses. Specific policies for the Rural Employment Areas are contained in Subsection 2.9.3 of this Plan.
- 2.9.1.3 Where an existing lot is partly within a Rural Settlement Area or Rural Employment Area, the part of the lot located outside the Rural Settlement Area or Rural Employment Area will be zoned agriculturally in accordance with the policies in this Plan. Consent applications to sever the lot along the boundary of the Rural Settlement Area or Rural Employment Area, so as to create a new *non-farm lot* outside the Rural Settlement Area or Rural Employment Area, will not be permitted.
- 2.9.1.4 The Township may approve development proposals within Rural Settlement Areas and Rural Employment Areas provided that:
 - a) any new lots can be appropriately serviced by private wells and *individual wastewater treatment systems*;
 - b) any new development is compatible with the surrounding land uses in form and function; and
 - c) the development proposal conforms to all other applicable policies of this Plan.

- 2.9.1.5 The expansion of existing Rural Settlement Areas or Rural Employment Areas will not be permitted, except as provided for in Policy 2.9.1.6 of this Plan and Section 6.G of the ROP.
- 2.9.1.6 Where permitted in Subsections 2.9.2 and 2.9.3 of this Plan, the Township, in collaboration with the Region, may give consideration to permitting a minor expansion to a Rural Settlement Area for recreational or institutional uses, or to a Rural Employment Area for employment uses, to accommodate the future needs of the Township. Any such expansions will require an amendment to this Plan and will only be considered as part of the *municipal comprehensive review* of this Plan where:
- a) sufficient opportunities to accommodate the proposed employment, recreational or institutional use within the Ayr Urban Areas, Rural Settlement Areas or Rural Employment Areas are not available;
 - b) the site is zoned for the specific use;
 - c) within *prime agricultural areas*:
 - i) the land does not comprise a *specialty crop area*;
 - ii) there are no reasonable alternatives that avoid the *prime agricultural area*;
 - iii) there are no reasonable alternatives on lower priority agricultural lands in the *prime agricultural area*; and
 - iv) the loss of *prime agricultural land* is minimized.
 - d) the potential impacts on any surrounding agricultural operations are mitigated to the extent possible; and
 - e) the minor expansion complies with all other applicable policies in this Plan.
- 2.9.1.7 The Township may rationalize the boundaries of the respective Rural Settlement Areas, including the deletion of areas from one Rural Settlement Area designation and the addition of areas to another Rural Settlement Area designation, provided that the boundary rationalization:
- a) only occurs at the time the next *municipal comprehensive review* of this Plan;
 - b) takes into consideration existing property configurations, patterns of existing land use, natural and constructed features, and will not extend or promote strip development;
 - c) does not result in a net increase in developable land area;
 - d) designates the area being deleted from the Rural Settlement Area as *prime agricultural area* or *rural areas*, as appropriate, in this Plan;

- e) does not result in an expansion of a Rural Settlement Area within the Protected Countryside; and
- f) is minor and is in conformity with all other applicable policies in this Plan.

2.9.1.8 The designation of new Rural Settlement Areas or Rural Employment Areas will not be permitted.

2.9.1.9 Residential uses will not be permitted within Rural Employment Areas.

2.9.1.10 Commercial and service uses are required to locate within the Settlement Core Area of Rural Settlement Areas.

2.9.1.11 No new industrial designations will be permitted within Rural Settlement Areas. In addition, no expansions to Rural Settlement Areas for the purposes of industrial or commercial development will be permitted.

2.9.1.12 The Township will regulate specific land uses within Rural Settlement Areas through the Township's Zoning By-law.

2.9.2 Rural Settlement Area Specific Policies

2.9.2.1 Branchton Settlement Area

2.9.2.1.1 The Branchton Settlement Area is designated as illustrated on Map 2.2 of this Plan.

2.9.2.1.2 No expansions to the Branchton Settlement Area will be permitted.

2.9.2.2 Brown's Settlement Area

2.9.2.2.1 The Brown's Settlement Area is designated as illustrated on Map 2.3 of this Plan.

2.9.2.2.2 No expansions to the Brown's Settlement Area will be permitted.

2.9.2.3 Clarkson Settlement Area

2.9.2.3.1 The Clarkson Settlement Area is designated as illustrated on Map 2.4 of this Plan.

2.9.2.3.2 No expansions to the Clarkson Settlement Area will be permitted.

2.9.2.4 Clyde Settlement Area

2.9.2.4.1 The Clyde Settlement Area is designated as illustrated on Map 2.5 of this Plan.

2.9.2.4.2 Consideration of any expansion to the Clyde Settlement Area will be restricted to the lands located on the south side of Township Road 18, east of Regional Road No. 27. Any such expansion will be subject to all applicable policies of this Plan.

- 2.9.2.4.3 During the processing of any *development application* to expand the Clyde Settlement Area in accordance with Policy 2.6.2.4.2, Township Council may include lands within the expansion for the purposes of a municipal park.

2.9.2.5 Dickie One Settlement Area

- 2.9.2.5.1 The Dickie One Settlement Area is designated as illustrated on Map 2.6 of this Plan.

- 2.9.2.5.2 No expansions to the Dickie One Settlement Area will be permitted.

2.9.2.6 Dickie Two Settlement Area

- 2.9.2.6.1 The Dickie Two Settlement Area is designated as illustrated on Map 2.7 of this Plan.

- 2.9.2.6.2 No expansions to the Dickie Two Settlement Area will be permitted.

2.9.2.7 Greenfield Settlement Area

- 2.9.2.7.1 The Greenfield Settlement Area is designated as illustrated on Map 2.8 of this Plan.

- 2.9.2.7.2 No expansions to the Greenfield Settlement Area will be permitted.

2.9.2.8 Hall Settlement Area

- 2.9.2.8.1 The Hall Settlement Area is designated as illustrated on Map 2.9 of this Plan.

- 2.9.2.8.2 No expansions to the Hall Settlement Area will be permitted.

2.9.2.9 H'Ayritage Settlement Area

- 2.9.2.9.1 The H'Ayritage Settlement Area is designated as illustrated on Map 2.10 of this Plan.

- 2.9.2.9.2 No expansions to the H'Ayritage Settlement Area will be permitted.

2.9.2.10 Highway 24 Settlement Area

- 2.9.2.10.1 The Highway 24 Settlement Area is designated as illustrated on Map 2.11 of this Plan.

- 2.9.2.10.2 No expansions to the Highway 24 Settlement Area will be permitted.

- 2.9.2.10.3 Any development on lands located immediately south of the City of Cambridge border identified as Special Policy Area 2.9.2.10.3 on Map 2.11 of this Plan will:

- a) not be permitted until such time as the Township has been advised by the Regional Commissioner of Engineering that the *Environmental Assessment* for the South Boundary Road as identified through the Cambridge Area Transportation Study and, if appropriate, the functional design for this portion of the roadway have been completed;
- b) be subject to the results of the *Environmental Assessment*;

- c) be on full municipal services extended from the City of Cambridge unless the results of the *Environmental Assessment* or the functional design of the roadway eliminates the feasibility of extending full services to the site; and,
- d) if developed on full services be required to provide for an acceptable transition in density from the existing estate residential dwelling through to the remainder of the development.

2.9.2.11 Innanen Settlement Area

- 2.9.2.11.1 The Innanen Settlement Area is designated as illustrated on Map 2.12 of this Plan.
- 2.9.2.11.2 No expansions to the Innanen Settlement Area will be permitted.
- 2.9.2.11.3 Only estate residential development consistent with the form of the existing lots will be permitted within the Innanen Settlement Area.

2.9.2.12 Lockie Settlement Area

- 2.9.2.12.1 The Lockie Settlement Area is designated as illustrated on Map 2.13 of this Plan.
- 2.9.2.12.2 No expansions to the Lockie Settlement Area will be permitted.

2.9.2.13 Mackie Settlement Area

- 2.9.2.13.1 The Mackie Settlement Area is designated as illustrated on Map 2.14 of this Plan.
- 2.9.2.13.2 No expansions to the Mackie Settlement Area will be permitted.

2.9.2.14 McLean Settlement Area

- 2.9.2.14.1 The McLean Settlement Area is designated as illustrated on Map 2.15 of this Plan.
- 2.9.2.14.2 No expansions to the McLean Settlement Area will be permitted.
- 2.9.2.14.3 Notwithstanding the Settlement Residential and Ancillary designation on the lands located on the north east corner of the McLean Settlement Area shown as Special Policy Area 2.9.2.14.3 on Map 2.15, commercial uses will be permitted on these lands subject to the policies of this Plan.

2.9.2.15 Morrison Settlement Area

- 2.9.2.15.1 The Morrison Settlement Area is designated as illustrated on Map 2.16 of this Plan.
- 2.9.2.15.2 No expansions to the Morrison Settlement Area will be permitted.
- 2.9.2.15.3 Any development on lands designated Dry Industrial/Commercial within the Morrison Settlement Area must be compatible with surrounding residential development, and must

conform to the policies of this Plan.

2.9.2.16 Parker Settlement Area

2.9.2.16.1 The Parker Settlement Area is designated as illustrated on Map 2.17 of this Plan.

2.9.2.16.2 Consideration of any expansion to the Parker Settlement Area will be restricted to the lands located on the north side of Township Road 5, immediately east of the *existing settlement* area boundary. Any such expansion will be subject to all the applicable policies of this Plan.

2.9.2.16.3 Notwithstanding the Settlement Residential and Ancillary designation on lands identified as Special Policy Area 2.9.2.16.3 on Map 2.17 of this Plan, development of these lands will be restricted to a maximum of twenty-five (25) mobile homes and will be subject to Site Plan approval.

2.9.2.16.4 Notwithstanding the Settlement Residential and Ancillary designation on lands identified as Special Policy Area 2.9.2.16.4 on Map 2.17 of this Plan, the operation of self storage facility will be a permitted use, subject to a maximum gross floor area of 1858 sq. metres (20,000 sq. ft.) and Site Plan approval.

2.9.2.17 Plumtree Settlement Area

2.9.2.17.1 The Plumtree Settlement Area is designated as illustrated on Map 2.18 of this Plan.

2.9.2.17.2 No expansions to the Plumtree Settlement Area will be permitted.

2.9.2.18 Ranchlands Settlement Area

2.9.2.18.1 The Ranchlands Settlement Area is designated as illustrated on Map 2.19 of this Plan.

2.9.2.18.2 No expansions to the Ranchlands Settlement Area will be permitted.

2.9.2.19 Reidsville Settlement Area

2.9.2.19.1 The Reidsville Settlement Area is designated as illustrated on Map 2.20 of this Plan.

2.9.2.19.2 No expansions to the Reidsville Settlement Area will be permitted.

2.9.2.20 Riverview Settlement Area

2.9.2.20.1 The Riverview Settlement Area is designated as illustrated on Map 2.21 of this Plan.

2.9.2.20.2 No expansions to the Riverview Settlement Area will be permitted.

2.9.2.21 Roseville Settlement Area

2.9.2.21.1 The Roseville Settlement Area is designated as illustrated on Map 2.22 of this Plan.

2.9.2.21.2 No expansions to the Roseville Settlement Area will be permitted.

2.9.2.22 Taylor Settlement Area

2.9.2.22.1 The Taylor Settlement Area is designated as illustrated on Map 2.23 of this Plan.

2.9.2.22.2 No expansions to the Taylor Settlement Area will be permitted.

2.9.2.23 Wrigley Settlement Area

2.9.2.23.1 The Wrigley Settlement Area is designated as illustrated on Map 2.24 of this Plan.

2.9.2.23.2 Consideration may be given to the expansion of the Wrigley Settlement Area, only in so far as it relates to the lands on the south side of Regional Road 49, Part Lot 27, Concession VII owned by Mr. B. Cassel, subject to all applicable policies of this Plan.

2.9.2.23.3 No new development is permitted on lands identified as Special Policy Area 2.6.2.23.3 on Map 2.24 of this Plan until such time as the *Minimum Distance Separation formula* conflict is resolved.

2.9.2.24 Young Settlement Area

2.9.2.24.1 The Young Settlement Area is designated as illustrated on Map 2.25 of this Plan.

2.9.2.24.2 No expansions to the Young Settlement Area will be permitted.

2.9.3 Rural Employment Area Specific Policies

2.9.3.1 Highway 24 Employment Area

2.9.3.1.1 The Highway 24 Employment Area is designated as illustrated on Map 2.26 of this Plan.

2.9.3.1.2 No expansions to the Highway 24 Employment Area will be permitted.

2.9.3.2 Highway 401/Regional Road 97 Employment Area

2.9.3.2.1 The Highway 401/Regional Road 97 Employment Area is designated as illustrated on Map 2.27 of this Plan.

2.9.3.2.2 Future development within the Highway 401/Regional Road 97 Employment Area designation will generally be limited to privately serviced logistics and warehousing uses that require close access to the Highway 401 corridor to efficiently move goods into and out of the region.

2.9.3.2.3 Lands identified as Special Policy Area 2.9.3.2.3 on Map 2.27 may be used for the purpose of a trucking terminal and associated ancillary uses subject to the following:

- a) the extraction of aggregate from the property or the provision of justification

satisfactory to the Township that the extraction of such aggregate is not required in accordance with the provisions of Section 5.2.;

- b) the submission of a traffic impact study to the satisfaction of the Region and the implementation of the results of the study;
- c) that issues relating to stormwater management, potential groundwater contamination, water supply and wastewater treatment be addressed to the satisfaction of the Township, the Region and/or other appropriate authorities; and
- d) that the regulations of the zoning by-law recognize the existing lot frontage and area of the subject lands and prohibit any future severances which would reduce the size of the parcel.

2.9.3.3 Highway 401 and Township Road No. 2 Employment Area

2.9.3.3.1 The Highway 401/Township No. 2 Employment Area is designated as illustrated on Map 2.28 of this Plan.

2.9.3.4 Regional Road Nos. 12 and 58 Employment Area

2.9.3.4.1 Regional Road Nos. 12 and 58 Employment Area is designated as illustrated on Map 2.29 of this Plan.

2.9.3.5 Regional Road No. 58 and Township Road No. 3 Employment Area

2.9.3.5.1 The Regional Road Nos. 58 and Township Road No. 3 Employment Area is designated as illustrated on Map 2.30 of this Plan.

2.9.3.5.2 Within the Regional Road No. 58 and Township Road No. 3 Employment Area, no uses will be permitted which negatively impact the long term viability of the Urban Growth Centre within the Ayr Urban Area.

2.9.3.5.3 Prior to the approval of the Community Plan provided for in Policy 2.7.5, the re-designation of lands identified as Special Policy Area 2.7.2.6.3 on Map 2.30 of this Plan for uses which may otherwise be able to locate within the lands currently designated for industrial development in Ayr, or which have the potential to negatively impact the long term viability of the Urban Growth Centre will not be permitted.

2.9.3.5.4 Notwithstanding the Dry Industrial / Commercial designation on the lands located on the north east corner of Greenfield Road and Northumberland Street as Special Policy Area 2.7.2.6.4 on Map 2.30, commercial use activities such as a grocery store and drive thru restaurant while being connected to municipal water and wastewater services, will be permitted on these lands subject to the policies of this Plan.

2.9.3.6 Township Road No. 17 Employment Area

2.9.3.6.1 The Township Road No. 17 Employment Area is designated as illustrated on Map 2.32 of this Plan.

2.9.3.6.2 No expansions to the Township Road No. 17 Employment Area will be permitted.

2.10 NON-FARM-RELATED RESIDENTIAL DEVELOPMENT

2.10.1 *Development applications* to create a new non-farm-related residential lot within the *prime agricultural area* or *rural areas* designations, or which would otherwise result in the creation of such a residential lot, will not be permitted except in the following circumstances:

- a) within both the *prime agricultural areas* and *rural areas* designations, to create a lot for a second residence designated under the Heritage Act that would become surplus to the farm operation as a result of a proposed consolidation of the farm, subject to Policy 2.10.2;
- b) within the *rural areas* designation, to create new infill lots for residential purposes within an existing grouping of rural residential lots that has not been designated in this Plan as a Rural Settlement Area, subject to Policy 2.10.3; or
- c) within the Beverly Northern and Southern Areas of the township, to create new residential lots, subject to Policy 2.10.4.

2.10.2 Within both the *prime agricultural areas* and *rural areas* designations, where two or more farm parcels are to be merged in title into one ownership, with each lot having one dwelling, a new lot may be created for the dwelling surplus to the needs of the merged farm provided that:

- a) the surplus dwelling is designated by the Township as a heritage property under the Heritage Act; and
- b) the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services with a maximum area of one hectare, except where natural features or existing lot patterns justify the inclusion of additional lands.

2.10.3 Within the *rural areas* designation, the Township may permit the creation of new lots for residential infill within an existing grouping of rural residential lots that have not already been designated as a Rural Settlement Area in this Plan, provided that:

- a) the existing grouping of lots accommodating the proposed infilling lot(s) presently consists of a grouping of four or more *non-farm lots*, with each unit or lot separated from each other by no more than 100 metres on the same side of an open public road;
- b) the measurement of the 100 metre separation distance is determined in accordance with the *rural residential infilling formulae*;
- c) the new lot has a maximum area of one hectare, except where natural features or existing lot patterns justify inclusion of additional lands;

- d) the new lot is not located within a Source Water Protection Area where *individual wastewater treatment systems* are identified as a prohibited use in accordance with the policies outlined in Chapter 8 of the ROP; and
- e) the new lot can be appropriately serviced by private wells and *individual wastewater treatment systems*.

2.10.4 Where a consent application has been submitted for a new rural residential lot within the Beverly Northern and Southern Areas of the township prior to December 22, 2010, the date of approval of the ROP by the *Province*, such application, together with any associated existing or future zone change applications required to permit consideration of the new rural residential lot, will be continued and/or processed, and finally disposed of in accordance with all applicable policies of the Regional Official Policies Plan (1995) as it read on the day before December 22, 2010.

2.10.5 Notwithstanding the *Rural Area*/Agricultural designation on lands containing a former school house located south of the Branchton Settlement Area, two residential units will be permitted on the parcel.

2.11 NON-FARM RELATED NON-RESIDENTIAL DEVELOPMENT

2.11.1 The Township may permit the establishment or expansion of a *recreational and tourism use* within *rural areas* by amendment to this Plan and/or Zoning By-law provided that:

- a) any buildings or structures associated with the use are small-in-scale and do not include overnight guest accommodation, with the exception of campgrounds;
- b) the use is compatible with surrounding agricultural operations;
- c) the use minimizes the amount of land removed from agricultural production;
- d) the use complies with other policies in this Plan regarding mineral aggregate extraction, source water protection, the natural environment and water and wastewater servicing; and
- e) for proposed golf courses, the proponent submits a Best Management Practices report to the satisfaction of the Township that outlines measures to minimize irrigation, fertilizer and pesticide use requirements through use of Integrated Pest Management, promotes native and naturalized vegetation and minimizes active use areas.

2.11.2 The Township may permit the establishment or expansion of a Rural Institutional use within *rural areas* by amendment to this Plan and/or Zoning By-law, provided that the proposed use:

- a) has a demonstrated need to locate within the *rural areas* designation; and
- b) will be in conformity with Policy 2.11.1 a) to d).

- 2.11.3 Within *prime agricultural areas* and *rural areas*, the Township may permit the minor intensification of existing employment, commercial, recreational and/or institutional uses, including minor changes thereof, within the limits of the existing property.
- 2.11.4 *Development applications* to create new non-farm related non-residential lots within the *prime agricultural area* or *rural areas* designations may be permitted only in the following circumstances:
- a) within the *rural areas* designation, to create lots for *recreational and tourism uses* and Rural Institutional uses, in accordance with Policies 2.11.5 and 2.11.7; and
 - b) within both the *prime agricultural area* and *rural areas* designation, to facilitate conveyances to public bodies or non-profit entities for the conservation of *environmental features* or elements of the Greenlands Network, in accordance with Policy 2.11.9.
- 2.11.5 Within the *rural areas* designation, the Township may approve *development applications* to sever new lots for *recreational and tourism uses*, provided that:
- a) the new lot will be limited to a minimum size needed to accommodate the use;
 - b) the severance will not result in an undersized farm that may not be commercially viable, as determined in accordance with Policy 5.1.2.3.
 - c) the lands to be severed have been designated in this Plan and zoned in the Township's Zoning By-law to permit only the proposed use; and
 - d) the new lot can be appropriately serviced by private wells and individual wastewater treatment systems.
- 2.11.6 Within the *rural areas* designation, *development applications* to expand the lot areas of existing *recreational and tourism uses* may be permitted, provided that:
- a) the use is not a legal non-conforming use;
 - b) there is a demonstrated need for the additional land area;
 - c) the use minimizes the amount of land that is removed from agricultural production;
 - d) the expansion does not adversely affect the ability of surrounding agricultural operations to carry out *normal farm practices*; and
 - e) the severance will not result in an undersized farm that may not be commercially viable, as determined in accordance with Policy 5.1.2.3.
- 2.11.7 Within the *rural areas* designation, the Township may approve *development applications* to sever new lots for Rural Institutional uses, provided that:
- a) the new lot will be limited to a minimum size needed to accommodate the use;

- b) the severance will not result in an undersized farm that may not be commercially viable, as determined in accordance with Policy 5.1.2.3.
- c) the severed lands have been designated in this Plan and zoned in the Township's zoning by-law to permit only the proposed use; and
- d) the new lot can be appropriately serviced by private wells and *individual wastewater treatment systems*.

2.11.8 Within both the *prime agricultural areas* and *rural areas* designations, the Township may approved *development applications* to expand the lot areas of existing Rural Institutional Uses, provided that:

- a) the existing use is not a legal non-conforming use;
- b) there is a demonstrated need for the additional land area;
- c) the use minimizes the amount of land removed from agricultural production;
- d) the expansion does not adversely affect the ability of surrounding agricultural operations to carry out *normal farm practices*; and
- e) the severance will not result in an undersized farm that may not be commercially viable, as determined in accordance with Policy 5.1.2.3.

2.11.9 Conveyance of lands specifically for the purpose of conserving *environmental features* as designated on Map 5A of this Plan may be permitted only where such lands are both designated Open Space in this Plan and zoned to prohibit any use not related to conservation, and are covered by a conservation easement granted in favour of the Township, the Region, or other conservation organizations acceptable to the Township. The creation of such lots will not be permitted where the configuration of the remnant parcels will create the potential for new *non-farm lots*.

2.12 MINOR LOT BOUNDARY ADJUSTMENTS

2.12.1 Notwithstanding Policies 2.10.1 and 2.11.1, a new farm or a new lot will not be deemed to have been created where consent to sever is given for the following purposes:

- a) to address legal or technical matters such as easements, correction of deeds, quit claims and rights-of-way, that do not result in the creation of a separate lot, except where such easements or rights-of-way are intended to facilitate the construction of new buildings or structures on a vacant lot of record otherwise undevelopable due to lack of frontage onto a public road. Consents for such easements will be considered an application to create a new lot and will be subject to Policies 2.10.1 and 2.11.1 as applicable;
- b) to make minor adjustment to the legal boundaries of lots so as to conform to existing patterns of exclusive use and occupancy, or to rectify problems created by the encroachment of buildings, structures, private water supply or private sewage disposal facilities on abutting lots, provided that such adjustments do not

result in the creation of any additional lot held, or capable of being held, in distinct and separate ownership pursuant to the Planning Act;

- c) to make minor adjustments to the boundaries of two adjoining *non-farm lots* recognized by the Township's Zoning By-law, provided that such adjustments do not result in the creation of any additional lot held, or capable of being held, in distinct and separate ownership, pursuant to the Planning Act;
- d) to make a minor lot boundary adjustment between an abutting farm and *non-farm lot* which does not decrease the size of the *farming* operation;
- e) acquisitions of land for *infrastructure*, where the need for the project has been demonstrated through an *Environmental Assessment* or other appropriate study and the facility or corridor cannot be accommodated through the use of easements or rights-of-way; and
- f) severing from each other two or more rural lots that have unintentionally merged in title, provided the severances reflect the original lot lines.

CHAPTER 3: GENERAL LAND USE POLICIES

3.1 COMPATIBILITY

The Township will plan and provide for development that has a diverse and compatible mix of land uses, including residential and employment uses, to support and encourage the creation of *complete communities*.

3.1.1 Land Use Compatibility

3.1.1.1 The Township will encourage development that is compatible with the location, density and other characteristics of surrounding land uses. Compatibility will address both the impacts of surrounding land uses on the proposed development, as well as impacts of the proposed development on surrounding land uses. Factors that will be used to assess the compatibility of a proposed development include:

- a) the density, scale, height, massing, visual impact, building materials and architectural character of surrounding buildings and the proposed development;
- b) the preservation of the natural environment and built heritage resources;
- c) the continued visibility and viability of adjacent land uses;
- d) *pedestrian* and vehicular movement and linkages, and parking requirements;
- e) landscaping, setbacks, sun and shadow effects, wind effects, signage, lighting and buffering of proposed and *existing* developments;
- f) noise, dust, emissions or odours generated by surrounding land uses as well as the proposed development; and,
- g) traffic generated by surrounding land uses and the proposed development.

3.1.1.2 The Township will prevent or minimize potential *adverse effects* from odour, noise, and other contaminants, and risks to public health and safety due to the encroachment of *sensitive land uses* and potentially incompatible uses on one another. Compatible uses may be encouraged as a buffer between *sensitive land uses* and industrial areas, where the intervening use is compatible within both industry and the *sensitive land use*.

3.1.1.3 Effective separation distances for minimizing the impacts of industrial activities on surrounding *sensitive land uses* will be established by the Township in consultation with the Region and the Ministry of the Environment's D-Series Guideline.

3.1.1.4 All site lighting, when required, shall be designed to create safe outdoor environments and to minimize glare and impact to night sky, public view and surrounding properties.

3.1.1.5 Pursuant to the Environmental Protection Act, the Township will require written approval from the Ministry of the Environment prior to consideration of a *development*

application within areas formerly used as waste management facilities.

- 3.1.1.6 The Township, in consultation with the Region and the *Ministry of Environment*, will consider the *adverse effects* associated with the operation of wastewater treatment facilities or systems on *sensitive land uses* during the development approval process and may require the appropriate use of separation distances or other mitigation measures.
- 3.1.1.7 The Township may require beaming, screening, fencing, and/or other appropriate buffers satisfactory to the Township and the Region, to minimize both visual and noise impacts of a proposed development.
- 3.1.1.8 The Township will require the appropriate implementation of safety measures such as setbacks, berms and security fencing as conditions of approval for *development applications* adjacent to railways.
- 3.1.1.9 The Township through the Zoning By-law, will restrict the location/establishment of hazardous and/or offensive uses in its efforts to encourage compatible land uses.

3.1.2 Contaminated Sites

- 3.1.2.1 Where an official plan amendment, zone change, plan of subdivision, or consent application proposing a *sensitive land use* is submitted for lands, or adjacent to lands, which are a known, suspected or potentially contaminated site identified in consultation with the *Ministry of the Environment*, planning approvals will not be granted until a Record of Site Condition has been completed in accordance with the *Ministry of the Environment* Guideline for Use at Contaminated Sites in Ontario.
- 3.1.2.2 The closure of landfill sites and other facilities identified under the Environmental Protection Act are subject to the closure conditions of a Certificate of Approval.
- 3.1.2.3 Planning approvals will be subject to the submission of a Record of Site Condition proposed on, or adjacent to, a known or potentially contaminated site, in accordance with the provisions of the Regional Implementation Guidelines for the Review of *Development Applications* on or Adjacent to Known and Potentially Contaminated Sites.”
- 3.1.2.4 The Township will establish policies in this Plan and, where appropriate, in Community Plans and other implementation tools that promote the development of previously developed land, such as *brownfield* sites and *greyfield* sites location throughout the Ayr Urban Area.

3.1.3 Minimum Distance Separation (MDS)

- 3.1.3.1 All proposed development, or any new/expanded livestock barns and manure storage facilities will conform with the *Minimum Distance Separation* (MDS). The MDS will be determined through the *Minimum Distance Separation Formulae I and II*.

3.1.4 Noise

- 3.1.4.1 Prior to the approval of *development applications* in any area with the potential to be adversely affected by traffic, rail and stationary noise, the Township shall require a noise feasibility study be undertaken to the satisfaction of the Region and/or the Township by a qualified professional which demonstrates that appropriate abatement measures will be provided as set out in policies of the ROP and in accordance with the Regional Implementation Guideline for Noise Policies.
- 3.1.4.2 The Township will require consideration of the use of *passive noise attenuation measures* during the preparation of a *development application* as a means of reducing the use of structural mitigation measures such as noise barriers.
- 3.1.4.3 Any required noise abatement measures will be implemented through the development approval process and may include the following:
- a) use of increased setbacks;
 - b) use of sound barriers such as walls, fencing, or landscaped berms;
 - c) specific siting of buildings and land uses;
 - d) incorporation of special building design techniques such as height, configuration, internal layout, window locations and window construction; or,
 - e) use of special building materials and techniques.

3.2 HOUSING POLICIES

The Township will encourage innovative housing types, sizes and densities to facilitate the provision of housing that meets the needs of existing and future Township residents.

3.2.1 General Housing Policies

- 3.2.1.1 The Township will provide for, in accordance with policies in Section 2.5 of this Plan, an appropriate range of housing types and densities required to meet projected requirements of current and future residents of the township by maintaining, at all times:
- a) the ability to accommodate residential growth for a minimum of 10 years taking into account the density and *reurbanization* targets of this Plan, and, if necessary, lands which are designated and available for residential development; and
 - b) where new development is to occur, land with servicing capacity sufficient to provide at least a three year supply of residential units available through land suitably zoned to achieve the density and *reurbanization* targets of this Plan, and land in draft approved and registered plans.
- 3.2.1.2 Township Council will review municipal development standards (for sidewalks, curbs and gutters, and right of way widths) to identify opportunities for reducing development costs while maintaining adequate servicing.

- 3.2.1.3 The Township Zoning By-Law will be amended as necessary to implement the policies of this Section.

3.2.2 Range and Mix of Housing Types

- 3.2.2.1 The Township will encourage the development and integration of a diverse range and mix of housing types and tenure options consistent with the density targets established in Section 2.5 of this Plan to ensure the Township is providing housing alternatives to promote *complete communities* that meet the needs of existing and future township residents.

- 3.2.2.2 The Township will plan and provide for the development of *affordable housing*, both home ownership and rental housing to promote *complete communities*, and meet the needs of all residents within the township by:

- a) requiring, wherever appropriate, where a *development application* proposing residential uses is submitted for a site containing two hectares or more of developable lands, a minimum of 30 percent of new residential dwelling units to be planned in forms other than single detached and semi-detached dwellings, and may include housing forms such as street front townhouses and multiple residential units, in accordance with Section 3A of the ROP.
- b) encouraging innovative lot configurations, housing designs and construction techniques;
- c) integrating compact, *mixed-use* development in new residential developments and redeveloping areas;
- d) encouraging the construction of assisted housing, not-for-profit and affordable private sector residential units;
- e) permitting the addition of one self-contained, residential unit (i.e., secondary suites) in detached, semi-detached and row houses, and ancillary structures located on the same lot in both existing and newly developing residential neighbourhoods, except where infrastructure is inadequate or there are significant physical constraints; and
- f) providing opportunities for housing that is affordable to *low and moderate income households* to meet the social, public health and safety needs of existing and future residents.

- 3.2.2.3 The Township will collaborate with the Region and other agencies in the preparation of the Region's Community Action Plan for Housing and the Homelessness to Housing Stability Strategy.

- 3.2.2.4 The Township will endeavour to provide a range of planning and regulatory incentives that encourage *affordable housing*. Such incentives may include:

- a) fast-tracking *development applications* that contain an *affordable housing* component;

- b) density bonusing;
- c) collaborating with community partners participating in Regional, Provincial or Federal programs to foster the provision of *affordable housing*; and
- d) providing financial relief in the form of waived or deferred Development Charges for *affordable housing* projects.

3.2.3 Assisted and Special Needs Housing

- 3.2.3.1 The Township will encourage accessible new housing adaptable to people with special needs.
- 3.2.3.2 The Township will permit the location of *special needs housing* in all residential areas where there is access to employment, social services, *human services*, medical facilities, other *special needs housing* and other amenities.

3.2.4 Condominium Conversion

- 3.2.4.1 *A development application* to create a plan of condominium, which would result in the conversion of rental *affordable housing* to condominium ownership, may only be permitted where:
 - a) the current or latest vacancy rate for comparable rental units for the Township, or the Kitchener Census Metropolitan Area if not available for the Township, as surveyed by Canada Mortgage and Housing Corporation, is 3.0% or greater for the preceding three years;
 - b) the conversion will address and result in the creation of *affordable housing* for affordable home ownership;
 - c) the conversion will rectify existing health and safety issues through the completion of building renovations/retrofits, the cost of which would necessitate an increase in rent levels above the affordability threshold;
 - d) the Township has issued building permits within the previous twelve month period for the construction of one or more residential buildings intended for rental occupancy and containing no fewer dwelling units than the number of units contained in the building for which conversion is proposed;
 - e) the owner/applicant submits a detailed inspection report on the physical condition of the property by a qualified architect or engineer to the satisfaction of the Region;
 - f) the building for which conversion is proposed meets the requirements of the property standards by-law and the requirements of the Ontario Building and Fire Code;
 - g) the proposal satisfies any criteria contained in the Residential Tenancies Act and

other criteria established by the Provincial Government that may be applicable;
and

- h) the owner(s) agrees to give all tenants of the building first right of refusal to purchase a unit or an interest or share with a right to occupy a unit in the converted building.

3.3 TRANSPORTATION PLANNING

The Township will provide and maintain a road network that is integrated with Provincial and Regional roads, to accommodate current and anticipated traffic volumes to ensure the efficient movement of people and goods throughout the Township. The Township will also endeavour to implement transportation demand management strategies to assist in reducing the demand for roadways and the total number of vehicle trips. Such strategies may include encouraging more *sustainable* travel choices through the integration of *infrastructure* and policies supportive of walking, cycling, transit, carpooling and other forms of human-powered transportation.

3.3.1 Road Hierarchy

3.3.1.1 The Township will recognize a hierarchy of roads of the following systems:

- a) **Provincial Highways:** All *development applications* which impact a Provincial Highway, as designated on Map 3A of this Plan are subject to the requirements and permits of the Ministry of Transportation;
- b) **Regional Roads:** All *development applications* which impact an existing or proposed Regional Road as designated on Map 3A of this Plan, are subject to the policies of the ROP and appropriate Regional implementation guidelines; and
- d) **Township Roads:** All *development applications* which impact an existing or proposed Township Road as designated on Map 3A of this Plan, or proposing the development of a new Township Road are subject to the policies of this Plan, and appropriate Township implementation guidelines:
 - i) **Primary Township Roads:** are principal roads serving the joint functions of facilitating traffic movement throughout the township, providing direct access to abutting land uses, and connecting to the Provincial and Regional road system;
 - ii) **Secondary Township Roads:** are roads serving mainly a local function by providing direct access to abutting land uses; and
 - iii) **Local Roads:** facilitate internal traffic movement in Rural Settlement Areas, Industrial/Commercial Areas and the Ayr Urban Area. Local roads provide access to abutting land uses and are not intended to accommodate the movement of traffic throughout the Township.

3.3.2 General Policies

3.3.2.1 To minimize the impact of development on Provincial and Regional Road systems the

Township will:

- a) accommodate Provincial and Regional conditions of approval for *development applications* with respect to the operation of the respective road networks;
- b) encourage *site plan* designs that promote cycling and walking; and,
- c) provide for the design and construction of an integrated road system.

3.3.2.2 The Township will encourage the use of Provincial and Regional Roads for long range or through traffic movement.

3.3.2.3 The Township will implement the recommendations of the Regional Cycling Master Plan, the Regional Transportation Master Plan, the Regional Pedestrian Master Plan and the Regional Pedestrian Charter through the review of *development applications* and *site plans*.

3.3.2.4 The Township will identify and encourage opportunities for enhanced *pedestrian* and cycling environments which contribute to opportunities for walking and cycling for purposes of convenient travel, recreational, health, environmental and economic reasons, and promoting physical activity through the review of *development applications* and *site plans*. Examples of such measures may include:

- a) integrating *pedestrian* and cycling facilities into developments;
- b) ensuring urban greenlands are *pedestrian*-friendly, safe and accessible, wherever feasible and appropriate;
- c) implementation of Crime Prevention Through Environmental Design (CPTED) principles; and
- d) encouraging implementation of guidelines supportive of *pedestrian* and cycling activity in accordance with the provisions of the Canadian Institute of Transportation Engineers' guidelines for promoting *sustainable* transportation through site design.
- e) providing consistent information and signage systems to support exploration, discovery and travel throughout the Township by foot and bicycle;
- f) securing dedications for trail corridors; or
- g) providing *pedestrian* and cyclist connections to local schools, community centres, or future transit stops, where transit is being planned.

3.3.2.5 Through the review of *development applications*, the Township may provide reduced parking standards for development projects within the Ayr Urban Area or Rural Employment Areas where the owner/applicant agrees to incorporate transportation demand strategies as part of the proposed development.

3.3.2.6 The Township, in collaboration with the Region, will implement parking strategies and Transit Oriented Development policies which support future transit service levels identified through studies undertaken in conformity with Subsection 3.3.8 of this Plan

and Section 2D of the ROP.

3.3.3 Township Roads

3.3.3.1 The Township will develop and maintain an on-going program of maintenance and improvement of the Township Road System taking into consideration both the function of the roadway and its impact on the surrounding environment.

3.3.3.2 The Township recognizes that some Primary and Secondary Township roads have a traffic carrying function beyond the immediate area, and will protect this function by:

- a) giving preference to traffic movement on paved roads;
- b) limiting the number and location of accesses to locations where adequate sight distances are achievable in accordance with Regional Standards. Access design will be in accordance with Township Road Entrance Guidelines;
- c) requiring, where necessary, the dedication of land to provide for future road expansions up to the designated road allowance identified in Schedule A to this Plan; and
- d) requiring appropriate building set backs in the Township Zoning By-Law.

3.3.3.3 Any new Township roads created through the development approval process must meet Township standards, and will be assumed by the Township once constructed in accordance with these standards.

3.3.3.4 Where a proposed *development application* may compromise the Environmental Assessment Act requirements for a Proposed Regional Road Corridor as shown on Map 3A, or a Proposed Township Corridor, Proposed Provincial Highway or Proposed Provincial Transit Corridor not shown on Map 3A, the Township may, in consultation with the *Province*, whenever appropriate, consider the proposed *development application* to be premature until transportation planning and *Environmental Assessment* studies are completed.

3.3.4 Transportation Impact Study Requirements

3.3.4.1 Where a *development application* or *site plan* is likely to generate significant traffic volumes on a Township Road, the applicant will be required to submit a study to the satisfaction of the Township, to assess the impact of the application on the Township Road System.

3.3.4.2 Where a *development application* is proposed adjacent to a Township Road, or is proposing the creation of new Township Roads, traffic impact analyses, land dedications, and other measures may be required as a condition of approval.

3.3.4.3 Where a *development application* is likely to generate significant traffic volumes on Regional Roads, the applicant will be required to submit a Transportation Impact Study to the satisfaction of the Region, in accordance with the Regional Transportation Impact Study Guidelines and the policies of the ROP.

3.3.4.4 Where a *development application* will impact upon existing or planned Regional roads, traffic impact analyses, land dedications, noise attenuation and other measures will be required in accordance with the policies of the ROP.

3.3.4.5 Where a *development application* is affected by road improvements which are subject to a Municipal Class Environmental Assessment, the *Environmental Assessment* will be completed to the extent required before approval of the *development application* by the Township or Region.

3.3.5 Road Design and Construction

3.3.5.1 The construction of any new Township roads will conform to recommended standards, outlined in the Township Construction Guidelines, and will be subject to the approval of the Township. Where Township roads intersect Regional or Provincial roadways, the Township will co-operate with the respective road authority to ensure that the design of the Township road complements the design of the intersecting roadway.

3.3.5.2 Any costs associated with road design, construction and/or transportation improvements resulting from a proposed development, which have not been provided for in the Township's Development Charges By-Law, will be the responsibility of the applicant.

3.3.5.3 Where a *development application* is affected by transportation improvements requiring land acquisition, the acquisition of this land must be secured prior to, or as a condition of, the approval of the *development application* by the Township or Region.

3.3.5.4 Where a *development application* or *site plan* requires the granting of easements and the dedication of land for sidewalks, bicycle pathways, Township Roads, Regional Roads, Regional transit facilities, roundabouts, rideshare facilities and utilities, the dedication of this land must be secured prior to, or as a condition of, the approval of the *development application* or *site plan* by the Township or Region.

3.3.5.5 Where the provision of amenities associated with transportation demand management, such as bicycle racks, transit shelters, transit pads or energy efficient lighting, are proposed through a *development application* or *site plan*, will be the financial responsibility of the owner/applicant, unless funding is available through other sources satisfactory to the Region.

3.3.5.6 As part of the completion of a Community Plan or review of *development applications* adjacent to Regional and Township roads, the Township encourage innovative designs to support *pedestrian* access and maintain the integrity of the respective road systems.

3.3.6 Emergency Access

3.3.6.1 The Township will require all *development applications* to be in accordance with the Township's Emergency Access Guidelines.

3.3.6.2 The Township will require as a condition of development or *site plan* approval, the submission of detailed drawings indicating the emergency access to be provided at all phases of the development for review and approval by the Township.

3.3.7 Railways

- 3.3.7.1 The Township will encourage the grade separation of main railways and Primary Township roads identified on Map 3A of this Plan.
- 3.3.7.2 The Township will encourage access to rail service within Rural Employment Areas of the township.
- 3.3.7.3 The Township will discourage the extension of railway lines adjacent to, or within residential areas.
- 3.3.7.4 The Township will cooperate with the Region and other agencies to protect and where feasible, acquire abandoned rail corridors for their possible inclusion in transit, walking and cycling networks, and future utility corridors.

3.3.8 Public Transit

- 3.3.8.1 The Township will, from time to time, in consultation with the Region, review the economic feasibility and demand for a public transit service. If at any time this review determines the issue warrants additional consideration, the Township will undertake an appropriate transit study. Where appropriate, policy changes resulting from the study will be incorporated by amendment to this Plan.
- 3.3.8.2 Where transit corridors are identified as being required within the township through studies undertaken under Policy 3.3.8.1 the Township will adopt Transit Oriented Development policies in accordance with Chapter 2 of this Plan and Section 2D of the ROP, which will be incorporated by amendment to this Plan.

3.3.9 Cycling Routes and Pedestrian Paths

- 3.3.9.1 The development of cycling routes and *pedestrian* paths will be encouraged where practical and safe. Priority will be given to cycling routes identified on Map 3B of this Plan, and to *pedestrian* paths identified in the Regional Pedestrian Master Plan.
- 3.3.9.2 The Township will encourage the development of a system of bicycle routes and *pedestrian* paths to link major public open space, schools and activity centres, and to provide for recreational needs of township residents, in accordance with Policy 3.3.2.4 of this Plan.

3.3.10 Truck Routes

- 3.3.10.1 To provide for the safe and efficient movement of trucks through and within the Township, and to minimize the impact of heavy trucks on residential areas, the Township:
 - a) will encourage heavy truck traffic to utilize Provincial, Regional, and Primary Township roadways;
 - b) will prohibit truck traffic on all local roads, except in cases of local delivery and only in the absence of alternative acceptable routing; and,

- c) may restrict heavy truck usage on part or all of any public right-of-way.

3.3.11 Scenic Roads

3.3.11.1 The Township may identify Scenic Road Corridors through amendment to this Plan where:

- a) they have unique structural, topographic and visual features;
- b) they are adjacent to an area containing unique vegetation or species, including mature tree cover or enclosure;
- c) *contiguous* lands function as a wildlife corridor;
- d) the adjacent landscape or built structures have been identified as cultural heritage resources of cultural heritage value or interest; or,
- e) the road is located within an approved or proposed Heritage Conservation District.

3.3.11.2 Where necessary, prior to designating a Scenic Road Corridor, the Township will undertake necessary planning, transportation and traffic studies to identify alternative routes for high volume and high speed traffic.

3.3.11.3 The scenic values including the view from Township or Regional Roads to prominent heritage buildings or natural landscape features will be preserved and protected where feasible.

3.3.11.4 Where feasible, the scenic values of designated Scenic Road Corridors will be maintained and preserved by the Township when undertaking road improvements.

3.4 INFRASTRUCTURE AND SERVICING PLANNING

The Township will ensure that all new development is provided with adequate and effective water, wastewater, waste management and storm water facilities by promoting the use of servicing practices and technologies that aim to protect human health and the natural environment.

3.4.1 Wastewater Servicing

3.4.1.1 The Township will evaluate wastewater servicing options for *development applications*, based on the following order of priority:

- a) extension of servicing from a municipal wastewater system, unless it can be demonstrated to the satisfaction of the Township and the Region that such a servicing option is not feasible; and
- b) new *individual wastewater treatment systems*, except where such systems are not permitted in accordance with Policy 3.4.1.2 of this Plan.

- 3.4.1.2 Notwithstanding Policy 3.4.1.1, *development applications* proposing the use of new *individual wastewater treatment systems* will not be permitted within:
- a) Wellhead Protection Sensitivity Area 1, High Microbial Risk Management Zones and Surface Water Intake Protection Zone 1, as described in the policies in Section 5.3 of this Plan; and
 - b) the Designated Greenfield Areas located within the Ayr Urban Area.
- 3.4.1.3 Prior to the approval of any *development applications* proposing the use of *individual wastewater treatment systems*, studies prepared in accordance with the provisions of the Regional Implementation Guideline for Source Water Protection Studies and approved by the Region, must have demonstrated that such system(s) can operate satisfactorily over the long-term on the site and will not have a negative impact on groundwater resources.
- 3.4.1.4 *Development applications* proposing alternative *individual wastewater treatment systems* will only be permitted where the proposed lot size would accommodate a conventional *individual wastewater treatment system*.
- 3.4.1.5 The Township will co-operate with the Region in monitoring inflow and infiltration and its impact on capacity at the Ayr Wastewater Treatment Facility through the completion of an Inflow and Infiltration Study. In accordance with the ROP, programs as required to implement the recommendations of this study will be initiated, as appropriate, prior to the expansion of the Ayr Wastewater Treatment Facility.
- 3.4.2 Water Supply**
- 3.4.2.1 The Township will evaluate water supply servicing options for *development applications*, based on the following order of priority:
- a) extension of servicing from a *municipal drinking-water supply system*, unless it can be demonstrated to the satisfaction of the Township and the Region that such a servicing option is not feasible;
 - b) new private wells, except where such wells are not permitted in accordance with Policy 3.4.2.2.
- 3.4.2.2 Notwithstanding Policy 3.4.2.1, *development applications* proposing the use of private wells will not be permitted within:
- a) Wellhead Protection Sensitivity Area 1, High Microbial Risk Management Zones and Surface Water Intake Protection Zone 1, as described in Section 5.3 of this Plan and Chapter 8 of the ROP; and
 - b) the Township Designated Greenfield Areas within the Ayr Urban Area.
- 3.4.2.3 Prior to the approval of any *development applications* that propose the use of private wells as a servicing option, studies undertaken in accordance with the provisions of the Regional Implementation Guideline for Source Water Protection Studies, must have demonstrated that such wells can operate satisfactorily over the long-term on the site and not negatively affect groundwater resources.

3.4.2.4 Where a *development application* proposes the use of private wells to supply potable water, only drilled wells with appropriate surface casing will be permitted.

3.4.2.5 The Township will encourage and support water conservation practices.

3.4.3 Waste Management

3.4.3.1 The Township will co-operate with the Region to co-ordinate the collection and haulage of waste and materials for recycling and composting to Regional waste management facilities and maximize opportunities for local composting and waste recycling.

3.4.4 Stormwater Management

3.4.4.1 The submission of Stormwater Management Plans may be required as a condition of a *development application* or *site plan* approval. All Stormwater Management Plans shall be prepared by a professional Engineer and submitted to the Township, the GRCA, and where lands drain to a Regional facility, the Region, for approval in accordance with the Township Stormwater Management Guidelines, approved Master Drainage Plans, *Watershed Studies* and/or Policy 3.4.4.2 of this Plan.

3.4.4.2 Until such time as the Township has formally adopted a Stormwater Management Guideline, Stormwater Management Plans submitted in accordance with Policy 3.4.4.1 will at a minimum address the following to ensure the proposed development will not have significant adverse impacts on the natural environment:

- a) recommendations of previously approved watershed management studies and related criteria;
- b) pre-development and post-development discharge of water (peaks and volumes) during flood conditions on any watercourse within or adjacent to the proposed development;
- c) water quality controls;
- d) hydrologic water budget of the site;
- e) major-minor drainage systems;
- f) at source infiltration controls;
- g) regulatory floodlines and other *environmental features* including required setbacks;
- h) impact of erosion, groundwater discharge and groundwater infiltration on the receiving watercourse or other natural feature;
- i) stormwater drainage (management) facilities required to accommodate the proposed development;
- j) erosion and sedimentation controls;
- k) proposals for mitigating any ground or surface water contamination likely to result from the proposed development;

- l) a grading and drainage plan for the proposed development;
 - m) a program for maintenance including monitoring and remediation of the required facility until assumed by the Township; and,
 - n) other environmental aspects determined by the Township, Region or the Grand River Conservation Authority.
- 3.4.4.3 A landscaping plan approved by the Township will be required for all stormwater retention and detention facilities. All required landscaping will be installed in accordance with the approved plan, at the cost of proponent, before building permit.
- 3.4.4.4 The Township will require Stormwater Management facilities to be dedicated to the Township as a condition of a *development application* or site plan approval. Stormwater Management facilities conveyed to the Township must be designed, constructed and maintained in accordance with the approved Stormwater Management Plan.
- 3.4.4.5 The Township may, where appropriate, require fencing around Stormwater Management facilities as a condition of a *development application* or site plan approval. Notwithstanding the above, the Township strongly encourages the development of stormwater management facilities which can serve as natural amenities and will discourage the development of stormwater management facilities which require fencing.
- 3.4.5 Utilities**
- 3.4.5.1 The encroachment of abutting land uses onto Ontario Hydro, Interprovincial Pipeline and other utility easements are subject to the approval of the respective agency and the Township.
- 3.4.5.2 The Township will confirm, as part of the development review process, that utility providers are able to provide services to support the proposed development in a timely manner and that, if required, appropriate locations for large utility equipment and utility clusters sites have been determined.

3.5 PARKS, OPEN SPACE AND RECREATIONAL FACILITIES

The Township recognizes the importance of parks, open space and recreational facilities in providing recreational opportunities for its residents. The Township will provide and maintain sufficient space for both active and passive recreational pursuits by combining the provision of parkland, sports fields, community facilities, and natural areas to satisfy the recreational needs of all ages and lifestyles, in a manner that reflects the Township's growth and financial priorities.

3.5.1 General Policies

- 3.5.1.1 The Township will actively seek to provide a balanced system of recreational and leisure opportunities through the development of parks, open space and recreational facilities that provide opportunities for physical recreation, socialization, cultural pursuits, community identification, nature appreciation and education.
- 3.5.1.2 Where feasible, the Township will facilitate partnership arrangements, joint ventures and

facility sharing with the school boards, other institutions and community groups to expand the supply of parks, open space, and recreational facilities.

- 3.5.1.3 The Township may undertake a Parks and Recreation Master Plan on a township wide basis to inventory *n* parkland, open space, and recreational facilities, identify deficiencies, and provide recommendations for future acquisition/development of parkland, open space and facilities.
- 3.5.1.4 As part of the completion of a Community Plan, existing parks, open space, recreational facilities and *linkages* between these will be identified, and opportunities to establish new ones will be evaluated.
- 3.5.1.5 The Township will encourage the development of a system of linked green space, open space and trails throughout the township relying on existing parklands, watercourses, utilities corridors, conservation areas, schools and the co-operation of private landowners.
- 3.5.1.6 The Township will support the maintenance and continued viability of the Cambridge to Paris Bicycle/Walking Trail along the Grand River, to ensure continued access and enjoyment by township residents.
- 3.5.1.7 The Township will encourage the development of a system of bicycle routes and *pedestrian* paths to link major public open space, schools and activity centres, and to provide for recreational needs of Township residents in accordance with Section 3.3.9 and 3.3.2.6 of this Plan.
- 3.5.1.8 The Township will encourage and work with the Grand River Conservation Authority, the Region, other agencies and the public to make lands available for recreational purposes such as cross-country skiing and hiking trails.

3.5.2 Parkland and Open Space Acquisition

- 3.5.2.1 The Township may acquire and/or protect Parkland and Open Space Areas as follows:
 - a) lease or purchase land at fair market value;
 - b) enter into any agreements, or enact a zoning by-law to preserve Open Space in accordance with the policies contained in Section 6.1 of this Plan;
 - c) require in accordance with the provisions of the Planning Act, the dedication of land for parkland purposes of up to 2 percent of the land proposed for commercial or industrial development as a condition of draft approval of Plan of Subdivision or the granting of a consent to sever;
 - d) require in accordance with the provisions of the Planning Act, the dedication of land for parkland purposes of up to 5 percent of the land proposed for all other forms of development as a condition of draft approval of Plan of Subdivision or the granting of a consent to sever; or,
 - e) require in accordance with the provisions of the Planning Act, that dedication of

land in a plan of subdivision proposed for residential purposes be conveyed to the municipality for park or other public recreational purposes at a rate of one hectare for each 300 dwelling units proposed; or,

- f) the Township may require cash-in-lieu of all or part of the required parkland dedication where:
 - i) the required land dedication fails to provide an area of suitable shape, size or location for development of public parkland;
 - ii) the required dedication of land would render the remainder of the site unsuitable or impractical for development;
 - iii) it is determined that existing park and recreational facilities in the immediate area of the proposed development are adequate to serve the projected increase in population; or,
 - iv) funds are required to acquire, upgrade or expand land, parks or recreational facilities elsewhere in the Township to meet the needs of the projected population.

3.5.2.2 The amount paid for cash-in-lieu of parkland dedication will be in accordance with provisions of the Planning Act, and be placed in a fund to be expended solely for the purchase of additional parkland, open space or recreational lands and/or facilities.

3.5.2.3 Environmental Constraint Areas will not be accepted as part of a dedication for parkland pursuant to the Planning Act.

3.5.2.4 The Township may accept ownership of *woodlots* and other environmental constraint areas for protecting the natural area for passive recreation and education uses.

3.5.2.5 Lands conveyed to the Township for active parkland and other recreational facilities shall be required to meet minimum standards to the satisfaction of the Township in terms of drainage, grading and site condition.

3.5.2.6 Major Urban Greenlands are relatively large, publicly accessible parklands or open spaces located within urban areas that are owned and maintained by the Region, Area Municipalities or the GRCA. These urban greenlands are valued for their environmental, hydrological, recreational, and public health benefits, and are intended to help maintain a balance between the built and natural environment in urban areas.

3.5.2.7 The Township, in collaboration with the Region and the GRCA, will designate any Major Urban Greenlands identified in the township in accordance with the ROP, and establish associated policies for these areas in this Plan to:

- a) provide long-term protection from inappropriate development;
- b) require development on *adjacent lands* to not have an *adverse effect* on the valued characteristics of Major Urban Greenlands;

- c) facilitate public access to the Major Urban Greenlands through connections with cycling and *pedestrian* facilities; and
- d) provide for recreational and/or visitor services, wherever appropriate.

3.5.2.8 The Township will collaborate with the Region, the GRCA and other stakeholders in the development and implementation of an Urban Greenlands Strategy that identifies a system of natural areas and open spaces, including Major Urban Greenlands that enhance quality of life and public health within the Township.

3.6 FIRE PREVENTION AND SUPPRESSION SERVICES

- 3.6.1 The Township will not approve any *development application* which cannot be provided with adequate fire protection services.
- 3.6.2 The Township will consider, where appropriate, entering into agreements with adjacent municipalities for providing fire prevention and suppression services.
- 3.6.3 The Township will undertake fire prevention and safety programs in an effort to reduce fatalities, injuries and property damage.
- 3.6.4 The Township may require the provision of fire reservoirs as a condition of development or site plan approval, where such facilities are warranted to provide adequate fire protection.
- 3.6.5 Where the provision of a fire reservoir is required in accordance with Policy 3.6.4, detailed drawings will be submitted according to Township standards, illustrating the siting, design and access provisions must be approved by the Township prior to the approval of the proposed development.

3.7 ACCESSIBILITY STANDARDS

- 3.7.1 The Township will develop and incorporate, wherever appropriate, accessibility policies and regulations through the Zoning By-Law and *Site Plan* guidelines in accordance with the provisions of the Accessibility for Ontarians with Disabilities Act.

CHAPTER 4: ECONOMIC DEVELOPMENT

Economic Development is closely related to the quality of life and employment opportunities within the Township. The local economy comprises a range of industries including trucking, manufacturing, aggregate, agriculture, retail and services. The objective of the Township is to facilitate local business retention and growth, promote the township to outside business and industry as a great location/investment opportunity.

4.1 GENERAL POLICIES

- 4.1.1 The Township will promote new business development, and the retention and growth of existing businesses to provide local employment opportunities for residents within the township.
- 4.1.2 The Township will promote opportunities for economic development and community investment-readiness by:
- a) providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs;
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses that support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
 - c) planning for, protecting and preserving *employment areas* for current and future uses ensuring the necessary *infrastructure* is provided to support current and forecasted employment needs;
 - d) designating and preserving lands within the Ayr Urban Area and Rural Employment Areas that are in vicinity of existing highway interchanges or *rail facilities* as *employment areas*, where appropriate.
 - e) encouraging business partnership arrangements;
 - f) nurturing the growth of small businesses by permitting *secondary uses* and home occupations in accordance with the policies in this Plan;
 - g) promoting a high level of education and training within the community; and
 - h) collaborating with the Province to identify provincially strategic *employment areas* to help maintain and enhance the Greater Golden Horseshoe's position in the global economy.
 - i) support local food and promote the *sustainability* of agri-food and agri-product businesses by protecting agricultural resources and minimizing land use conflicts; and

- j) promoting energy conservation and providing opportunities for development of *renewable energy systems and alternative energy* systems, including district energy.

4.2 INDUSTRIAL

- 4.2.1 The Township will ensure that there is sufficient designated industrial land available to accommodate new industrial operations, expansions and relocation of existing industry.
- 4.2.2 The Township will prohibit sensitive uses from locating in industrial areas or adjacent to existing industrial operations where necessary to protect industry from encroachment of uses which may occur at the expense of industrial activity and growth.
- 4.2.3 The designation of residential areas adjacent to industrial uses will be permitted where special studies demonstrate that the industrial uses do not create an environment incompatible with the proposed residential uses.
- 4.2.4 The Township will encourage industrial development and operation practices which minimize negative impacts on the surrounding environment through compliance with Provincial environmental regulations, Regional water resources protection policies, minimizing emissions of sound vibration, and air contaminants such as dust, smoke, odour, fumes and particulate; protecting and maintaining water quality and groundwater recharge areas; and controlling waste and quality of discharge.

4.3 COMMERCIAL/RETAIL

- 4.3.1 The Township will encourage the provision of commercial/retail facilities in the Ayr Urban Area and Rural Employment to serve the needs of township residents.
- 4.3.2 Compatible commercial and office uses may be permitted within Rural Employment Areas where they are deemed by the Township to be compatible with existing industrial operations in accordance with the policies of Sections 2.9 of this Plan.
- 4.3.3 Any new *retail commercial centres* proposed in the Township will be required to locate in the Urban Growth Centre and comply with all applicable policies of this Plan and the ROP.

4.4 HOME OCCUPATIONS

- 4.4.1 The Township will permit a resident to operate a small scale business or professional office in residential areas of the township as a Home Occupation, provided that such a use:
 - a) is clearly secondary to the residential use of the property;
 - b) does not occupy more than 25% of the gross floor area of the dwelling unit and

does not require alterations which are not residential in character;

- c) does not generate traffic uncharacteristic of a residential neighbourhood;
- d) provides adequate off-street parking;
- e) does not employ more than one person who is not a resident of the dwelling;
- f) does not visually detract from the residential character of the community;
- g) does not require outdoor storage of goods or materials; and,
- h) will not otherwise disrupt the peaceful and quiet enjoyment of other properties in the community.

4.4.2 Home Occupations will be regulated through the Township Zoning By-law.

4.5 CONVERSION OF EMPLOYMENT AREAS

4.5.1 The Township may permit redesignation of lands within existing *employment areas* to non-employment uses only through a *municipal comprehensive review* where it has been demonstrated that:

- a) there is a need for the redesignation;
- b) the Township will meet the employment forecast allocated to it in Table 1 of this Plan;
- c) the redesignation will not adversely affect the viability of the subject *employment area*, and achievement of the *reurbanization* target, density targets and other policies in this Plan;
- d) there is existing or planned *infrastructure* to accommodate the proposed redesignation;
- e) the lands are not required over the long-term for the employment purposes for which they are currently designated; and
- f) cross-jurisdictional issues have been considered.

4.5.2 Policy 2.3.4 only applies to existing *employment areas* that are not located within the Ayr Urban Growth Centre, or areas identified by the Township as regeneration areas consistent with Provincial policies.

4.5.3 For the purposes of implementing Policy 4.5.1, non-employment uses will include *retail commercial centres*.

4.6 ACCESS TO LOCALLY GROWN AND OTHER HEALTHY FOODS

4.6.1 The Township will support the development of a strong and diverse community food system by:

- a) providing for a mix of land uses, including food destinations within close proximity to each other to facilitate residents' access to locally grown and other healthy foods;
- b) establishing zoning regulations permit *temporary farmers' markets*, wherever appropriate, in existing and newly planned neighbourhoods, particularly in areas where access to locally grown food and other healthy food products may currently be limited; and
- c) encouraging community gardens and rooftop gardens throughout the township.

CHAPTER 5: NATURAL RESOURCE MANAGEMENT

The township's Countryside includes many unique natural and cultural heritage features, as well as valuable natural resources including agricultural lands, *woodlands*, mineral aggregate deposits and groundwater recharge areas. Given the importance of these assets to the township's economic prosperity, natural and cultural heritage and overall quality of life, the policies of this Plan seek to preserve, protect and encourage the *sustainable* use of these natural resources for current and future generations.

5.1 AGRICULTURAL RESOURCES

Agriculture plays an important role in the township's economy and provides many other benefits to the community. Many farmers within the township produce fresh, locally grown food while also acting as stewards of the land base needed to support long-term agricultural production. As a result, it is the intent of this Plan to protect the township's valuable agricultural resources from urbanization and inappropriate development, and to support agriculture as the predominant land use in the countryside.

5.1.1 General Policies

- 5.1.1.1 *Prime agricultural areas* and *rural areas* are designated on Map 7 of this Plan. The primary land use activities permitted in these designations will be *agricultural uses*, *agriculture-related uses* and *secondary uses*.
- 5.1.1.2 Notwithstanding Policy 5.1.1.1, *prime agricultural areas* or *rural areas* designations will not apply to lands designated for non-farm uses in this Plan.
- 5.1.1.3 Non-farm-related development within the *prime agricultural areas* or *rural areas* designations will be subject to Sections 2.11 and 2.12 of this Plan.
- 5.1.1.4 New land uses, including the creation of separate lots, expansion of existing lots and the development of new/expanded livestock barns or manure storage facilities will comply with to the *minimum distance separation formulae*.

5.1.2 Farm Parcel Creation/Alteration

- 5.1.2.1 *Development applications* to create new farm-related lots within the *prime agricultural area* or *rural areas* designations may be permitted only in the following circumstances:
 - a) within both the *prime agricultural area* and *rural areas* designations, to create new farm parcels, or reconfigure existing farm parcels where lands are severed from one farm parcel and conveyed as a lot addition to an adjoining farm and held in one ownership in accordance with Policy 5.1.2.2;
 - b) within both the *prime agricultural area* and *rural areas* designations, to sever lands for *agriculture-related uses* in accordance with Policies 5.1.3.2.
- 5.1.2.2 *Development applications* to create a new farm parcel, or reconfigure existing farm parcels within *prime agricultural areas* or *rural areas*, where lands are severed from one farm parcel and conveyed as a lot addition to an adjoining farm and held in one

ownership, will comply with the following:

- a) the minimum lot area for both the newly created and retained farm parcels will be 40 hectares each; or
- b) where the newly created or retained farm parcels would have lot areas less than 40 hectares, the owner/applicant will be required to provide information satisfactory to the Township, which demonstrates that the resulting farm parcels will:
 - i) be of a size appropriate for the type of *agricultural use* common in the area; and
 - ii) be sufficiently large enough to sustain an economically viable farm operation and to maintain flexibility for future changes in the type or size of agricultural operations; and
- c) the *development application* includes a site specific zoning by-law amendment.

5.1.2.3 *Development applications* to sever lands from an existing farm parcel for an *agriculture-related use, recreational and tourism use*, Rural Institutional use, or for the purposes of conserving *environmental features* or elements of the Greenlands Network as provided for in this Plan, will be in conformity with all applicable policies in this Plan and the following:

- a) the minimum lot area for the retained farm parcel will be 40 hectares; or
- b) where the retained farm parcel would have a lot area less than 40 hectares, the owner/applicant will be required to provide information satisfactory to the Township and the Region, which demonstrates that the resulting farm parcel will:
 - i) be of a size appropriate for the type of *agricultural uses* common in the area; and
 - ii) be sufficiently large enough to sustain an economically viable farm operation, and to maintain flexibility for future changes in the type or size of agricultural operations.

5.1.2.4 The Township may consult with the *Region*, the *Province*, or other professionals knowledgeable in farm economics and management, at the owner's/applicant's expense, to evaluate the farm severance for conformity with the provisions of this Plan.

5.1.2.5 This Plan recognizes that there are many existing farm parcels within *prime agricultural areas* and *rural areas* that are less than 40 hectares in area. These undersized parcels are considered as *agricultural uses* except where otherwise provided for in this Plan.

5.1.3 **Agriculture-Related Uses**

5.1.3.1 *Development applications* for *agriculture-related uses* within both the *prime agricultural*

areas and *rural areas* designations will comply with the following:

- a) the use minimizes the amount of land removed from agricultural production and is suitable for the site in comparison to other reasonable alternatives available in the township, including sites with poorer agricultural soils or where fragmented or smaller lots and/or a mix of *non-farm lots* may already exist;
- b) the use mitigates any potential land use conflicts with adjacent farms and other land uses;
- c) the use can be appropriately serviced by private wells and *individual wastewater treatment systems*;
- d) the severance of a lot for an *agriculture-related use* created in accordance with this policy may be permitted only in accordance with Policy 5.1.3.2; and
- e) the *Ministry of Environment's* Guidelines on Land Use Compatibility.

5.1.3.2 *Development applications* to sever lands for *agriculture-related uses* may be permitted provided that:

- a) the severed lands will be limited to a minimum size needed to accommodate the use of private wells and *individual wastewater treatment systems*;
- b) the severance will not result in an undersized farm that may not be economically viable, as determined in accordance with Policy 5.1.2.3; and
- c) the consent to sever will not receive final approval until the buildings or structures associated with the use have been constructed or substantially completed.

5.1.4 Secondary Uses

5.1.4.1 Where a *secondary use* is proposed to be established within the *prime agricultural areas* or *rural areas* designations, the *development application* will comply with the following:

- a) it must be demonstrated that the proposed use will be small-in-scale and secondary to the farm operation, and that the cumulative effect of the proposed use does not undermine the agricultural nature of the area. Determination of whether a proposal activity is secondary to the farm operation must include an evaluation of the relationship between the existing agricultural operation and the proposed *secondary use*. This will include the financial investment, the number of employees and the type of operation for both the agricultural operation and the proposed *secondary use* and any other factors as may be deemed appropriate;
- b) be permitted by a site specific zoning by-law amendment which:
 - i) identifies the area of the operation including all buildings and storage areas;

- ii) for *secondary uses* located on a farm, requires any buildings, structures or facilities associated with the *secondary use*, except roadside produce stands, to be integrated with the main farm buildings and be constructed in a manner that will allow for ease of conversion to an *agricultural use* should the *secondary use* cease to exist. Minor retailing of products will be permitted directly from the farm provided that sales are limited to those goods produced or manufactured primarily on the farm; and
- iii) consideration is given to any impacts such as noise, dust, vibration, visibility to the adjacent agricultural operations. Mitigation of impacts may require screening or fencing, as determined by Council;
- c) the subject property will remain zoned for agricultural purposes;
- d) no new lot will be created;
- e) the proposed *secondary use* will not be detrimental to the environment;
- f) shall not include any use which is or may become obnoxious, offensive or dangerous by reasons of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter or water carried wastes;
- g) shall not include automotive sales and/or repair; and,
- h) the maximum area of operation that may be permitted for a farm will be determined as follows:
 - i) up to 100 square metres of area of operation for a farm between 10 hectares and 20 hectares;
 - ii) up to 200 square metres of area of operation for a farm between 20 hectares and 40 hectares; and,
 - iii) up to 300 squares metres of area of operation for a farm greater than 40 hectares.

5.1.5 Farm-Related Residential Development

5.1.5.1 Additional permanent or temporary *farm-related residential units* may be permitted on a farm within the *prime agricultural areas* or *rural areas designations* without severance to accommodate full-time farm employees, including members of the farm household directly involved in the farm operation, provided that:

- a) the size, nature and productive capability of the farm operation warrant additional farm employment for extended periods of time such that additional on-site accommodation is considered necessary, as demonstrated through the submission of a report completed by an Agrologist or Professional Engineer;
- b) any new permanent dwellings will be limited to bunkhouses or the conversion

and/or expansion of existing *farm-related residential units*;

- c) any new temporary dwellings will be located near existing farm buildings and will be removed if they are no longer required to accommodate farm employees; and
- d) the site can be appropriately serviced by private wells and *individual wastewater treatment systems*.

5.2 MINERAL AGGREGATE RESOURCE AREAS

The township is one of the largest aggregate producers in the region and in southwestern Ontario. Each year, the township's aggregate industry produces several million tonnes of aggregates for both local and provincial markets. These aggregates, which include naturally occurring sand and gravel deposits, and bedrock resource areas, provide significant material used in the construction of buildings and *infrastructure*. They also support many secondary industries that provide employment opportunities within the township and produce a range of manufactured items, including blocks, bricks and pre-cast concrete products.

To support economic and growth needs, this Plan seeks to provide for the orderly extraction and optimum utilization of *mineral aggregate resources* within the township, while preventing or minimizing the potential impacts of *mineral aggregate operations* on surface water and groundwater resources, surrounding communities, cultural heritage resources, *environmental features* and *ecological functions*, and agricultural resources and operations.

The policies of this Plan also seek to ensure that the availability of *mineral aggregate resources* occurs as close to markets as possible to support the timely provision of infrastructure and reduce transportation-related greenhouse gas emissions.

5.2.1 Designation and Protection

5.2.1.1 Mineral Aggregate Resource Areas are designated on Map 8 of this Plan. These areas have been identified by the *Province* as having a high potential to contain *mineral aggregate resources*. Mineral aggregate extraction may be permitted in the Mineral Aggregate Resource Area as demonstrated to the satisfaction of the *Province*, Township and the Region, and subject to the policies of this Plan. Mineral aggregate extraction may be permitted in areas outside the Mineral Aggregate Resource Area, where there is a sufficient quantity and quality of resources to warrant extraction, as demonstrated to the satisfaction of the *Province*, Township and the Region, and subject to the policies of this Plan.

5.2.1.2 The Township will prohibit development in areas located within or adjacent to Mineral Aggregate Resource Areas, which would preclude or hinder the establishment of *mineral aggregate operations* or access to the resources, except where:

- a) extraction would not be feasible; or
- b) the proposed land use or development serves a greater long term interest of the general public than does extraction; and

- c) issues of public health, safety and environmental impacts are appropriately addressed.

5.2.1.3 Any new developments proposed within a Mineral Aggregate Resource Area in accordance with Policy 5.2.1.2 will minimize the amount of land needed for development to retain as much of the *mineral aggregate resource* potential as possible.

5.2.1.4 The Township will regulate uses associated with aggregate extraction through the Zoning By-law as follows:

- a) permit accessory uses associated with aggregate extraction operations and processing activities such as crushing, screening, washing, stockpiling, blending with recycled asphalt or concrete material, equipment storage, weigh scales, parking and office facilities;
- b) require site specific zoning to permit ancillary land uses such as asphalt plants, concrete plants, aggregate depots that blend and stockpile aggregate materials with salt and aggregate transfer stations except where otherwise prohibited by the policies of this Plan, subject to:
 - i) the protection of adjoining lands from the negative effects of a reduced water supply, noise, dust, odour, lighting and outdoor storage;
 - ii) the protection of the environment from negative effects of dust, chemical spills, run-off, or contamination of surface or groundwater;
 - iii) access being obtained directly to a road capable of carrying the anticipated truck traffic; and
- c) notwithstanding b) above, ancillary land uses will be prohibited in Source Water Protection Areas, as illustrated on Map 4, in accordance with Chapter 8 of the ROP.

5.2.1.5 The Township encourages the recovery of *mineral aggregate resources* through the sequential use of developable land, whereby *mineral aggregate resources* are extracted prior to, or in conjunction with, development of the land.

5.2.1.6 The Township will plan for and regulate the subsequent use of rehabilitated *mineral aggregate operations* in accordance with the policies in this Plan.

5.2.2 Existing Mineral Aggregate Operations

5.2.2.1 The Township recognizes all existing licensed pits and quarries as legal uses of land and will endeavour through the policies of this Plan to ensure their continued viability and use for extractive purposes in accordance with license requirements established under the Aggregate Resources Act. The Township will ensure that appropriate zoning is maintained to recognize existing licensed *mineral aggregate operations* as a permitted use, and all new development in the vicinity of an existing licensed *mineral aggregate operation* will be subject to the Policies of 5.2.1.2 of this Plan.

5.2.2.2 The Township will consult with the aggregate industry in the development and maintenance of an inventory of all existing and abandoned *mineral aggregate operations* within the Township. This inventory should be updated annually to provide progress on the operation, monitoring of the conditions in accordance with the approved License and the identification of any outstanding issues that need to be addressed.

5.2.2.3 *Development applications* to expand the boundaries of a licensed area of an existing mineral aggregate extraction operation or to increase the depth of extraction will be subject to all policies in this Plan applicable to new *mineral aggregate operations*, as provided in Section 5.2.3, in addition to any requirements of the Aggregate Resources Act.

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5.2.2.4 *Development applications* to expand an existing *mineral aggregate operation* located on lands designated as Environmentally Sensitive Landscapes, as illustrated on Map 5A, will be required to:

- a) demonstrate to the satisfaction of the Region and the *Province* that substantial progress has been made in the rehabilitation to viable after-use of the disturbed area within the existing licensed area; and
- b) demonstrate to the satisfaction of the Region that the total active extraction area of the original licensed area and the proposed expansion area is not increasing over the long term. A lesser standard may be considered where it can be demonstrated that the overall rehabilitation goals of the site can be more effectively achieved by deferring rehabilitation until a later stage of the *mineral aggregate operation*.

5.2.2.5 Any new *mineral aggregate operations* and subsequent rehabilitation located between the top of bank plus the applicable regulatory setbacks and the Grand River, will only be permitted where it is demonstrated to the satisfaction of the *Ministry of Natural Resources*, the Region and the GRCA that the extraction proposal and subsequent rehabilitation of the lands will result in a net environmental gain.

5.2.3 New Mineral Aggregate Operations

5.2.3.1 New *mineral aggregate operations* will require a site-specific amendment to the Zoning By-law, the approval of which will be subject to all applicable policies of this Plan and the ROP, in addition to any requirements for a license under the Aggregate Resources Act. Site-specific zoning by-law amendments approved under this policy will apply only to the boundary of the licensed area, and will limit the depth of extraction to that which is specified on the proposed *site plan*.

Def. No.
4.3

5.2.3.2 Within the *prime agricultural areas* designation as shown on Map 7, new *mineral aggregate operations* proposing extraction below the water table will require an amendment to this Plan and the ROP to identify the area of extraction below the water table on Map 8 of this Plan. Such amendment will be subject to the policies of the ROP, and all other applicable policies in this Plan.

Def. No.
4.4

5.2.3.3 Prior to the establishment of a new *mineral aggregate operation*, the applicant shall erect operational signage satisfactory to the Township on the subject lands advising of the

nature of the application, including area of the application, facilities to be located on the site, and where additional information may be obtained.

5.2.3.4 New mineral aggregate extraction within the *prime agricultural area* and *rural areas* designation may be permitted as an interim use, subject to the policies of this Plan, provided that agricultural rehabilitation is maximized.

5.2.3.5 A new *mineral aggregate operation* proposing to establish or expand a quarry operation may only be permitted by way of amendments to the ROP and to this Plan. Such amendments will be reviewed in the context of the policies of this Plan, the ROP, and the Provincial Standards approved under the Aggregate Resources Act.

5.2.4 Required Technical Information

5.2.4.1 *Development applications* to permit a new *mineral aggregate operation*, expand an existing operation, or increase the depth of extraction, will only be permitted where the following studies have been submitted to the satisfaction of the Township, the Region or the appropriate agency having jurisdiction over the issue addressed by the study:

Def. No.
4.2

- a) noise, dust and vibration studies demonstrating that the proposed operation is appropriately designed, buffered and/or separated from any surrounding *sensitive land uses* to prevent any *adverse effects*;
- b) a hydrogeological study in accordance with the provisions of the Regional Implementation Guideline for Source Water Protection Studies, demonstrating, to the satisfaction of the Region, that the proposed operation will have no negative impacts on the quality and quantity of any surface water or groundwater resources;
- c) a Transportation Impact Study in accordance with the policies of this Plan, indicating how the proposed operation will address any potential impacts on Township Roads, Regional roads and Provincial Highways;
- d) an *Environmental Impact Statement* prepared in accordance with the policies of this Plan, where the proposed *mineral aggregate operation* is *contiguous* to a Core Environmental Feature, or within or *contiguous* to a Supporting Environmental Feature;
- e) an *archaeological assessment* and/or *Cultural Heritage Impact Assessment* in accordance with the policies of this Plan;
- f) information on the estimated lifespan of the *mineral aggregate operation* and demonstration that the final rehabilitation plan is consistent with the policies in this Plan;
- g) a rehabilitation plan documenting the intended end use of the site, and the measures that will be undertaken to achieve the end use, in accordance with Policy 5.2.8.3; and
- h) any other studies identified by the Township to meet requirements of a complete application under the provisions of the Planning Act.

5.2.4.2 To avoid potential overlap among the studies required under Policies 5.2.4.1 and 5.2.6.1 and similar studies that may be required by the *Province*, the Region or the GRCA, the Township will require the owner/applicant to participate in a *pre-submission consultation meeting* with each of these agencies prior to the submission of any supporting studies. The purpose of this *pre-submission consultation meeting* will be to identify the specific policy requirements of each of the agencies in each of the substantive areas being studied under Policies 5.2.4.1 and 5.2.6.1 such that a single study can satisfy all of the requirements identified by the agencies.

5.2.4.3 The studies identified in Section 5.2.4.1 and 5.2.6.1 will be required to take into account the potential *cumulative impacts* that may result from a proposed new *mineral aggregate operation* when added to other past, present and proposed future *mineral aggregate operations* in the vicinity of the proposed new operation. The appropriate level of detail, analysis boundaries and baseline data to be used in the cumulative impact assessment will be determined by the Township, the Region, the GRCA and the owner/applicant as part of the *pre-submission consultation meeting* provided for in policy 5.2.4.2.

5.2.4.4 In the *prime agricultural areas* designation, rehabilitation to agriculture will be the first priority. Notwithstanding this, complete agricultural rehabilitation within the *prime agricultural area* and *rural areas* designations may not be required where:

- a) the depth of the planned extraction makes restoration of pre-extraction agricultural capability impractical;
- b) hydrogeological investigations completed in accordance with the policies in this Plan have demonstrated, to the satisfaction of the Region, that agricultural rehabilitation is not desirable due to groundwater protection requirements;
- c) the Township, in collaboration with the Region, the *Province* and the GRCA, have determined a suitable alternative post-extractive use in conformity with the policies in this Plan and the ROP; or
- d) aggregate extraction would remove natural features such as *woodlands*, *wetlands* and watercourses on lands not otherwise protected by the policies of this Plan, in which case these natural features will be restored and, where possible, enhanced, consistent with the intent of Policy 5.2.5.6.

5.2.5 Review Criteria

5.2.5.1 New *mineral aggregate operations* will not be permitted on lands designated as Core Environmental Features in this Plan except in accordance with the following:

- a) within *Habitat of Endangered or Threatened Species* where authorized in accordance with *provincial and federal requirements*;
- b) within *Significant Woodlands*, *Environmentally Significant Valley Features* and/or *Significant Areas of Natural and Scientific Interest* new *mineral aggregate operations* may be permitted where the features consist of habitats that can be effectively replaced or restored within a reasonable period of time, such as:

- i) areas of crop or pasture;
- ii) plantation;
- iii) early successional habitat;
- iv) areas of high disturbance;
- v) areas of low ecological diversity with high percentage of non-native species;
- vi) small areas of non-provincially significant marsh or thicket wetland;
- vii) old field meadow;
- viii) hedgerows;
- ix) minor areas on the perimeter of the features; or
- x) drainage swales; and

c) the owner/applicant must demonstrate to the satisfaction of the Region that:

- i) the portion of the Core Environmental Feature affected by the mineral aggregate extraction will be replaced or restored within a reasonable period of time with habitat of greater extent and/or ecological value as part of the rehabilitation plans, to promote, where possible, a net ecological gain, or in the case of *Habitat of Endangered and Threatened Species*, compliance with *provincial and federal requirements* have been achieved;
- ii) there will be no *adverse environmental impacts* to the *environmental features* or *ecological functions* and connectivity of the residual areas of the Core Environmental Feature;
- iii) the quantity, quality and direction of local surface water and groundwater will be maintained or enhanced; and
- iv) the extraction of *mineral aggregate operations* will be completed, and the area will be rehabilitated, as early as possible in the life of the operation.

5.2.5.2 New *mineral aggregate operations* proposed within a Source Water Protection Area designated by the Region, and as illustrated on Map 4 of this Plan, may be permitted, except where such uses are prohibited in accordance with the source water protection policies in Section 5.3 of this Plan and in Chapter 8 of the ROP.

5.2.5.3 New *mineral aggregate operations* proposed *contiguous* to Core Environmental Features as designated on Map 5A of this Plan, may be permitted, provided that there will be no *adverse environmental impacts* to their features or *ecological functions* and *linkages*.

5.2.5.4 Site-specific zoning regulations will be applied to restrict extraction below the water table where subwatershed-scale hydrogeological studies, prepared in accordance with the ROP have not demonstrated to the Region's satisfaction the acceptability of such extraction from a surface water and groundwater perspective.

Def.
No.
4.5

5.2.5.5 New *mineral aggregate operations*, or *wayside pits and quarries*, may be permitted

within Environmentally Sensitive Landscapes as designated on Map 5A, where it can be demonstrated to the satisfaction of the Township, in consultation with the Region, the *Province* and the GRCA that:

- a) where extraction is proposed *contiguous* to a Core Environmental Feature, there will be no significant *adverse environmental impacts* to their features or landscape level *ecological functions* and connectivity;
- b) where extraction is proposed within or *contiguous* to the following features, which are not included within a Core Environmental Feature:
 - i) rivers, stream valleys, *floodplains*, or associated *hazardous lands* or *hazardous sites*;
 - ii) *fish habitat*;
 - iii) meromictic and kettle lakes;
 - iv) *significant* wildlife habitat; or
 - v) savannas, tallgrass prairies, rare *woodland* types, cliffs, alvars, sand barrens, marl seeps, bogs and fens;

there will be no significant *adverse environmental impacts* to their features or landscape level *ecological functions* and connectivity, although extraction may be considered in habitats which can be effectively replaced or restored in a short to medium time scale such as areas of crop or pasture land, young plantation, early successional *woodland*, small areas of non-provincially *significant* marsh or thicket *wetland*, old field meadow, hedgerows and drainage swales; and

- c) the quantity and quality of local surface water and groundwater regimes can be maintained or enhanced.

5.2.5.6 Where a new *mineral aggregate operation* is proposed on lands designated as an Environmentally Sensitive Landscape as shown on Map 5A of this Plan, the Region will recommend to the *Province* that the Natural Environment Report required under the Aggregate Resources Act also address the following objectives:

- a) natural habitat that would be lost from the site will be replaced with equivalent habitat on the property or on *adjacent lands*, and no less than 35 per cent of the licensed area remaining above the water table after extraction will be rehabilitated to natural sustainable *woodland* habitat representative of the landscape in which it is located;
- b) the quantity and quality of surface water and groundwater regimes and aquatic ecosystems remaining after, or created by, extraction will be rehabilitated to sustainable natural aquatic ecosystems representative of the landscape in which they are located;
- c) the health, diversity, size, *ecological function* and connectivity of major natural features remaining within the proposed license area will be maintained and,

where possible, enhanced before, during and after the extraction of aggregate resources;

- d) the rehabilitated area will be maximized and the disturbed area minimized on an ongoing basis during the life-cycle of the pit operation; and
- e) rehabilitation of any area once occupied by natural features or identified as potential enhancement/restoration and/or corridor/linkage areas is completed as early as possible in the life of the extraction operation.

5.2.5.7 *Development applications* that would establish an ancillary use to a *mineral aggregate operation* will only be permitted where applicable studies identified in Policy 5.2.4.1 demonstrate to the satisfaction of the Township and/or the Region that the proposed use will mitigate any potential *adverse effects*.

5.2.5.8 Prior to the establishment of a new *mineral aggregate operation*, Township support for the zone change application will be subject to the following:

- a) the submission and acceptance of any required studies identified in Policies 5.2.4.1 and 5.2.6.1;
- b) demonstration that the proposed rehabilitation is consistent with the policies of the ROP and this Plan; and,
- c) the submission of all reports required by the *Ministry of Natural Resources* in accordance with the Aggregate Resources Act, and the Region in accordance with the policies of the ROP;
- d) such other relevant matters as Council deems necessary; and,
- e) the Township being satisfied that the following conditions will be dealt with through the *site plan* approved under the Aggregate Resources Act, or other appropriate means:
 - i) to ensure provision of adequate buffering and/or screenings along road rights-of-way, or adjacent to any existing or proposed sensitive uses, and implementation of any other necessary mitigation measures as determined through the approval of required studies to prevent where possible, or minimize any potential *adverse effects* on the surrounding *sensitive land uses*, to the satisfaction of the Township;
 - ii) that no new excavation or processing will take place until all required buffers and/or screenings have been installed;
 - iii) that no water or washing or screening operations will be directly discharged into any water course without being subjected to treatment processes to remove existing contaminants in the water;

- iv) that the applicant, in cooperation with the Township and the Region, will establish all haul routes for truck traffic;
- v) that required road improvements identified through the transportation study noted in a) above are in place prior to the removal of aggregates from the site; and,
- vi) that no new excavation or processing will take place until all required fencing and/or security measures have been put in place.

5.2.5.9 The Township will encourage and co-operate with the owners of licensed extractive operations to achieve orderly phased extraction of licensed areas based on practices that promote minimal active mining areas and progressive rehabilitation.

5.2.5.10 The Township will encourage the construction of intra-pit road systems and new roads intended for aggregate traffic so as to lessen the impact of aggregate traffic on local residents and *sensitive land uses*.

5.2.5.11 The Township will collaborate with the Region and the *Province* to ensure that all appropriate requirements resulting from the review of an application for a *mineral aggregate operation* are imposed and enforced as:

- a) conditions on the license or notes on the *site plan* required under the Aggregate Resources Act, including but not limited to spill protection measures to prevent discharges to surface water and groundwater resources from on-site fuel storage, vehicle or equipment repair and equipment operation, and spills from salt storage, use and transfer, and other best management practices; and

- b) regulations in site-specific zoning by-laws, development agreements and conservation easements, as may be applicable.

Def No.
4.6

5.2.6 Extraction Below the Water Table

5.2.6.1 New mineral aggregate extraction below the water table will only be permitted through an amendment to this Plan and to the ROP, where:

Def No.
4.7

- a) on lands identified as *prime agricultural lands* within Prime Agricultural Areas, it is demonstrated to the satisfaction of the Township and the Region that there is a substantial quantity of *mineral aggregate resources* below the water table warranting extraction;
- b) in a *specialty crop area*, there is a substantial quantity of *high quality mineral aggregate resources* below the water table warranting extraction;
- c) the completion of a hydrogeological *cumulative impacts* assessment demonstrating that the removal of the resource and the subsequent rehabilitation of the lands will not negatively impact the quantity and quality of surface or groundwater resources and relevant natural heritage features. Such studies shall be completed to the

satisfaction of the Region, the *Province*, the Township and the GRCA;

- d) if necessary and feasible to protect groundwater quality, post-extractive drainage is directed away from the resulting pond, the slopes of the pond are stabilized with appropriate native species, and a pond planting plan is prepared and implemented to the satisfaction of the Township and the Region;
- e) on lands identified as *prime agricultural lands*, other alternatives have been considered by the owner/applicant and found unsuitable, and agricultural rehabilitation in remaining areas will be maximized. The consideration of other alternatives will include investigation as to the availability of alternative resources on lands identified as Canada Land Inventory Class 4 to 7 soils, resources on lands committed to future urban uses, and resources on *prime agricultural lands* where rehabilitation to agriculture is feasible. Where no other alternatives are found, *prime agricultural lands* will be protected in this order of priority: *specialty crop areas*, Canada Land Inventory Class 1, 2, and 3 lands; and
- f) it is demonstrated to the satisfaction of the Region and the Township that agricultural rehabilitation in remaining areas will be maximized, and that the site will be rehabilitated in accordance with the policies in Section 5.2.8 of this Plan.

5.2.6.2 Where the results of an individual or sub-watershed scale hydrogeological study indicate that mineral aggregate extraction below the water table may have a negative impact on the quantity or quality of groundwater in an area, the Township will restrict extraction below the water table by means of a site-specific regulation in the Zoning By-law in accordance with ROP Section 9C. The purpose of this restriction is to maintain the depth of residual over burden necessary to protect the quality and quantity of groundwater.

Def.
No.
4.8

5.2.6.3 Where the extraction of a proven significant quantity of *mineral aggregate resources* located below the water table is not permitted in accordance with 5.2.6.1, this resource will continue to be protected from land uses incompatible with its future extraction.

5.2.7 Wayside Pits and Quarries, Portable Asphalt and Concrete Plants

5.2.7.1 *Wayside pits and quarries, portable asphalt plants and portable concrete plants* for the exclusive temporary use of a public road authority operating under an approved permit will be permitted in all land use designations, without amendment to this Plan, or the Zoning By-law, except where:

- a) the use would be located within or adjacent to an area of existing development that would be incompatible with aggregate extraction and associated activities;
- b) the use would be located within a Core Environmental Feature as designated on Map 5A; or
- c) the use is identified as a prohibited use by the policies of this Chapter.

5.2.7.2 The Township will request the *Ministry of Natural Resources* include a notification on wayside permits for lands adjacent to Supporting Natural Features that the Township

should be contacted prior to excavation to obtain information on how to mitigate impacts on the Supporting Natural Features.

5.2.7.3 *Portable asphalt plants and portable concrete plants* will be discouraged on lands containing active agricultural operations. If asphalt or concrete for a public road project cannot be obtained from an existing asphalt or concrete plant, attempts should be made to locate the portable plant in *wayside pits and quarries*, vacant industrial sites, or on inactive or less productive agricultural lands.

5.2.7.4 *Portable asphalt plants and portable concrete plants* will obtain appropriate approvals from the *Province* pursuant to the Environmental Protection Act and will include provisions to prevent spills of petroleum chemicals to surface and groundwater resources.

5.2.8 **Rehabilitation of Aggregate Operations**

5.2.8.1 The Township will cooperate with land owners, the Region, pit operators and the *Ministry of Natural Resources* in efforts to rehabilitate existing and/or abandoned pits and quarries to reduce or eliminate dangerous or hazardous conditions and return the pit site to a suitable land use as determined by the Township in conformity with the policies of this Plan and the ROP.

5.2.8.2 Where multiple *mineral aggregate operations* are located in close proximity to one another, the Township will collaborate with the Region, the *Province*, the GRCA and the affected owners/applicants to jointly develop *comprehensive rehabilitation* plans for multiple properties.

5.2.8.3 All proposals for new *mineral aggregate operations*, including *wayside pits and quarries*, will include a rehabilitation plan to the satisfaction of the Township and the Region, ensuring that:

- a) progressive rehabilitation will be carried out so that depleted areas are restored while extraction continues in other areas of the site;
- b) final rehabilitation will be carried out and will comply with the land use designations contained in this Plan, and be compatible with the character of surrounding land uses;
- c) *comprehensive rehabilitation* will be carried out, to the extent possible, where a proposed new *mineral aggregate operation* abuts one or more existing licensed *mineral aggregate operations*;
- d) within the *prime agricultural area* and *rural area* designations, and in manner consistent with Policy 5.2.4.4, rehabilitation to agriculture will be the first priority as follows:
 - i) within the *prime agricultural area*, substantially the same land area will be rehabilitated back to an agricultural condition to allow for the same range and productivity of crops common in the area; and
 - ii) within *rural areas*, rehabilitation of the site will be carried out so that

substantially the same land area and same average soil quality for agriculture are restored; and

- e) where mineral aggregate extraction has occurred below the water table, rehabilitation will be in accordance with Policy 5.2.6.1 c) to protect groundwater quality.

- 5.2.8.4 Notwithstanding Policy 5.2.8.3, where a *development application* is not required to permit a new *mineral aggregate extraction operation*, or to expand the boundaries or increase the depth of extraction within an existing *mineral aggregate extraction operation*, proposals and information received by the Township will be forwarded to the Region. In these instances, the Region will assess the proposal in the context of the relevant policies of the ROP which apply to applications for new *mineral aggregate operations*, and will provide comments directly to the *Province*.
- 5.2.8.5 The Township will ensure that *mineral aggregate resource conservation* will be undertaken, including through the use of aggregate recycling facilities within operations, wherever feasible. The Township will define and regulate aggregate recycling facilities in the General Zoning By-law.
- 5.2.8.6 Where an application under the Aggregate Resources Act has been received and deemed complete by the Province after July 1, 2017, any applications under the Planning Act to permit the making, establishment or operation of the pit or quarry to which the Aggregate Resources Act application relates, will be subject to the mineral aggregate policies set out in the Growth Plan for the Greater Golden horseshoe (2017) in addition to all relevant policies of this Plan.

Def. No. 4

5.3 SOURCE WATER PROTECTION

The township is reliant on the region's rich aquifers to supply the majority of its drinking-water. Protecting existing and future sources of drinking-water from incompatible land uses and from contamination that could hinder groundwater recharge is essential to maintaining human health, economic prosperity and a high quality of life. The Township will maintain and wherever feasible, enhance the quality and quantity of water infiltration and recharge to groundwater aquifers. The Township will also support the Region in implementing land use planning decisions to protect the quality and quantity of drinking-water resources, and to limit development and *site alteration* without could adversely affect drinking-water supplies drawn from the Grand River and from groundwater resources.

5.3.1 Source Water Protection Areas

- 5.3.1.1 Source Water Protection Areas are designated on Map 4 of this Plan. These areas are significant in that they contribute water, or are in close proximity to municipal drinking-water supply wells and surface water intakes that are *vulnerable* to contamination and/or depletion from incompatible land uses. Within the township, Source Water Protection Areas consist of: 1) Wellhead Protection Sensitivity Areas; 2) High Microbial Risk Management Zones; and 3) Regional Recharge Areas.
- 5.3.1.2 Wellhead Protection Sensitivity Areas are classified from 1 to 8, as designated on Map 4

of this Plan. This classification allows for varying degrees of management relative to the *vulnerability* of the underlying groundwater to contamination, the importance of the well to the capacity of the municipal drinking-water supply systems, and the length of time groundwater within the area will take to reach the municipal drinking-water supply well.

- 5.3.1.3 High Microbial Risk Management Zones identify areas where the underlying groundwater is the most *vulnerable* to disease causing organisms. These zones surround municipal drinking-water supply wells supplied by Groundwater Under the Direct Influence of Surface Water (GUDI). GUDI wells draw groundwater that is directly connected to and dependant upon, surface water in locations where contaminants in the surface water may not be filtered adequately by the overlying soil or subsurface before entering the well.
- 5.3.1.4 Regional Recharge Areas identify areas that will be protected from land use practices and *hazardous chemicals and/or substances* that could negatively impact the quality and quantity of water within and available to the aquifers that contribute to the municipal drinking-water supply system.
- 5.3.1.5 The Township will review its Zoning By-Law with respect to Source Water Protection Areas to ensure conformity with the Regional Official Plan in terms of compatible land uses.
- 5.3.1.6 *Development applications* within Source Water Protection Areas will be reviewed in accordance with the source water protection policies outlined in Section 8A of the ROP.
- 5.3.1.7 New water taking will not be permitted for any new or expanding uses within the Ayr Urban Area.
- 5.3.1.8 New water taking in quantities greater than 50,000 litres per day may be permitted outside of the Ayr Urban Area and Source Water Protection Area designations, only through a site specific zoning by-law amendment, provided the application is substantiated by further study in accordance with ROP Policy 8.A.7.
- 5.3.1.9 Where the policies in the ROP require one or more studies to be submitted in support of a *development application*, such studies will be completed in accordance with the Section 8A of the ROP and the Regional Implementation Guideline for Source Water Protection Studies to the satisfaction of the Region. Studies submitted by the owner/applicant will demonstrate that the proposed use will not negatively impact the quantity and/or quality of drinking-water resources in Source Water Protection Areas for the *development application* to receive approval.
- 5.3.1.10 The Township, in consultation with the Region, the *Province* and the GRCA will provide advice to land owners to promote good stewardship practices for lands and water within Source Water Protection Areas.
- 5.3.1.11 The Township will, in collaboration with other public agencies having jurisdiction, provide input into and implement the *Province's* Source Protection Plan
- 5.3.1.12 This Plan will be amended to conform to an approved Provincial Source Protection Plan,

as required.

CHAPTER 6: ENVIRONMENTAL MANAGEMENT

6.1 THE GREENLANDS NETWORK

The township contains a diverse range of *environmental features* that provide a foundation for the Greenlands Network. This network encompasses a system of *woodlands*, *wetlands*, watercourses, recharge areas and other natural heritage areas that are connected, or will be connected through a series of *linkages*. The Greenlands Network and associated *environmental features*, provides a variety of *ecological functions* and contributes to the overall environmental health of the township and the Grand River *watershed*. The policies of this Plan seek to maintain, enhance or wherever feasible, restore the elements of the township's Greenlands Network including the Grand River and its tributaries for current and future generations.

This Plan also recognizes the importance of *wetlands*, watercourses, lakes and groundwater to the strength of the Greenlands Network. These hydrological features and their associated functions provide a variety of environmental benefits, ecological services and are fundamental components of ecosystems.

6.1.1 General Policies

- 6.1.1.1 The Greenlands Network is designated on Map 5A of this Plan, and comprises Landscape Level Systems, Core Environmental Features, *Fish Habitat*, Supporting Environmental Features and the *linkages* among these elements, and lands designated within the Provincial Greenbelt Plan Natural Heritage System.
- 6.1.1.2 The boundaries of the *environmental features* that make up the Greenlands Network will be interpreted, as required to support the review of *development applications*, through *Environmental Impact Statements*, *watershed study*, or other appropriate studies accepted by the Township, the Region and other agencies having jurisdiction. The *environmental features* comprising Core Environmental Features and Supporting Environmental Features are mapped collectively. Consultation with the Township and/or the Region is required for further categorization of these features.
- 6.1.1.3 Any boundary interpretations of the Greenlands Networks not generally in conformity with the boundaries shown on Map 5A will require an amendment to this Plan and the ROP.
- 6.1.1.4 *Development applications* or *site alteration* will be prohibited on lands where elements of the Greenlands Network have not been adequately identified and evaluated through a *watershed study* or any other appropriate natural heritage review, until such time as an *Environmental Impact Statement* has been prepared by an owner/applicant in accordance with the policies of this Plan and/or the ROP, to identify and evaluate any such elements located on the subject lands and, wherever appropriate, *contiguous* lands.
- 6.1.1.5 Where lands have been identified by the *Province*, or through a *watershed study* or other appropriate field studies, including those undertaken in Policy 6.1.1.4 as fulfilling the criteria to be designated as a Core Environmental Feature, an amendment to this Plan and the ROP will be required to designate such lands as part of the Greenlands Network. Prior to the approval of the amendment, any *development* or *site alteration* proposed within or *contiguous* to the feature will be considered premature by the Township and the

Region, or will proceed on the basis that the lands identified as meeting the criteria as a Core Environmental Feature are protected as though they were a Core Environmental Feature in accordance with the policies of the ROP.

- 6.1.1.6 Illegal acts resulting, or having resulted, in a reduction in the form or function of an *environmental feature* within the Greenlands Network, including but not limited to such acts as tree removal, *wetland* filling or draining, or the alteration of watercourses, will not be recognized as existing conditions within the *development* review process. Restoration of the damaged area may be required prior to, or as a condition of, approval of any *development applications*.
- 6.1.1.7 Elements of the Greenlands Network that are privately owned are not for use by the public, except at the discretion of the owner.
- 6.1.1.8 The acquisition of elements of the Greenlands Network by the Township or other public agencies will be promoted wherever feasible.

6.1.2 Landscape Level Systems

- 6.1.2.1 Landscape Level Systems are recognized within the Greenlands Network as large-scale *environmental features* or as significant concentrations of *environmental features*. Landscape Level Systems are delineated by the Region, and are designated on Map 5A of this Plan. Landscape Level Systems comprise:
 - a) Environmentally Sensitive Landscapes;
 - b) *Significant* Valleys;
 - c) Regional Recharge Areas; and
 - d) Provincial Greenbelt Plan Natural Heritage System.
 - 6.1.2.2 The designation of lands as Landscape Level Systems will not affect *agricultural uses* and associated *normal farm practices* as defined in applicable Provincial legislation and regulations in conformity with this Plan, applicable Zoning By-laws, statutes, policies and regulations of other government agencies, including agricultural drainage through municipal or agreement drains.
 - 6.1.2.3 The Township will maintain, enhance or, wherever feasible, restore the scenic qualities of Township Roads within Landscape Level Systems.
- ## **6.1.3 Environmentally Sensitive Landscapes**
- 6.1.3.1 Environmentally Sensitive Landscapes are designated on Map 5A of this Plan. This designation identifies broad areas with distinct geographical and ecological characteristics and compositions which support and sustain a range of *ecological functions*.
 - 6.1.3.2 All *development applications* within Environmentally Sensitive Landscapes are subject to all applicable policies of this Plan and the ROP.

- 6.1.3.3 Future expansions of the Ayr Urban Area, Rural Settlement Areas or Rural Employment Areas are not permitted within or into Environmentally Sensitive Landscapes.
- 6.1.3.4 The creation of new lots for *non-farm related residential units* within Environmentally Sensitive Landscapes is only permitted within Rural Settlement Areas.
- 6.1.3.5 *Development applications* within Environmentally Sensitive Landscapes submitted to:
- a) establish or expand *recreational and tourism uses* or Rural Institutional uses;
 - b) create a new lot, or permit a lot addition, for a *recreational and tourism use* or Rural Institutional use;
 - c) permit the minor intensification of *existing* industrial, commercial, recreational and/or institutional uses, including minor changes in the uses thereof;
 - d) permit new *agriculture-related uses* or *secondary uses*;
- may be considered for approval subject to the following additional criteria:
- i) there will be no *adverse environmental impacts* on *environmental features* and *ecological functions*, enhancement/restoration areas, existing corridors and *linkages*, watercourses, or the quality and quantity of groundwater within or *contiguous* to the Environmentally Sensitive Landscape resulting directly from the proposed *development* or through increases in traffic or installation of required servicing infrastructure;
 - ii) disturbance of existing natural vegetation will be minimized;
 - iii) the *development* will be buffered from existing natural features by an appropriate width of natural vegetation, and will otherwise facilitate the enhancement or restoration of new areas and/or corridors and *linkages*; and
 - iv) all natural landscape features, required buffer strips, and enhancement or restoration areas on the subject property are zoned appropriately through a zoning by-law amendment and/or protected through a Conservation Easement acceptable to the Region.
- 6.1.3.6 The Township Zoning By-law will not permit the land uses identified in Policy 7.B.10 of the ROP within Environmentally Sensitive Landscapes outside of Rural Employment Areas and Rural Settlement Areas.
- 6.1.3.7 Where *development* or *site alteration* is proposed on lands within or *contiguous* to an Environmentally Sensitive Landscape, the owner/applicant will be required to submit an *Environmental Impact Statement* which addresses landscape impacts in addition to any other requirements in accordance with the policies in Section 6.3 of this Plan.

- 6.1.3.8 Where construction of a road on a new right-of-way, widening or upgrading of an existing roadway, construction or upgrading of a trunk sewer, trunk watermain, gas pipeline or electrical transmission line, wastewater treatment facility, waste management facility or groundwater taking project is proposed within or *contiguous* to an Environmentally Sensitive Landscape, the submission of an *Environmental Impact Statement*, or other appropriate study, in accordance with the policies in Section 6.3, which evaluates landscape level impacts, will be required.
- 6.1.3.9 Decisions regarding *development*, *site alteration* and infrastructure work within or *contiguous* to Environmentally Sensitive Landscapes will be in accordance with the policies of this Plan and the policies of the ROP.
- 6.1.3.10 Nothing in this Plan will prevent the owner of a legal lot of record in an Environmentally Sensitive Landscape from obtaining a building permit to construct or enlarge a single detached dwelling, accessory building or farm structure, provided it is in conformity with all other Township, Region and GRCA policies and regulations.
- 6.1.3.11 The designation of an Environmentally Sensitive Landscape will not affect existing aggregate extraction and processing operations licensed under the Aggregate Resources Act.
- 6.1.4 Significant Valleys**
- 6.1.4.1 Significant Valleys are designated on Map 5A of this Plan. This designation identifies valleys of the Grand River, Conestogo River, Nith River and Speed River, which are together nationally recognized as a Canadian Heritage River. Significant Valleys comprise the entire river channel within the region and run up to the point where the slope of the valley begins to grade into the surrounding upland.
- 6.1.4.2 Significant Valleys are designated as Environmental Constraint Areas on Map 5B of this Plan.
- 6.1.4.3 All *development applications* within or *contiguous* to Significant Valleys will be in accordance with the policies of this Plan and the ROP.
- 6.1.5 Regional Recharge Areas (Environmental Protection)**
- 6.1.5.1 Regional Recharge Areas are designated on Map 4 of this Plan. This designation identifies a large *environmental feature* which consists of considerable deposits of sand and gravel that allow for the infiltration of large quantities of rainfall and snowmelt deep into the ground. Regional Recharge Areas serve to sustain a wide range of aquatic habitats and ecosystems within the Greenlands Network, and also serve to replenish deep underground aquifers that serve as a source for a significant share of the township's drinking water.
- 6.1.5.2 Expansions of the Ayr Urban Area, Rural Settlement Areas or Rural Employment Areas will not be permitted onto lands designated as Regional Recharge Areas, except as provided for in policy 6.1.5.3 of this Plan and the ROP.

6.1.5.3 Minor expansions of Rural Settlement Areas located within Regional Recharge Areas may be permitted to facilitate the enlargement of an *existing* employment, recreational or institutional use subject to the provisions of the ROP. Such expansions will not be permitted where the lands subject to the expansion proposal are also designated as Environmentally Sensitive Landscape.

6.1.5.4 *Development applications* within Regional Recharge Areas on lands already designated for urban *development* in this Plan may be permitted in accordance with the policies of this Plan and Section 7B of the ROP.

6.1.6 Provincial Greenbelt

6.1.6.1 The Provincial Greenbelt Plan Natural Heritage System is shown on Map 5A of this Plan. This system identifies *significant* and/or sensitive natural heritage and water resource features that are part of, and connect to, broader natural heritage systems in southern Ontario. Any *development* within or *contiguous* to this Provincial designation will comply with the policies in this Plan, the ROP and the Greenbelt Plan. Where there is discrepancy between this Plan, the ROP and the Greenbelt Plan, the more restrictive policies will apply.

6.1.7 Core Environmental Features

6.1.7.1 Core Environmental Features are designated on Map 5A of this Plan. This designation identifies those *environmental features* that are provincially or regionally *significant*. These features are the most significant elements of the regional landscape in terms of maintaining, protecting and enhancing *biodiversity* and important *ecological functions*.

6.1.7.2 Core Environmental Features are designated as Environmental Constraint Areas on Map 5B of this Plan.

6.1.7.3 The Core Environmental Features designation applies to lands that meet the criteria set out in the ROP as:

- a) Significant *Habitat of Endangered or Threatened Species*;
- b) *Provincially Significant Wetlands*;
- c) Environmentally Sensitive Policy Areas;
- d) *Significant Woodlands*; or
- e) Environmentally *Significant* Valley Features.

6.1.7.4 *Development* or *site alteration* will not be permitted within Core Environmental Features, except for:

- a) forest, fish or wildlife management and conservation;
- b) flood or erosion control projects demonstrated to be in the public interest and for which no other alternative is feasible;

- c) minor alterations to legal non-conforming land uses within Core Environmental Features;
- d) *infrastructure* projects in accordance with policies 7.C.11 and 7.C.12 of the ROP; or
- e) new *mineral aggregate operations* in accordance with the policies of the ROP.

Any *development application* or *site alteration* for the above uses will require the submission of an *Environmental Impact Statement*, to the satisfaction of the Region, to determine the mitigation measures to be implemented, as appropriate, through the *development* review process.

6.1.7.5 *Development*, or *site alteration* will only be permitted on lands *contiguous* to a Core Environmental Feature where an *Environmental Impact Statement*, or similar study, submitted in accordance with the policies in Section 6.3 has determined to the satisfaction of the Township, the Region, the GRCA and/or the *Province*, as appropriate, that approval of the proposed *development* or *site alteration* would not result in *adverse environmental impacts* on the features and *ecological functions* of the Core Environmental Feature.

6.1.7.6 An *Environmental Impact Statement* submitted in accordance with Policies 6.1.7.4 or 6.1.7.5 will identify appropriate buffers to Core Environmental Features, to the satisfaction of the Township in consultation with the Region and the GRCA. Such buffers will not only serve to protect Core Environmental Features from *adverse environmental impacts* but will also provide opportunities for net *habitat enhancement* or, wherever feasible, restore the *ecological functions* of the Core Environmental Feature. The location, width, composition and use of buffers will be in accordance with the approved *Environmental Impact Statement*, with buffers being a minimum of 10 metres as measured from the outside boundary of the Core Environmental Feature and established and maintained as appropriate self-sustaining vegetation.

6.1.8 Fish Habitat

6.1.8.1 *Fish Habitat* will be identified through *watershed studies*, *Environmental Impact Statements* or other appropriate studies accepted by the Township and other public agencies having jurisdiction.

6.1.8.2 *Development* or *site alteration* will not be permitted within *fish habitat*, except in accordance with *Provincial and Federal Requirements* to the satisfaction of the Federal Department of Fisheries and Oceans, or its delegate.

6.1.8.3 *Watershed studies*, *Environmental Impact Statements* and other appropriate studies will be used to determine appropriate means to implement fishery policy and the specification of protective mitigative measures.

6.1.9 Supporting Environmental Features

- 6.1.9.1 Supporting Environmental Features are designated on Map 5A of this Plan. These *environmental features* do not meet the criteria for being regionally *significant*, but play an important role in maintaining the *ecological functions* provided by the Greenlands Network and will be maintained, enhanced or, wherever feasible, restored.
- 6.1.9.2 Supporting Environmental Features are designated as Environmental Constraint Areas on Map 5B of this Plan.
- 6.1.9.3 Supporting Environmental Features are areas that meet the following criteria:
- a) is identified by the *Ministry of Natural Resources* as a *Locally Significant Wetland* (including all previously classified Class 4 to 7 *Wetlands* identified by the *Ministry of Natural Resources*); or,
 - b) is identified by the *Ministry of Natural Resources* as *significant* wildlife habitat; or,
 - c) is identified by the GRCA as a cold or warm water fishery; or,
 - d) provides a connection or acts as a buffer or supporting area to other designated natural areas, thus maintaining ecological connection between communities; or,
 - e) performs vital hydrogeological functions, such as serving as headwaters of a stream, groundwater recharge and *Environmentally Significant Discharge Areas*.
- 6.1.9.4 The submission of an *Environmental Impact Statement* for review by the Township in consultation with the Region and the GRCA will be required for all *development* proposed within or adjacent to a Supporting Environmental Feature. For the purposes of interpretation of this policy, adjacent will be defined as lands within 50 metres of the boundary of the Supporting Environmental Feature.
- 6.1.9.5 Where an *Environmental Impact Statement* demonstrates that the proposed *development* will not result in *adverse environmental impacts* upon environmental features and functions of a Supporting Environmental Feature identified in this Plan, the Township may, subject to appropriate conditions, approve or recommend approval of the application without amendment to this Plan.
- 6.1.9.6 Where an *Environmental Impact Statement*, submitted in accordance with Section 6.3, demonstrates that *development* may have an *adverse environmental impact* upon the environmental features and functions of a Supporting Environmental Feature, the Township will undertake one of the following:
- a) negotiate an agreement with the owner of the land requiring conditions of approval, or dedication of land to protect lands supporting the environmentally significant features and functions of the Supporting Environmental Feature;
 - b) request the *Province*, the Region, or the GRCA to use powers within their jurisdiction to enable acquisition of the Supporting Environmental Feature;

- c) encourage public and/or private agencies to acquire all or the affected portion of the Supporting Environmental Feature;
 - d) require a Conservation Easement; or,
 - e) refuse the application.
- 6.1.9.7 The interpretation and definition of the limits of a Supporting Environmental Feature and *adjacent lands* will be the responsibility of the Township in consultation with the *Province*, the Region and the GRCA.
- 6.1.9.8 Supporting Environmental Features which are privately owned are not for use by the public, except at the discretion of the owner.
- 6.1.9.9 Where lands are identified through a watershed or other appropriate field study as fulfilling the criteria for a Supporting Environmental Feature designation in accordance with Policy 6.1.9.3, an amendment to this Plan will be considered to designate such lands as a Supporting Environmental Feature.
- 6.1.9.10 The Township will, in consultation with the *Province*, the Region, the GRCA and affected landowners, provide for the protection, enhancement or, wherever feasible, restoration of *Environmentally Significant Recharge Areas* and *Environmentally Significant Discharge Areas*, not fulfilling the criteria for designation as Regional Recharge Areas.
- 6.1.9.11 Where *Environmentally Significant Discharge Areas* and/or *Environmentally Significant Recharge Areas* sustain a Core Environmental Feature as documented through a study prepared in accordance with the policies of the ROP, the Township will:
 - a) not permit *development* or *site alteration* within or *contiguous* to the *Environmentally Significant Discharge Areas* and/or *Environmentally Significant Recharge Areas*, except where it has been determined to the satisfaction of the Region and/or other applicable agencies that the *development* or *site alteration* would not result in *adverse environmental impacts* on the features and *ecological functions* of the Core Environmental Feature; and
 - b) ensure that any proposed public *infrastructure* projects will avoid *Environmentally Significant Discharge Areas* and *Environmentally Significant Recharge Areas*, wherever feasible. Where it is not feasible to avoid these areas, the construction of the *infrastructure* project will be designed to maintain the *hydrologic functions* that sustain Core Environmental Features.
- 6.1.9.12 Lands within river or stream valleys, *floodplains*, *wetlands*, watercourses, lakes or *hazardous lands*, or lands within 120 metres of *Provincially Significant Wetlands* and *wetlands* greater than or equal to two hectares, or lands within 30 metres of *wetlands* less than two hectares, are regulated by the GRCA. *Development* or *site alteration* within these Regulated Areas will require a permit from the GRCA in accordance with the applicable regulations approved under the Conservation Authorities Act.

6.1.10 Linkages

- 6.1.10.1 *Linkages* are areas intended to provide opportunities for plant and animal movement within and between *environmental features*, support hydrological and nutrient cycling, and contribute to the overall ecological integrity of the Greenlands Network. The Township, in consultation with the Region, GRCA and other stakeholders, will assist in identifying *linkages* through appropriate studies as determined by the Region or GRCA.
- 6.1.10.2 The Township will require the incorporation of any *linkages*, identified in accordance with the policies of this Plan and the ROP, into the design of new *development* to maintain, enhance or, wherever feasible, restore *linkages* within and between *environmental features*.
- 6.1.10.3 The Township will enhance *linkages*, where appropriate, by restoring natural habitat on lands owned by the Township.
- 6.1.10.4 The Township will encourage the naturalization of inactive sections of parks and open space areas under the jurisdiction of other agencies and in private ownership, wherever appropriate, to enhance *linkages*.

6.2 WATERSHED PLANNING

The Township recognizes the direct relationship between human activities and impacts on water and other natural resources. *Watershed studies* help assess the nature of impacts from *development* on ecosystem features and functions by assessing the interconnections between human activities and environmental resources. They also provide recommendations concerning land use planning actions and conditions of development approval the Township can implement to prevent or minimize those impacts.

- 6.2.1 The Township will participate in co-operation with other municipalities, the public, landowners, the Grand River Conservation Authority, the Region, the *Provincial* Ministries and other interested agencies in the completion of *watershed studies* for *watersheds* within the Township as identified on Map 6 of this Plan.
- 6.2.2 The Township will support, and participate in, Regional initiatives to undertake *watershed study* under the policies of the ROP. Such studies are intended to both minimize *adverse environmental impacts*, including cross-jurisdictional and cross-watershed impacts, and to maintain, enhance or, wherever feasible, restore the Greenlands Network. Such studies will also be used to direct enhancement of the water system, maintenance or improvement of the health of watercourses and to identify natural hazards.
- 6.2.3 The Township will consider amendments to this Plan to implement appropriate recommendations from *watershed studies*.
- 6.2.4 The Township will consider applicable recommendations of *watershed studies* not implemented through amendment to this Plan, during the *development* approval process.
- 6.2.5 *Watershed studies* will be used to identify potential impacts of change on:

- a) water budget;
- b) peak run off flows;
- c) run off volumes;
- d) time distribution of stormwater run off;
- e) flood levels and velocities;
- f) *floodplain* storage;
- g) existing storm water management facilities;
- h) capacities of existing downstream works;
- i) *floodplain* buildings and structures;
- j) erosion and sedimentation of stream systems;
- k) surface water quality;
- l) groundwater quantity and quality;
- m) water supply aquifer;
- n) infiltration, recharge, discharge;
- o) baseflow;
- p) *wetlands*;
- q) *significant woodlands* and other ecosystems;
- r) *significant* flora and fauna, including rare, endangered, and threatened species and associated habitat;
- s) aquatic habitat and fisheries;
- t) recreation;
- u) consideration and recommendation of rehabilitation measures for a system which is already impacted; and,
- v) other environmental aspects determined by the *watershed study*.

6.2.6 The Township, the *Province*, the Region, and the GRCA, in consultation with affected landowners and the general public, will jointly determine the terms of reference for *watershed study*. At a minimum, the terms of reference for *watershed study* will include:

- a) identification, maintenance, restoration and, wherever feasible, enhancement of *environmental features*, *groundwater features*, surface water features and *ecological functions* which are necessary for the ecological and hydrological integrity of the *watershed*;
- b) identification, maintenance, enhancement and, wherever feasible, restoration of *linkages* among *environmental features* and *ecological functions*, *groundwater features* and surface water features;
- c) determination of areas where *development* or *site alteration* will be prohibited to:
 - i) protect existing and potential municipal drinking-water supplies and identified *vulnerable* areas; and
 - ii) maintain, or, enhance wherever feasible, restore sensitive and *vulnerable* surface water and *groundwater features*, and their *hydrologic functions*, and *floodplains*;
- d) protection of the quality, quantity, distribution and direction of flow of existing surface and groundwater processes;
- e) identification of stormwater management practices that maintain or enhance the quality, quantity and distribution of stormwater including infiltration measures, and minimize stormwater volumes and contaminant loads;
- f) identification of areas where site specific *Environmental Impact Statements* may be required for the review of *development applications* in accordance with the policies of the ROP. Wherever feasible, *watershed study* should partially fulfill the *Environmental Assessment* requirements for major *infrastructure* works to be located within that *watershed*, and/or comprehensive *Environmental Impact Statements* for all or part of the *watershed*; and
- g) develop a monitoring plan and define roles and responsibilities for pre-, during- and post-construction monitoring to determine and address the impact of *development* on the Greenlands Network and surface and groundwater resources.

6.2.7 The Township will require the finalization of a *watershed study* prior to the adoption of Official Plan amendments or Community Plans which permit significant areas of *development* within a *watershed*.

6.2.8 Prior to the adoption of an Official Plan amendment or Community Plan which implements the recommendations of *watershed study* which deal with Regional interests, the Township will ensure that the relevant portions of the *watershed study* are first approved by the Region.

6.2.9 The Township will amend this Plan, as required, to provide for the implementation of appropriate recommendations from *watershed study* in this Plan, and as part of the *development* review process.

6.2.10 Blair, Bechtel, and Bauman Creeks *Watershed*

Policies relating to this *watershed study* will be considered by future amendment to this Plan.

6.2.11 Mill Creek Watershed

Policies relating to this *watershed study* will be considered by future amendment to this Plan.

6.2.12 Moffat Creek Watershed

Policies relating to this *watershed study* will be considered by future amendment to this Plan.

6.2.13 Cambridge West (Newman Creek, Curickston Creek, Barrie's Lake and Gilholm Marsh

Policies relating to this *watershed study* will be considered by future amendment to this Plan.

6.2.14 Cedar Creek Sub-Watershed

Policies relating to this scoped sub-*watershed study* will be considered by future amendments to this Plan.

6.3 ENVIRONMENTAL IMPACT STATEMENTS

6.3.1 General Policies

6.3.1.1 An *Environmental Impact Statement* may be required to identify and evaluate the potential effects of a proposed *development* or *site alteration* on elements of the Greenlands Network, and recommend means of preventing, minimizing or mitigating these impacts, as well as enhancing or restoring the quality and connectivity of elements of the Greenlands Network. An *Environmental Impact Statement* may also be used to identify and evaluate elements of the Greenlands Network and interpret the boundaries of these elements. The Township, the *Province*, the Region, and the GRCA will co-ordinate the requirements for the preparation of an *Environmental Impact Statement*.

6.3.1.2 Any *Environmental Impact Statement* required under Policy 6.3.1.1 will be prepared in accordance with the provisions of the Regional Greenlands Network Implementation Guideline.

6.3.1.3 The Township may require the submission of a single comprehensive *Environmental Impact Statement* where:

- a) *development* or *site alteration* is proposed on multiple *contiguous* properties containing elements of the Greenlands Network;
- b) a Community Plan or other comprehensive community planning process is being undertaken; or

- c) Environmental Studies are required to support the proposed expansion of the Ayr Urban Area, Rural Settlement Area, or Rural Employment Area boundaries; or
- d) the extent of a *development application* and its anticipated impacts on the Greenlands Network are anticipated by the relevant agency(ies) to be substantial.

6.3.1.4 The need for, and scope of the *Environmental Impact Statement*, will be determined in collaboration with the Region, the *Province*, and the GRCA by:

- a) the *Province*, for *development* or *site alteration* potentially affecting *Significant Habitat of Endangered or Threatened Species*, or;
- b) the Region, for *development* or *site alteration* potentially affecting:
 - i) Landscape Level Systems, not including *Significant Valleys*;
 - ii) Core Environmental Features; or
 - iii) *Environmentally Significant Discharge Areas* and/or *Environmentally Significant Recharge Areas* that sustain Core Environmental Features.
- c) the GRCA for Significant Valleys, *Provincially Significant Wetlands* located outside Environmentally Sensitive Policy Areas and *wetlands* not identified as provincially significant, including unevaluated *wetlands*;
- d) the Township for *development applications* potentially affecting other elements of the Greenlands Network; and
- e) the Federal Department of Fisheries and Oceans, or its delegate, for *fish habitat*.

6.3.1.5 The submission of an *Environmental Impact Statement* will not be required by the Township where an *Environmental Assessment* or alternative environmental review is being undertaken as part of a comprehensive planning process, provided the *Environmental Assessment* or alternative environmental review fulfils the requirements of an *Environmental Impact Statement*.

6.3.2 Environmental Impact Statements for Supporting Environmental Features

6.3.2.1 Where an *Environmental Impact Statement* is required for Supporting Environmental Features in accordance with Policy 6.1.9.4, it will be prepared by a qualified professional and submitted with the *development* application to the Township for review in consultation with the Region. Where the Supporting Environmental Feature is a Locally *Significant Wetland*, the Township will consult with the GRCA.

6.3.2.2 *Environmental Impact Statements* for *development* affecting Supporting Environmental Feature will be prepared in accordance with the Regional Greenlands Network Implementation Guideline.

6.3.2.3 Where the Township, in consultation with the Region and the GRCA determines that the preparation of an *Environmental Impact Statement*, for *development* proposed in or

adjacent to a Supporting Environmental Feature, would serve no useful purpose, it may waive the requirement to complete such a study, subject to terms and conditions of approval that the Township may deem appropriate to conserve natural features.

6.3.3 Environmental Impact Statements for Fish Habitat

- 6.3.3.1 Any *development* proposed *contiguous* to designated *fish habitat*, will require the preparation and submission of an *Environmental Impact Statement* for review by the Federal Department of Fisheries and Oceans, or its delegate.

6.4 NATURAL HAZARDS

Natural hazards include *hazardous lands* and *hazardous sites*. These areas possess physical characteristics which could cause severe property damage or loss of life. The policies of this section are intended to prevent the loss of life and minimize property damage and social disruption through the restriction of land use activities on lands susceptible to erosion or flooding, while permitting limited *development* on lands where it is determined to be appropriate and safe. Lands identified as *hazardous lands* and *hazardous sites* are intended primarily for the preservation and conservation of the land and environment.

- 6.4.1 *Hazardous lands* and *hazardous sites* are designated on Map 5C of this Plan. These natural hazards are identified and regulated by the GRCA. Minor revisions to the boundaries of *hazardous lands* and *hazardous sites*, where such revisions are supported by technical studies approved by the GRCA, will not require an amendment of this Plan.
- 6.4.2 Lands identified on Map 5C as being either *hazardous lands* or *hazardous sites* will be designated as Environmental Constraint Area as illustrated on Map 5B of this Plan, and zoned in the Township Zoning By-Law to prohibit buildings or structures. Building setbacks from lands shown as Hazard Lands will be established and/or modified where appropriate, in consultation with the GRCA.
- 6.4.3 Where *hazardous lands* or *hazardous sites* contain all or a portion of an element of the Greenlands Network identified in this Chapter, the more restrictive policies will apply.
- 6.4.4 *Development* or *site alteration* will not be permitted within:
- a) *hazardous lands* which are impacted by *flooding hazards* and/or *erosion hazards*;
 - b) erosion access allowances, which will not be less than six metres; and
 - c) *hazardous sites*;
- except where:
- a) a special policy area has been approved by the *Province*; or
 - b) the *development* is limited to land uses that, by their nature, must locate within the *floodway*, including flood and/or erosion control works, structures necessary for conservation, water supply, wastewater management, or minor additions or passive non-structural uses which do not affect flood flows; or

- c) a *two-zone policy area* has been designated in accordance with the policies of the ROP to permit *development* or *site alteration* in the *flood fringe*, and the effects and risk to public safety are minor and could be mitigated in accordance with the *Province's* standards, and where all of the following are demonstrated and achieved:
 - i) *development or site alteration* is carried out in accordance with *floodproofing standards, protection works standards, and access standards*;
 - ii) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - iii) new hazards are not created and existing hazards are not aggravated; and
 - iv) no *adverse environmental impacts* will result.

6.4.5 Notwithstanding Policy 6.4.4, *development* proposing the following land uses will not be permitted within *hazardous lands* and *hazardous sites*:

- a) an institutional land use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, persons with disabilities or the young during an emergency as a result of flooding, failure of *floodproofing standards* or *protection works standards*, or erosion;
- b) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations, which would be unacceptably impaired during an emergency as a result of flooding, the failure of *floodproofing standards* or *protection works standards*, or erosion;
- c) land uses associated with the disposal, manufacture, treatment or storage of *hazardous chemicals and/or substances*;
- d) fully enclosed underground parking facilities, save and except those underground parking facilities that are located in the *flood fringe* area only and that are floodproofed in accordance with policies and regulations of the GRCA; and,
- e) private sewage disposal systems.

6.4.6 Structures which are replaced or reconstructed as a result of fire or other unusual loss will be constructed and/or flood proofed to the satisfaction of the Grand River Conservation Authority.

6.4.7 Subject to Policy 6.4.5, minor expansions and alterations may be made to existing buildings and structures located within that portion of *hazardous lands* or *hazardous sites* identified by the GRCA as Regulatory *Floodplain*, provided that:

- a) it is approved by the GRCA;

- b) it has received appropriate permits;
 - c) no new dwelling units or buildings are constructed or created;
 - d) no new floor space is created below the elevation of the first floor, including new basements; and
 - e) the renovations, additions, and/or alterations are flood proofed in accordance with the requirements of the GRCA.
- 6.4.8 Outdoor storage, either temporary or permanent, is prohibited within that portion of *hazardous lands* or *hazardous sites* identified by the GRCA as *Regulatory Floodplain*.
- 6.4.9 The placing or removing of fill of any kind, whether originating on the site or elsewhere, will not be permitted within lands defined by schedule under the Conservation Authorities Act, unless approved by the Grand River Conservation Authority.
- 6.4.10 An application to amend this Plan to remove or revise *hazardous lands* or *hazardous sites* designations will be given due consideration by the Township in consultation with the public, the GRCA, the Region and other relevant agencies, taking into account:
- a) existing environmental and/or physical hazards;
 - b) potential impacts of these hazards on existing and proposed *development*;
 - c) proposed methods by which these impacts will be overcome in a manner consistent with accepted engineering techniques and resource management practices; and,
 - d) the monetary, social, and biological costs and benefits of proposed engineering work and/or resource management practices needed to overcome these impacts.
- 6.4.11 The acquisition of *hazardous lands* or *hazardous sites* by the Township or other public agencies will be promoted wherever feasible.
- 6.4.12 The Township will require detailed hydrogeological and/or geotechnical studies to assess potential risks to persons, buildings, structures, or public *infrastructure* occasioned by groundwater discharge or high water tables prior to *development*. Such studies should demonstrate that engineering solutions designed to protect structures from the effects of groundwater discharge and high water tables will be effective, will not require significant on-going maintenance to remain effective, and will not divert or impede natural groundwater flows so as to create hazards or annoyances to *adjacent lands* and buildings. Where *discharge constraint areas* are identified in the above studies, they will be identified through an amendment to this Plan and/or in Community Plans.
- 6.4.13 The Township will consider the potential impacts of climate change that may increase the risks associated with natural hazards.

6.5 ENVIRONMENTAL STEWARDSHIP

6.5.1 Biodiversity

The Township highly values its rich *biodiversity* which arises from its location on the boundary between the Great Lakes-St. Lawrence and the Carolinian Life Zone. The Township will encourage the conservation and enhancement of the native diversity of the natural environment in North Dumfries.

- 6.5.1.1 The Township will co-operate with the Region in the development and maintenance of an environmental database to document the occurrence and distribution of significant species and other features.

6.5.2 Managing Woodland Resources

- 6.5.2.1 The Township, in collaboration with the Region, will minimize the impact of *development* on *woodlands* by proposing alternative locations for proposed land uses and/or through the implementation of appropriate mitigation measures.

- 6.5.2.2 The Township will consider the importance of *woodlands* during the *development* review process, giving consideration to:

- a) the potential impact of the proposed land use on the *ecological functions*, productivity or potential productivity of the *woodland* for commercial timber production;
- b) the impact of the proposed land use on the extent and distribution of *woodland* cover in the *watershed* in which the subject land is situated; and
- c) opportunities to restore or re-establish productive forest habitats consisting of native species following the completion of the proposed *development*.

- 6.5.2.3 The Township will consider the adoption of a Tree Preservation By-law to prohibit or regulate the destruction or injuring of trees in *woodlands* less than four hectares in area.

6.5.3 Land Stewardship

- 6.5.3.1 The Township, in cooperation with the Region, encourages landowners to maintain, enhance or, wherever feasible, restore *environmental features* on their property through measures including conservation easements, buffers and wherever appropriate, fencing.

- 6.5.3.2 The Township will endeavour to secure ownership of elements of the Greenlands Network in conjunction with recreational areas, and to prepare management plans for these lands to maintain, enhance or, wherever feasible, restore their *ecological functions*.

- 6.5.3.3 The Township will encourage landowners to use native species appropriate to the Township and will discourage the use of non-native or invasive species in accordance with the Regional list of native trees and shrubs and non-native species, when planning within or *contiguous* to *environmental features*.

- 6.5.3.4 The Township will, wherever feasible and appropriate, use species native to the region in plantings along Township Roads and on the grounds of Township facilities, stormwater management facilities and park naturalization projects.

CHAPTER 7: HERITAGE RESOURCE MANAGEMENT

The Township supports the identification and *conservation* of local *cultural heritage resources*. *Cultural heritage resources* are natural and cultural assets which have historic, cultural, architectural, archaeological or natural significance. *Cultural heritage resources* may include properties, buildings, structures, *archaeological resources*, rivers, roads, districts and sites including streetscapes, landscapes, cemeteries and burial places.

7.1 GENERAL POLICIES

- 7.1.1 The Township will *conserve* and enhance *cultural heritage resources* using the provisions of the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act, the Funeral, Burial and Cremation Services Act and the Municipal Act.
- 7.1.2 The Township will establish and maintain a Municipal Heritage Committee to provide consultation regarding the designation, demolition, or alteration of buildings, structures, landscapes and sites of architectural or historic interest or significance.
- 7.1.3 The Township may coordinate the creation and delivery of financial incentive programs for the promotion, preservation, restoration and rehabilitation of *cultural heritage resources*.
- 7.1.4 The Township will consider the interests of Aboriginal communities in conserving cultural heritage and *archaeological resources*.

7.2 REGISTRY OF CULTURAL HERITAGE RESOURCES

- 7.2.1 The Township, in consultation with the Municipal Heritage Committee, will prepare, publish and periodically update a *Registry* of the Township's *cultural heritage resources*. The *Registry* will include:
- a) properties that are designated under the Heritage Act;
 - b) properties that are protected by a heritage easement or covenant under the Heritage Act;
 - c) properties that are identified by the GRCA or in Regional, *Provincial* or Federal heritage inventories;
 - d) non-designated properties that have been identified as having cultural heritage value or interest.
- 7.2.2 The Township, in consultation with the Municipal Heritage Committee, will determine what *cultural heritage resources* should be included on the *Registry*. In order to be included on the *Registry* a *cultural heritage resource* must satisfy at least two of the following criteria: heritage resources of Federal, Provincial and Regional interest, archaeological areas, properties which have been designated pursuant to the Ontario Heritage Act; historic sites, cemeteries, properties, buildings, structures or elements of

these with archaeological, historic or architectural value or interest, which in the opinion of the Township, satisfies at least two of the following criteria:

- a) it dates from an early time period in the development of the Township;
- b) it is a good, representative example of the work of an outstanding local, regional, provincial, national or international architect, engineer, builder, designer, landscape architect, interior designer or sculptor and is well preserved;
- c) it is associated with a person who is recognized as having made a significant contribution to the Township's social, cultural, political, economic, technological or physical development or as having materially influenced the course of local, regional, provincial, national or international history;
- d) it is directly associated with an historic event which is recognized as having local, regional, provincial, national or international importance;
- e) it is a well preserved example and illustration of the Township's social, cultural, political, economic or technological development history;
- f) it is a well preserved, representation of construction methods now rarely used;
- g) it is a well preserved and representative example of its architectural style or period of building;
- h) it is a well preserved and outstanding example of architectural design;
- i) it terminates a view or otherwise makes an important contribution to the landscape or streetscape of which it forms a part;
- j) it is generally well recognized as a historic Township landmark;
- k) it is a well preserved example of outstanding historic interior design;
- l) it is an example of a rare or otherwise important historic feature of good urban design or landscaping, or streetscaping; or,
- m) it makes an important contribution to the urban/rural composition given its unique aesthetic or picturesque qualities.

7.2.3 The Township will encourage the preservation, restoration and integration of *cultural heritage resources* into the design of new developments.

7.3 DESIGNATION OF HERITAGE PROPERTIES

7.3.1 The Township will regulate the demolition, removal or alteration of buildings of historic and architectural interest or cultural heritage value or interest included in the *Registry*. For these purposes Council may:

- a) pass by-laws pursuant to the Heritage Act to designate properties including buildings or structures of cultural heritage value or interest, and will not permit the demolition, removal or alteration of these buildings or structures;
- b) pass by-laws providing for the acquisition by purchase, lease or otherwise of any property or part thereof, designated in accordance with Policy 7.2.1, or for the expropriation of any such property;
- c) enter into any easement agreement or covenant with the owner of a designated property, or register and enforce any easement or covenant with the land registry office against a designated property to protect the heritage resource designated in accordance with Policy 7.2.1; or,
- d) designate areas of architectural and historic significance as Heritage Conservation Districts, pursuant to the Heritage Act. The features that give the area its distinctive character and contribute to the area's merit as a Heritage Conservation District shall be preserved. These may include the placement and relationship of buildings, the scale and character of the building groups, the architectural details of the buildings, natural areas, vistas and streetscapes and the unique historical, social or cultural association of the area.

7.3.2 Heritage Conservation Districts may include, but are not limited to areas where:

- a) a significant number of the buildings reflect an aspect of the history of the community by nature of location and historical significance of setting;
- b) significant number of the buildings are of a style or architecture or a method of construction to be significant historically or architecturally at a local, regional, provincial, national or international level;
- c) district contains other important physical, archaeological, environmental, cultural or aesthetic characteristics that in themselves do not constitute sufficient grounds for the designation of a district, but which lend support in evaluating the criteria for designation; or,
- d) the district is an area of special association that is distinctive within the township and, as a result, contributes to the character of the entire community.

7.4 CULTURAL HERITAGE LANDSCAPES

7.4.1 The Township will identify, document, and designate *Cultural Heritage Landscapes* and establish associated policies to *conserve* these areas in accordance with the policies in the ROP and the Regional Implementation Guideline for *Cultural Heritage Landscape Conservation*.

7.5 CULTURAL HERITAGE IMPACT ASSESSMENTS

- 7.5.1 The Township will require the submission of a *Cultural Heritage Impact Assessment* for any proposed development or *site alteration* that includes or is adjacent to a designated property or includes a non-designated *cultural heritage resource* that is identified in the *Registry*. A *Cultural Heritage Impact Assessment* will include but may not be limited to:
- a) historical research, site analysis and evaluation;
 - b) identification of the significance and heritage attributes of the *cultural heritage resource*;
 - c) description of the proposed development or *site alteration*;
 - d) assessment of development or *site alteration* impacts;
 - e) consideration of alternatives, mitigation and conservation methods;
 - f) schedule and reporting structure for implementation and monitoring; and
 - g) a summary statement and conservation recommendations.
- 7.5.2 The Township, in consultation with the Municipal Heritage Committee, may scope or waive the requirement for a *Cultural Heritage Impact Assessment* where the scale and nature of the proposed development is such that no useful purpose would be served by the completion of the *Cultural Heritage Impact Assessment*.
- 7.5.3 Where a *Cultural Heritage Impact Assessment* relates to a *cultural heritage resource* of Regional interest, the Township will ensure a copy of the assessment is circulated to the Region for review. In this situation, the *Cultural Heritage Impact Assessment* submitted by the owner/applicant will be completed to the satisfaction of both the Township and the Region.
- 7.5.4 Where a *development application* includes, or is adjacent to, a *cultural heritage resource* of Regional interest which is not listed on the *Registry*, the owner/applicant will be required to submit a *Cultural Heritage Impact Assessment* to the satisfaction of the Region.
- 7.5.5 The Township will consider conservation alternatives for any proposed development in the following order of preference:
- a) rehabilitate and incorporate the heritage resource(s) and its surrounding context into the proposed development;
 - b) recognize and incorporate the *cultural heritage resource(s)* and its surrounding context into *development applications* in a manner which does not conflict with the heritage resource;
 - c) promote the use of scale and design in new developments which blends harmoniously with existing *cultural heritage resources*;

- d) promote the re-use of the resource, building, or building elements where the heritage resource cannot be *conserved* intact; and,
- e) require, prior to approving a *development application* that would result in the destruction of a heritage resource, that the applicant provide measured drawings, a land use history, photographs and other available documentation of the heritage feature in its surrounding context and, if feasible, relocate the heritage resource.

7.5.6 The Township will encourage measures which enhance public appreciation and visibility of heritage features.

7.5.7 The Township, where feasible, will facilitate the restoration, rehabilitation, use and maintenance of *cultural heritage resources* located within public open space for any purpose compatible with the existing or proposed function of the public space.

7.5.8 The Township will assess the impact of proposed road construction, improvements and other public works abutting *cultural heritage resources* identified in the *Registry*, and provide in the project design for the mitigation of any negative impacts.

7.6 ARCHAEOLOGICAL RESOURCES

7.6.1 During the review of *development applications* and/or *site plans*, the Township and/or the Region will require the owner/applicant to submit an *archaeological assessment* conducted by a licensed archaeologist in accordance with the provisions of the Regional Archaeological Implementation Guideline following the *Ministry of Tourism, Culture and Sport* Standards and Guidelines, to the satisfaction of the *Province*, where *archaeological resources* and/or areas of *archaeological potential* have been identified in the Region's Archaeological Master Plan.

7.6.2 Where an *archaeological assessment* identifies a *significant archaeological resource*, the Township will require the owner/applicant to *conserve* the *significant archaeological resource* by:

- a) ensuring the site remains undeveloped and, wherever appropriate, designated as Open Space in this Plan; or
- b) removing the *significant archaeological resource* from the site by a licensed archaeologist, prior to site grading or construction.

7.7 CEMETERIES AND BURIAL PLACES

7.7.1 All licensed, private, abandoned or legally closed cemeteries will be designated in the *Registry* and will be encouraged to be retained in their original condition and location.

7.7.2 Where burial places are encountered during any excavation activity, the provisions of the Cemeteries Act and its regulations will apply.

7.8 GRAND RIVER CORRIDOR

- 7.8.1 The Township supports the national recognition given to the Grand River as a Canadian Heritage River, including its major tributaries: the Nith River, Speed River and Conestogo River. The Township will co-operate with the Region and the GRCA in efforts to *conserve*, manage and enhance, where practical, the Grand River's natural, cultural, recreational, scenic and ecological features. “
- 7.8.2 To complement the Canadian Heritage River status of the Grand River, the Township, in collaboration with the Region and GRCA, will seek to maintain the character of Significant Valleys by identifying, conserving, interpreting and enhancing *cultural heritage resources* of recreational and scenic value within Significant Valley

CHAPTER 8: IMPLEMENTATION AND INTERPRETATION

The preceding chapters have outlined Township objectives and policies intended to manage growth and services. This section is intended to outline methods for interpreting and implementing the policies of this plan.

8.1 LOCAL/REGIONAL JURISDICTION

- 8.1.1 The Township is a local municipality within the Regional Municipality of Waterloo as provided for by the Municipal Act.
- 8.1.2 This Plan is a legal document prepared in accordance with the statutory powers and responsibilities vested in the Township by the *Province* and the Region. All public works carried out in the township and all municipal by-laws passed for any purpose must conform to this Plan.”
- 8.1.3 This Plan will be used as the basis for planning decisions for managing growth and development in the township. The policies of this Plan will affect all development, redevelopment and use of land within the township.
- 8.1.4 The effect of Federal and Provincial legislation in granting exemptions from compliance under this Plan for specified undertakings is acknowledged. However, the Township will strive through consultation to gain the full support of Federal and Provincial and Regional agencies in attaining the objectives of this Plan.
- 8.1.5 Other government agencies will have regard to this Plan in preparing and administering plans and programs which may affect the township.
- 8.1.6 The private sector is encouraged to refer to this Plan when developing plans and programs which affect areas of Township interest.
- 8.1.7 The Township considers the policies of this Plan, as approved by the Region, to be appropriate Township interpretations consistent with the PPS and in conformity with the ROP, the Growth Plan and the Greenbelt Plan.

8.2 INTERPRETATION

- 8.2.1 This Plan was prepared by the Township in accordance with the Planning Act, and is to be read in conjunction with the ROP.
- 8.2.2 The text, tables, maps, schedule and glossary of terms contained in this Plan constitute the Township’s Official Plan. This Plan is intended to be read in its entirety, and all relevant policies, maps and schedules are to be applied to each situation.

- 8.2.3 The boundaries shown on the maps in this Plan will be interpreted as follows:
- a) the boundaries for the Ayr Urban Area, the Urban Area, the Rural Settlement Areas, and the Rural Employment Areas shown on Maps 2 and 2.1 through 2.35 inclusive will be interpreted as being definitive, where such designations align with property line boundaries, Township Lot/Concession boundaries and physical features such as roadways, rivers or other defined geographical features;
 - b) where the boundaries of the Ayr Urban Area, the Urban Area, Rural Settlement Areas and Rural Employment Areas coincide with such physical features as roadways, rivers and other defined geographical features, the boundaries will be deemed to be the centre line of that feature.
 - c) the environmental land use designations as shown on Map 4, except for the Provincial Greenbelt Natural Heritage System, are based on more detailed mapping contained in the Region's Technical Appendix for Landscape Level Systems and Core Environmental Features. The interpretation of these boundaries will be in accordance with the provisions set out in the ROP. The boundary of the Provincial Greenbelt Natural Heritage System will be interpreted in accordance with the provisions of the Greenbelt Plan; and
 - d) the boundaries of the various natural resource areas as shown on Maps 4, 5A, 5B, 5C, and 8 will be interpreted through the development review process.
- 8.2.4 The policies contained in this Plan are intended to provide a statement of the intentions of Township Council. If clarification of any policy is necessary, reference should be made to the preambles and goals of this Plan.
- 8.2.5 Where differences of opinion arise as to the meaning of any part of this Plan, an interpretation may be made by Township Council after hearing all interested parties. Where such interpretation is not accepted by any interested corporation or person, such corporation or person is free to apply to the Courts or other body having jurisdiction for a judicial interpretation.
- 8.2.6 Where a parcel of land is subject to one or more designations on a map in this Plan, development proposals will be reviewed in accordance with all the policies of the applicable designation, but where conflict exists between these policies, the more restrictive policies will prevail to the extent of the conflict. In the case of a discrepancy between the policies and the related map, the policies will take precedence. In the event of a conflict between this Plan and the ROP, the more restrictive provision will apply.
- 8.2.7 Where any Act or portion thereof is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent legislation that may amend or replace the specific statute.
- 8.2.8 Where any guideline, manual, or portion thereof, is referenced in this Plan, it is intended that such references should be interpreted to include any subsequent guideline or manual that may amend or replace the referenced document.

- 8.2.9 This Plan contains references to the ROP. All such references will be interpreted as referring to the text and mapping of the ROP as approved by the Ontario Municipal Board on June 18, 2015.
- 8.2.10 Notwithstanding Policy 8.2.9, it is recognized that the ROP may change through future approvals by the Ontario Municipal Board or through future adopted by Regional Council. In the event that changes are made to the ROP through either the approval by the Ontario Municipal Board or by future amendment, this Plan will be brought into conformity with the ROP by means of appropriate housekeeping amendments.

8.3 AMENDMENTS TO THIS PLAN

- 8.3.1 Notice of amendments to this Plan will be given in accordance with the procedures as provided for in the Planning Act.
- 8.3.2 In considering amendments to this Plan, the Township will be guided by the following:
- a) the need for the proposed change;
 - b) the effect of the proposed change on the demand for Township services and facilities;
 - c) the implications the amendment may have on other policies of the Plan;
 - d) the impact of the proposed change on the Township's ability to achieve the goals and policies and achieve the density and *reurbanization* targets expressed in this Plan, or on other Township policies, programs or interests; and,
 - e) the impact of the proposed change on the Region's ability to implement the policies expressed in the ROP, or in other Regional policies, programs or interests.
- 8.3.3 References to any legislation, authority or agency which ceases to exist subsequent to the preparation of this Plan, and to whom responsibilities relating to this Plan or its implementation are changed, will be transferred to any subsequent legislation, authority or agency which assumes responsibility without requiring an amendment to this Plan.
- 8.3.4 Technical revisions to this Plan will not require an amendment to this Plan provided they do not change the intent of the Plan. Technical revisions include:
- a) changing the numbering, cross-referencing and arrangement of the text, tables and schedules;
 - b) altering punctuation or language for consistency; and
 - c) correcting grammatical, dimensional and boundary, mathematical or typographical errors.

- 8.3.5 Where new mapping information is provided by the *Province* or Region, any affected maps in this Plan will be reviewed and updated as part of the five-year review of this Plan, or the completion of a review as otherwise initiated by Township Council.

8.4 MONITORING AND REVIEW

It is the intent of this Plan to provide for continuous monitoring and review to ensure that this Plan remain current and addresses significant issues or changes in planning thought, to ensure the effectiveness, viability and relevance of the objectives and policies of this Plan.

- 8.4.1 The Township will monitor characteristics and trends in the growth and change of major land uses and demographics in the township including:
- a) the supply of existing and potential housing stock by type, including *affordable housing*, to accommodate the varying needs of the township's residents;
 - b) the supply of vacant employment land to accommodate job creation in keeping with the employment forecasts in this Plan; and
 - c) the general demographic, economic, employment, social and technological information and trends that may affect aspects of this Plan.
- 8.4.2 The information collected through Policy 8.4.1 will be used to evaluate the policies in this Plan on a regular basis as well as the review of the Plan required under Policy 8.4.3. If a review of this Plan identifies appropriate changes to the Plan, then amendments will be brought forward for Council consideration in accordance with the provisions of the Planning Act.
- 8.4.3 The Township will undertake a review, and if necessary revise this Plan at least every five years to ensure that:
- a) the policies, density and *reurbanization* targets of this Plan are being met or exceeded;
 - b) the goals and policy directions remain realistic and appropriate with regard to changing social, economic, environmental and technological circumstances;
 - c) this Plan conforms with applicable Provincial Plans and the ROP;
 - d) the Plan remains consistent with the PPS; and
 - e) this Plan is consistent with any judicial decisions, Ontario Municipal Board decisions and/or changes to Provincial legislation.
- 8.4.4 The Township will conduct a major review of the overall goals and policies of this Plan every ten years.

8.5 PUBLIC PARTICIPATION

- 8.5.1 The Township will comply with the requirements of the Planning Act and other applicable legislation to provide opportunities for public participation in the development, implementation and monitoring of Township planning.
- 8.5.2 The Township will co-operate with the Region in public participation programs during the processing of related amendments to this Plan and the ROP or for other initiatives where interests with the Region are common.
- 8.5.3 In public participation programs associated with a comprehensive review of this Plan, or major amendments hereto, the Township will endeavour to:
- a) solicit public input through the Public Participation program;
 - b) demonstrate how comments from the public have been considered in the development of planning policy and decisions; and,
 - c) ensure that the public participation process is flexible to allow for changes as necessary.
- 8.5.4 The Township may hold informal public meetings for development matters.

8.6 IMPLEMENTATION GUIDELINES

- 8.6.1 Implementation Guidelines are recognized as statements adopted by resolution of Council which detail the manner in which policies established in this Plan will be implemented. The content and scope of these Implementation Guidelines are determined by the Township, and will be in conformity with the provisions of this Plan and the ROP.
- 8.6.2 Implementation Guidelines may include, but are not limited to:
- a) strategic plans;
 - b) *watershed* and master drainage plans; and,
 - c) results of a community planning process not adopted by amendment to this Plan;
 - d) staging programs for public works;
 - e) servicing design criteria;
 - f) transportation standards and priorities; and,

- g) technical documentation.
- 8.6.3 Implementation Guidelines will not be the instrument used to introduce new policy provisions which could be the basis for denying applications under the Planning Act, or for interfering with the natural justice rights of landowners and the public.
- 8.6.4 The Township will provide public notification at least 14 days prior to Council consideration of any new or revised Implementation Guideline. Such notification will include the following information:
- a) the general nature, purpose or content of the proposed Implementation Guideline;
 - b) the time, date and place at which the proposed Implementation Guideline will be considered for approval by Council; and,
 - c) the means by which interested persons may obtain further information or may submit comments on the proposed Implementation Guideline prior to its adoption.
- 8.6.5 Public notification of the proposed adoption of a Implementation Guideline, in accordance with Policy 8.6.4 of this Plan, will be provided by:
- a) publication in a newspaper of sufficiently general circulation as to give reasonable public notice of the meeting;
 - b) personal service or prepaid first class mail to every person or agency who has made a request to receive such notification or who the Township has determined is likely to have a significant interest in the matter which is the subject of the proposed Implementation Guideline; and,
 - c) other means of notification as may be deemed appropriate by Council.
- 8.6.6 A reasonable opportunity will be provided to all persons having an interest in a proposed Implementation Guideline to make representations to Council or to a Committee of Council, and a fair hearing will be provided to such deputations, or to written comments submitted to the Clerk, prior to adoption.
- 8.6.7 Prior to the adoption of any specific Implementation Guideline in accordance with the provisions of this Section, any actions taken by the Township relating to such matters will be in accordance with existing practices previously approved by Council.

8.7 DEVELOPMENT APPLICATION REVIEW

- 8.7.1 The Township will provide comments to the Region, adjacent Municipalities or other applicable agencies with respect to matters of Township significance or interest relating to *development applications* submitted in accordance with the Planning Act or other Provincial or Federal legislation. These comments will be provided in

accordance with the procedures established by the *Province*, the Ontario Municipal Board or other legal authority.

8.7.2 In accordance with the provisions for complete applications under the Planning Act, the Township will require the following additional information and material to assist in the review of applications for official plan amendments, zoning by-law amendments and consent applications:

- a) a completed application form;
- b) the prescribed application fee;
- c) prescribed information and material as required under the Planning Act;
- d) a planning justification report outlining how the proposed application is consistent with this Plan, the ROP, Provincial Plans, the PPS and any other applicable planning document or statutes;
- e) appropriate drawings, concept plans and/or plans of survey; and
- f) any studies and reports listed in Policy 8.7.3 that may be necessary to review the application as determined by the Township or other agencies through a *pre-submission consultation meeting*.

8.7.3 In considering applications for official plan amendments, zoning by-law amendments or consent applications, the Township may require the studies and reports identified in Schedule B and any other studies or reports that may be identified through a *pre-submission consultation meeting*, in order for the applications to be deemed complete at the discretion of the Township.

8.7.4 The studies and reports submitted in accordance with Policy 8.7.3 are subject to the following stipulations in order to be deemed complete:

- a) the content and necessity of the information will be in keeping with the scope and complexity of the application;
- b) the information must be prepared by a qualified professional retained by and at the expense of the owner/applicant;
- c) the information must be in accordance with any applicable Township, Regional or Provincial guidelines; and
- d) the information must be submitted in an appropriate digital format, if requested by the Township.

8.7.5 The Township may conduct a peer review of the reports and studies listed in Policy 8.7.3 where necessary, to determine whether the quality of the submission is satisfactory. Such peer reviews will be completed by an appropriate agency or professional consultant retained by the Township at the owner/applicant's expense. The Township may refuse the

studies and reports if it considers the quality of the submission unsatisfactory.

- 8.7.6 The Township encourage in consultation with the Region and other appropriate agencies, the review of draft approved subdivisions every three years to determine if the draft approval should be maintained, and as a result of this review, modify the conditions of draft approval as required.
- 8.7.7 The Township Council may consider delegating, where appropriate, approval authority and the ability to recommend conditions of approval to appropriate delegates as a means to streamline the development approvals process.
- 8.7.8 The Township may, by by-law, require a *pre-submission consultation meeting* between the applicant, the Township, the Region and other appropriate agencies prior to submission of an application for an official plan amendment, zoning by-law amendment, or a consent application in accordance with the Planning Act.
- 8.7.9 The Township may deem applications for official plan amendments, Zoning By-law amendments or consent application premature for acceptance for processing under the Planning Act in the absence of a *pre-submission consultation meeting* between the applicant, the Township, the Region and other appropriate agencies.
- 8.7.10 The Township will only recommend approval of consent applications where:
- a) the proposed development conforms to the policies of this Plan and the Regional Official Policies Plan;
 - b) the severed and retained parcels conform to the requirements of the Township Zoning By-law or that a minor variance has been approved by the Committee of Adjustment;
 - c) the severed and retained parcels have frontage on an existing open road of a standard satisfactory to the Township, and that no new road (other than road widenings) will be required; and,
 - d) that the proposed development conforms to the provisions of Section 53(1) of the Planning Act.
- 8.7.11 The Township encourages concurrent submission processing of related *development applications*.
- 8.7.12 The Township in consultation with the Region and other appropriate agencies will develop guidelines for the review of *development applications* which:
- a) establish and monitor general time frames and procedures for development approvals;
 - b) identify means of increasing the efficiency and effectiveness of the planning approval process;

- c) update approval procedures based on the review; and,
- d) annually prepare a report to Council on the results of the review.

8.7.13 The Township will maintain a *Development Applications* in Process Status Report and report to Council annually with the results.

8.8 SITE PLAN CONTROL

8.8.1 All lands within the Township shall be deemed to be a Site Plan Control Area and shall be applicable to all development excluding:

- a) development proposed in conjunction with farm operations, farm buildings and the residence of the farm operator for agricultural purposes;
- b) development proposed in conjunction with aggregate extraction operations, as well as accessory buildings and structures used by the aggregate license operator for aggregate extraction purposes only; and,
- c) single detached dwellings, semi-detached dwellings and duplexes, except those permitted within or *contiguous* to Open Space Areas, Core Environmental Features, and single detached dwellings, semi-detached dwellings and duplexes forming part of a zero lot line, linked housing or similar innovation in housing developments.

8.8.2 For the purposes of Section 8.8 of this Plan “development” means:

- a) the construction, erection or placing of one or more buildings or structures on the land;
- b) the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof; or
- c) the laying out and establishment of:
 - i) a commercial parking lot;
 - ii) sites for the location of three or more trailers as defined in subsection 164(4) of the Municipal Act, 2001;
 - iii) sites for the location of three or more mobile homes as defined in subsection 46(1) of the Planning Act; or
 - iv) sites for the construction, erection or location of three or more land lease community homes as defined in Subsection 46(1) of the Planning Act.

- 8.8.3 Drawings showing plan, elevation and cross-section views may be required for all proposed development and adjacent buildings and for all residential development regardless of the number of units within the Site Plan Control Area outlined in Policy 8.8.1 above. Any required elevation drawings will include matters of massing, conceptual building design, interior walkways and the relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access, as well as matters relating to exterior and *sustainable* design including, without limitation, the character, scale, appearance and design features of buildings, and the *sustainable* design elements on any adjoining street or highway under the Township's jurisdiction set out in section 41(4)(e) of the Planning Act.
- 8.8.4 For the purpose of Site Plan Control, building appearance will include the design, shape and coordination of architectural features such as balconies, cornices, banding, building materials, colour, dormers, frieze, parapet, windows, and any other design feature that affects the appearance of the building and exterior façades.
- 8.8.5 Widening of highways shall be required as a condition of site plan approval for all development within the Site Plan Control Area abutting those roads described in Schedule A "Designated Road Allowances".
- 8.8.6 The Township may enter into such agreements as may be necessary to secure appropriate conditions of Site Plan approval pursuant to the provisions of the Planning Act.
- 8.8.7 The Township shall consult with the Region when considering applications for Site Plan approval to ensure that Regional conditions requested pursuant to the provisions of the Planning Act are appropriately satisfied.

8.9 HOLDING PROVISIONS

- 8.9.1 Holding provisions may be utilized by the Township for those situations where it is necessary or desirable to zone lands for development but where development must be delayed pending completion or realization of one or more of the following:
- a) availability of municipal *infrastructure*;
 - b) a Record of Site Condition being submitted to the *Province*, and any associated remedial works of properties, where remedial work is required to allow the continued use or reuse of a site;
 - c) measures to appropriately conserve *cultural heritage resources*;
 - d) phasing of development;
 - e) completion and registration of any development agreement under Section 37 of the Planning Act that is satisfactory to the Township;
 - f) completion and registration of any cash-in-lieu of parking agreement under

Section 40 of the Planning Act that is satisfactory to the Township;

- g) measures to appropriately protect the natural environment; and,
- h) demonstrating compliance with the Provincial D-6 Guideline “Compatibility between Industrial Facilities and *Sensitive Land Uses*” where there are potential land use compatibility issues associated with existing industrial uses operating in areas designated for *mixed-use* development that may include residential or other *sensitive land uses*.

8.9.2 Holding provisions will be applicable to all land use categories in this Plan and may be applied through the Township Zoning By-Law to any zoning category or specific land use within a zoning category.

8.9.3 Holding provisions may be applied Township wide, to portions of the Township such as lands within a specific service area, catchment area, drainage shed, service pressure zone, the Ayr Urban Area, Rural Settlement Areas and Rural Employment Areas, or on a site specific basis.

8.9.4 Implementation of Township-wide holding provisions may be by way of both general Township Zoning By-Law and/or site specific Zoning By-Laws, and do not require amendment to this Plan to enact a holding by-law or remove the holding symbol.

8.9.5 Interim uses permitted while the holding provision is in place shall include:

- a) *existing* uses; and,
- b) other uses deemed appropriate by Township Council which do not adversely affect the future development potential of the lands.

8.9.6 The implementing or holding zoning by-law will zone the lands for future intended use and will identify the lands subject to the holding provisions by adding the holding symbol H to the zoning category, indicating that the development of the lands cannot proceed until the symbol H is removed.

8.9.7 By-laws using the holding symbol H will specify the purpose for the holding symbol and will include a statement outlining conditions under which the holding symbol shall be removed by amendment to the Township’s Zoning By-law. An amending by-law to remove the holding symbol may be considered when the applicable issues addressed.

8.10 CONDITIONAL ZONING

8.10.1 As provided under Section 34 of the Planning Act, the Township has the authority to impose prescribed conditions on a specific property when passing a zoning by-law. To date, the *Province* has not yet passed the necessary regulations that will identify the scope of conditions municipalities may impose on zoning.

8.10.2 When regulations have been passed by the *Province* identifying the scope of conditions that municipalities may apply on development, the Township may pass a by-law under Section 34 of the Planning Act to permit the use of land or the erection, location or use of buildings or structures and impose one or more prescribed conditions on the use, erection or location of the building including:

- a) requiring an owner of land to which the by-law applies to enter into an agreement relating to the condition;
- b) requiring the agreement to be registered against the land to which it applies, and
- c) enforcing the agreement against the owner and subject to the Registry Act and the Land Titles, any and all subsequent owners of the land.

8.11 COMMUNITY IMPROVEMENT PLANS

8.11.1 As provided under Section 28 of the Planning Act, Township Council may pass a by-law to designate part of, or the entire township, as a Community Improvement Project Area and adopt a *Community Improvement Plan*. A *Community Improvement Plan* may promote maintenance, rehabilitation, revitalization, remediation and/or conservation of selected lands, buildings and/or communities.

8.11.2 Within designated Community Improvement Project Areas, the Township may prepare a *Community Improvement Plan* to address such matters as:

- a) maintaining and improving municipal services, public utilities and social and recreational facilities;
- b) encouraging the maintenance of the existing housing stock, and promoting the rehabilitation, renovation and repair of older buildings;
- c) promoting the development of previously developed land, such as *brownfield* sites, *greyfield* sites and abandoned aggregate pits;
- d) encouraging improvement activities which contribute to a strong economic base including tourism, commercial and industrial development;
- e) preserving historically and/or architecturally significant buildings or areas;
- f) improving traffic and parking patterns to make them more compatible with surrounding uses and needs;
- g) improving the overall streetscape and/or aesthetics in residential and commercial areas through the implementation of measures such as façade improvement programs or tree planting and/or landscaping to enhance the environment and aesthetics of the community;

- h) encouraging, where feasible, energy efficient conservation through energy efficient land uses and buildings;
- i) providing opportunities for *affordable housing*; and
- j) providing or improving recreational and cultural facilities and public open space, including parkland acquisition, facilities improvement, and trails enhancement.

8.11.3 The Township may provide grants, loans or other assistance for any designated Community Improvement Project Area and associated *Community Improvement Plan*.

8.11.4 The Township may provide grants, loans or other assistance as Township Council deems appropriate for the purposes of carrying out programs as described in Regional *Community Improvement Plans*

SCHEDULE 'A'

DESIGNATED ROAD ALLOWANCES

All Primary and Secondary Township Roads as designated on Map 3A of this Plan have a Designated Road Allowance of 20.117 metres (66 feet).

SCHEDULE 'B'

ADDITIONAL INFORMATION AND MATERIALS THAT MAY BE REQUIRED TO PROCESS A DEVELOPMENT APPLICATION

All Primary and Secondary Township Roads as designated on Map 3A of this Plan have a Designated Road Allowance of 20.117 metres (66 feet).

Digital Plans
▪ Subdivision/Condominium Plan(s)
Cultural
▪ Archaeological Assessment
▪ Cultural Heritage Impact Assessment
Environmental
▪ Aggregate/Mineral Resource Analysis
▪ Local Air Quality Study
▪ Salt Impact Assessment
▪ Salt Management Plans
▪ Cut & Fill Analysis
▪ Environmental Impact Statement
▪ Comprehensive Environmental Impact Statement
▪ Natural Habitat Inventory
▪ Environmental Management Plan
▪ Tree Conservation and Planting Plans
▪ Provincial and Federal Requirements for Fish Habitat
▪ Slope Stability Study and Report
▪ Floodline Delineation Study/Hydraulics Study
▪ Hydrologic and Hydrogeologic Studies
▪ Source Water Protection Studies
▪ Best Management Practices for development within the Regional Recharge Area
▪ Best Management Practices (for golf courses)
▪ Environmental Site Assessment and/or Record of Site Condition
▪ Cumulative Impact Assessment
▪ Site Plan, Spill Protection Measures and other Best Management Practices for Mineral Aggregate Operations
▪ Final Rehabilitation Plan (for mineral aggregate operations)
Construction, Servicing and Infrastructure
▪ Preliminary Grading Plan
▪ Preliminary Stormwater Management Report/Plan and/or update to an existing Stormwater Management Plan
▪ Soils/Geotechnical Study
▪ Construction Methods and Spills Protection Measures
▪ Servicing Options Report

▪ Development Phasing Plan
▪ Water and Wastewater Servicing Plans and associated studies
▪ Hydrogeologic Studies for Privately Serviced Developments
▪ Impact on Existing Infrastructure Study
Land Use Compatibility
▪ Air Quality Assessment
▪ Dust Impact Analysis
▪ Land Use Compatibility Study
▪ Landfill Impact Study
▪ Agricultural Impact Assessment
▪ Minimum Distance Separation
▪ Noise Study
▪ Odour Impact Assessment
▪ Vibration Study
▪ Written Provincial approval (pursuant to the <u>Environmental Protection Act</u> for development within former waste management facilities)
▪ Provincial and Federal Requirements for Alternative and/or Renewable Energy Systems and Fish Habitat
▪ Approval from the Grand River Conservation Authority
Planning
▪ Affordable Housing Report/Rental Conversion Assessment
▪ Detailed Property Assessment of Affordable Rental Housing
▪ Farm Viability/Agrologist Study
▪ Planning Report
▪ Land Use Study for Retail/Commercial Land Uses in Support of the Planned Community Structure or Retail/Commercial Impact Analysis
▪ Retail Commercial Market Impact Study
▪ Urban Design Report/Brief
Transportation
▪ Transportation Impact Study
▪ Transportation System Impact Study
▪ Parking Analysis
▪ <i>Pedestrian</i> Route and Sidewalk Analysis
▪ Roundabout Feasibility Analysis
▪ Traffic Calming Options Report
▪ Transit Assessment
▪ Transportation Demand Management Options Report
▪ Provincial Requirements and Permits under the <u>Public Transportation Act</u> and <u>Highway Improvements Act</u>
▪ Environmental Assessment and Other Appropriate Studies for development adjacent to Proposed Township, Regional and Provincial Corridors

GLOSSARY

Access Standards – methods or procedures to ensure safe vehicular and *pedestrian* movement, and access for the maintenance and repair of protection works during times of *flooding hazards*, erosion hazards, and/or weather-related hazards.

Adjacent Lands – lands within 120 metres of a Provincially *Significant Wetland*, all lands connecting individual *wetland* areas within a *wetland* complex as determined by the *Ministry of Natural Resources* or lands within 50 metres of a Locally *Significant* Natural Area.

Adverse Effects – as defined in 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 of normal use of property; and
- h) interference with normal conduct of business

Adverse Environmental Impacts – changes likely to arise directly or indirectly from development or *site alteration* within or *contiguous* to an element of the Greenlands Network that result in widespread, long-term or irreversible degradation of the significant features or impairment of the natural functions of the designated area. Examples of *adverse environmental impacts* include but are not limited to, the following:

- a) fragmentation of substantial reduction in size of an element of the Greenlands network;
- b) significant increase in the perimeter-to- area ratio of an element of the Greenlands network;
- c) disruption of corridors and *linkages* to other elements of the Greenlands Network;
- d) substantial alteration of natural topography;
- e) disruption of ecological relationships among significant or representative native species;
- f) increased potential for human or domestic animal intrusion into relatively inaccessible areas;
- g) alteration of the quantity, quality, timing (hydroperiod) or direction of flow of surface water or groundwater within or *contiguous* to an element of the Greenlands Network;
- h) alteration of the structure, functions or ecological interrelationships of a natural habitat which sustain representative community associations of populations of significant species;
- i) reductions in the populations or reproductive capacity of significant species;
- j) mortality in or removal of the predominant vegetation which provides structure to an element of the Greenlands Network;
- k) erosion of soils or deposition of sediment;
- l) compaction or trampling of soils;
- m) increased potential for the introduction of invasive non-native species;
- n) disruption of ecological processes due to increase nocturnal artificial light levels; or
- o) increases in the level and quality of noise.

Affordable Housing –

- a) In the case of ownership housing, the least expensive of:
 - i) housing for which the purchase price results in annual accommodation costs which do not exceed 30 per cent of gross annual household income for *low and moderate income households*; or
 - ii) housing for which the purchase price is at least 10 per cent below the average purchase price of a resale unit in the regional market area;
- b) In the case of rental housing, the least expensive of:
 - i) a unit for which the rent does not exceed 30 per cent of gross annual household income for *low and moderate income households*; or
 - ii) a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Agricultural Uses – the growing of crops, including nursery, biomass, horticultural and floricultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup productions; and associated on-farm residence(s), buildings, *farm greenhouses*, and structures, including, but not limited to livestock facilities, manure storage, value-retaining facilities.

Agricultural-Related Uses – farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area and benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. Such uses may generally include abattoirs, grain drying and storage operations, feed mills, produce auctions or locally grown food and similar uses that provide a direct service to the farm community.

Agri-Tourism Uses – means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, tours of working farms or any agricultural, horticultural or agri-business operation for the purpose of education, enjoyment, or active involvement in the activities of the farm where the principal activity on the property remains as *farming* and where products used in the activity are produced on the property or related to *farming*.

Alternative and/or Renewable Energy Systems –

- a) Alternative energy systems means a system that uses sources of energy or energy conservation processes to produce power, heat and/or cooling that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems;
- b) Renewable energy systems means the production of electrical power, heat and/or cooling from, a *renewable energy source*.

Archaeological assessment – the combined background research and field study of a property evaluated as moderate to high on Archaeological Potential Maps approved by the *Province* that identify the presence of and interpretation of the *archaeological resources* on the property, and make

recommendations for the mitigation of the impacts on the resources. Archaeological assessments must be undertaken by a Provincially-licensed archaeologist, in accordance with reporting guidelines established by the Provincial Government, and must address the entire area of the *development application*.

Archaeological potential – the likelihood to contain *archaeological resources*. Methods to identify archaeological potential are established by the *Province*, but municipal approaches which achieve the same objectives may also be used. The Ontario Heritage Act requires archaeological potential to be confirmed through archaeological fieldwork.

Archaeological Resources – artifacts, archaeological sites and marine archaeological sites as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Biodiversity – the variety of life in all its forms. It includes species diversity, ecosystem diversity, and genetic diversity within species.

Brownfield – underdeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict, or vacant.

Built Boundary – the limits of the developed portions of the Ayr Urban Area and the Highway 401/Regional Road 97 Employment Area designations as defined by the *Province* in accordance with the provisions of the Growth Plan for the Greater Golden Horseshoe.

Built-Up Area – includes all lands within the *built boundary* of the Ayr Urban Area and the Highway 401/Regional Road 97 Employment Area designations as of June 16, 2009 and as established by the *Province*.

Community Improvement Plan – a plan for the community improvement of a Community Improvement Project Area.

Community infrastructure – lands, buildings and structures that support the quality of life for people and communities by providing public services for health, education, recreation, socio-cultural activities, security and safety, and *affordable housing*.

Complete Community – communities that meet people’s needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of employment, local and *human 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.

Comprehensive Rehabilitation – rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

Conserve/Conserved (for the purposes of Chapter 7) – the identification, protection, management and use of built heritage resources, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value, or interest is retained under the Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, *archaeological assessment*, and/or heritage impact assessment. Mitigative measures and/or alternative development

approaches can be included in these plans and assessments.

Contiguous – lands that are situated in sufficiently close proximity such that *development* or *site alteration* could reasonably be expected to produce one or more of the following impacts: alterations to existing hydrological or hydrogeological regimes; clearing of existing vegetation; erosion and sedimentation; or producing a substantial disruption of existing natural *linkages* or the habitat of a significant species.

Cultural Heritage Impact Assessment – a study to determine if *cultural heritage resources* will be negatively impacted by a proposed development or *site alteration*. It can also demonstrate how the *cultural heritage resource* will be *conserved* in the context of redevelopment or *site alteration*. Mitigative or avoidance measures or alternative development approaches may also be recommended.

Cultural Heritage Landscape – a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements, which are valued together for their interrelationship, meaning or association.

Cultural Heritage Resource – the physical remains and the intangible cultural traditions of past human activities. These include, but are not limited to:

- a) buildings (residential, commercial, institutional, industrial and agricultural);
- b) *Cultural Heritage Landscapes* (designed, organic/evolved);
- c) structures (water tower; bridge, fence and dam);
- d) monuments (cenotaph, statue and cairn);
- e) *archaeological resources*;
- f) cemeteries;
- g) scenic roads;
- h) vistas/viewsheds;
- i) culturally *significant* natural features (tree and landform);
- j) movable objects (archival records and artifacts); and
- k) cultural traditions (language, stories, music, dance, food, celebrations, art and crafts).

Cumulative Impacts – the changes to the environment resulting from a particular activity in combination with the incremental impacts caused by other closely related past, present and reasonably foreseeable future activities. Cumulative impacts may reveal that relatively minor impacts associated with a particular activity may contribute to more significant impacts when considered collectively with other activities taking place over a period of time.

Development – (for the purposes of Chapter 6 only) the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act.

Development Application – in the context of this Plan, development application means an application for approval under the Planning Act. Development applications may include applications for approval of the following: Plans of Subdivision; Plans of Condominium; Consent; Part Lot Control Exemption By-Laws; Official Plan Amendments; and Zone Change Applications. Development Applications do not include Site Plans submitted in accordance with Section 41 of the Planning Act

Discharge Constraint Areas – lands where groundwater naturally discharges to the surface of the soil nor other surface water bodies and may pose a serious constraint to the construction, use and occupancy of land and buildings.

Ecological Function – the natural processes, products or services that living and non-living environments provide or perform within or among species, ecosystems and landscapes, including *hydrologic functions* and biological, physical, chemical and socio-economic interactions.

Employment Area – areas designated in this Plan for clusters of businesses and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. These areas include lands designated as General Industrial, Dry Industrial/Commercial, or Prime Industrial/Strategic Reserve (unserviced).

Environmental Assessment – a process for the authorization of an undertaking under legislation such as the Environmental Assessment Act, and the Ontario Energy Board Act.

Environmental Features – features of the natural environment, including:

- a) Significant *habitat of Endangered or Threatened Species*;
- b) *Fish habitat*;
- c) *Wetlands*;
- d) Provincially significant life science Areas of Natural and Scientific Interest, regionally significant life science Areas of Natural and Scientific Interest, or provincially significant earth science Areas of Natural and Scientific Interest
- e) Environmentally Significant Valley Features;
- f) Significant *Woodlands*;
- g) Significant wildlife habitat;
- h) Sand barrens, savannas and tallgrass prairies;
- i) Alvars;
- j) Permanent and intermittent watercourses;
- k) Lakes (and their littoral zones);
- l) *Environmentally Significant Discharge Areas & Environmentally Significant Recharge Areas*; and
- m) Regional Recharge Areas

Environmental Impact Statement – a study prepared in accordance with established procedures to refine the boundaries of elements of the Greenlands Network, identify the potential impacts of a *development application* on such elements, and recommend a means of preventing or minimizing these impacts through avoidance or mitigation.

Environmentally Significant Discharge Areas – lands where groundwater discharges to the surface of the soil or to surface water bodies to sustain *wetlands*, fisheries, or other specialized natural habitats.

Environmentally Significant Recharge Areas – lands where water infiltrates into the ground to replenish an aquifer that sustains, in full or in part, *environmental features*.

Environmentally Significant Valley Features – a natural feature within a Significant Valley identified as ecologically important by the Region of Waterloo based on criteria set in the Regional Official Plan.

Erosion Hazard – 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 a 100 year time span), an allowance for slope stability, and erosion access allowance.

Essential Emergency Service – means services which would be impaired during an emergency as a result of flooding, the failure of flood-proofing measures and/or protection works, and/or erosion.

Existing – land uses legally existing in accordance with the Township’s Zoning By-law.

Existing Settlement – a grouping of four or more non-farm related units or lots not designated as a Rural Settlement Area in this Plan, with each such unit or lot separated from each other by a distance of not more than 100 metres on the same side of an open public road. The measurement of such 100 metres will be as determined according to the following:

- a) measurement is established between two points located along the centre-line of the existing right-of-way of an open public road and which points are determined by a line drawn from the centre of such unit and perpendicular to the public road;
- b) the distance between the two points is measured along the public road through intersecting public roads; and
- c) the point of reference on an adjoining and undeveloped non-farm-related residential lot is determined by the mid-point along the public road.

Farm Greenhouse – a building used for the growing of flowers, fruits, vegetables, plants, shrubs, trees and other similar agricultural products, under glass, fibreglass or plastic, that are used as inputs on the farm or primary sold off-site at wholesale or retail.

Farming – includes the growing of crops, and the raising of livestock. Notwithstanding the generality of the foregoing, farming may include fur farming, fruit growing, the keeping of bees, fish farming, poultry farming, vegetable growing, and non-retail greenhouses. Sod farming may be included if permitted in this Plan, subject to a specific zone change.

Farm-Related Residential Unit – a dwelling on a farm used as the primary residence for an active and operating farmer, or a dwelling for a full-time farm employee of an active farm on which the dwelling is located.

Fish Habitat – means the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flood fringe – for watercourses and small inland lake systems; the outer portion of the *floodplain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the *floodway*.

Flooding hazard – the inundation of areas adjacent to watercourses and small inland lake systems and not ordinarily covered by water. The flooding hazard limit is the greater of:

- a) the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific *watershed* and combined with the local conditions, where evidence suggests that the storm event could have

potentially occurred over *watersheds* in the general area;

- b) the 100 year flood; and
- c) a flood which is greater than (a) or (b) which was actually experienced in a particular *watershed* or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the *Province*;

except where the use of the 100 year flood or the actually experienced event has been approved by the *Province* as the standard for a specific *watershed* (where the past history of flooding supports the lowering of the standard).

Floodplain – for watercourses and small inland lake systems; the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*.

Floodproofing Standards – the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards along watercourses and small inland lake systems.

Floodway – for watercourses and small inland lake systems; the portion of the *floodplain* where development and *site alteration* would cause a danger to public health and safety or property damage. Where the one-zone concept is applied, the floodway is the entire *contiguous floodplain*. Where the two-zone concept is applied, the floodway is the *contiguous* inner portion of the *floodplain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two-zone concept applies, the outer portion of the *floodplain* is called the *flood fringe*. In all cases the floodway will include areas of inundation that contain high points of land not subject to flooding.

Freight-supportive – in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in guidelines developed by the *Province* or based on municipal approaches that achieve the same objectives.

Green Infrastructure – means natural and human made elements that provide ecological and hydrological functions and processes. Green Infrastructure can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

Greyfield – previously developed properties that are not contaminated. They are usually, but not exclusively, former commercial properties that may be underutilized, derelict or vacant.

Gross Leasable Area – the total floor area designed for tenant occupancy and exclusive use, including basements, upper floors and mezzanines. It is measured from the centre line of joint partitions and from outside wall faces. Gross leasable area is the area on which tenants pay rent, and which produces income for an owner.

Groundwater Features – refers to water- related features in the earth's subsurface, including recharge/discharge area, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

Habitat Enhancement – an enhancement of the form and/or *ecological function* of the Greenlands Network. Refers to an overall positive contribution to the state of the natural environment as a result of rehabilitation initiatives associated with a *mineral aggregate operation*. These positive contributions may include such criteria as increased biological diversity, system function, significant wildlife habitat and the creation of *environmental features*, including *wetlands*, water systems and *woodlands*.

Habitat of endangered species and threatened Species – means

- a) with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) of the Endangered Species Act, 2007 is in force, the area prescribed by that regulation as the habitat of the species; or
- b) with respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario *Ministry of Natural Resources*; and places in the areas described in clause (a) or (b), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

Hazardous Chemicals and/or Substances – substances that individually or in combination with other substances are normally considered to pose a danger to public health, safety, and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Hazardous Lands – property or lands that could be unsafe for development due to naturally occurring processes. Along watercourses and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits.

Hazardous Sites – property or lands that could be unsafe for development and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

High quality – primary and secondary sand and gravel and bedrock resources as defined in the Aggregate Resource Inventory.

Human services – those services that maintain and promote a high quality of life and allow residents to develop to their full potential, including, but not limited to, police services, emergency services, social assistance, pre-employment services, child care, health care and cultural services.

Hydrologic Functions – 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, underlying rocks and in the atmosphere, and water's interaction with the environment including its relation to living things.

Individual Wastewater Treatment Systems – autonomous sewage disposal systems, that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure – physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: municipal drinking-water supply systems, municipal wastewater systems,

stormwater management systems, waste management systems, electricity generation, electricity transmission and distribution systems, communications/telecommunications, transit systems and corridors, Township Roads, the Regional Road system, Provincial Highways, railways, oil and gas pipelines and associated facilities.

Linkages – areas that connect *environmental features* along which plants and animals can propagate, genetic interchange can occur, populations can move in response to environmental changes and life-cycle requirements, and species can be replenished from other *environmental features*. Linkages can also include those areas currently performing or with the potential to perform, through restoration, linkage functions. Although linkages help to maintain and improve *environmental features*, they can also serve as important *environmental features* in their own right.

Liveable/liveability – the ability to readily satisfy the majority of one's day-to-day housing, employment, shopping, health, transportation and recreational needs and thereby sustain a high quality of life. A liveable region is one that contains integrated, compact, *mixed-use* communities with distinct senses of place and character that provide people with choices about where they live, work and play.

Low and Moderate Income Households –

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market area; or
- b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area.

Major Facilities – means facilities which may require separation from sensitive land uses, including but not limited to airports, transportation *infrastructure* and corridors, *rail facilities*, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major good movement facilities and corridors – means transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are *freight-supportive* may be recommended in guidelines developed by the *Province* or based on municipal approaches that achieve the same objectives.

Mineral Aggregate Operation – an operation and uses accessory thereto, other than *wayside pits and quarries*, conducted under a license or permit under the Aggregate Resources Act.

Mineral Aggregate Resource Conservation –

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.) for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization of extraction of on-site *mineral aggregate resources* prior to *development* occurring.

Mineral Aggregate Resources – 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, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

Minimum Distance Separation – the separation distance as determined through the Minimum Distance Separation Formulae I and II or any other reduced distance satisfactory to the Township and the *Ministry of Agriculture, Food and Rural Affairs* through an amendment to an Area Municipal Zoning By-law or Minor Variance application.

Minimum distance separation formulae – the separation distance as determined through the Minimum Distance Separation Formulae I and II or any other reduced distance satisfactory to the Township and the *Province* through an amendment to an Area Municipal zoning by-law or minor variance application.

Ministry of Agriculture Food and Rural Affairs – the *Province* of Ontario’s Ministry of Agriculture Food and Rural Affairs or its delegate.

Ministry of Citizenship, Culture and Recreation – the *Province* of Ontario’s Ministry of Citizenship, Culture and Recreation or its delegate.

Ministry of the Environment – the *Province* of Ontario’s *Ministry of the Environment* or its delegate.

Ministry of Environment and Energy – the *Province* of Ontario’s Ministry of Environment and Energy or its delegate.

Ministry of Natural Resources – the *Province* of Ontario’s Ministry of Natural Resources or its delegate.

Ministry of Tourism, Culture, and Sport – the *Province* of Ontario’s Ministry of *Ministry of Tourism, Culture and Sport* or its delegate.

Ministry of Transportation – the *Province* of Ontario’s Ministry of Transportation or its delegate.

Mixed-use – development of compatible residential and non-residential land uses within the same area or on the same parcel of land. Mixed-use facilitates the provision of a wide range of residential types within close proximity to employment, institutional, social and recreational opportunities.

Municipal Comprehensive Review – for the purposes of this Plan, or an official plan amendment, initiated by the Region and/or the Township, as appropriate, which:

- a) is based on a review of the population and employment forecasts contained in this Plan and which reflect forecasts and allocations by the Region and Provincial plans; considers alternative directions for growth or development; and determines how best to accommodate development while protecting provincial interests;
- b) utilizes opportunities to accommodate forecasted growth or development through *reurbanization*; and considers physical constraints to accommodating proposed development within *existing settlement* area boundaries
- c) is integrated with planning for physical *infrastructure* and *community infrastructure* and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;

- d) considers cross-jurisdictional issues;
- e) confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development
- f) confirms that sewage and water services can be provided; and
- f) comprehensively applies the policies and schedules of Provincial plans.

Net Residential Density – the number of housing units per hectare of residentially designated land, exclusive of lands required for open space, environmentally sensitive areas and transportation and servicing *infrastructure*, including storm water management.

Non-Farm Lot - parcel of land designated by this Plan, and zoned for non-farm purposes.

Non-Farm-Related Residential Unit – any dwelling unit that does not conform to the definition of a farm-related unit.

Normal Farm Practices – a practice, as defined in the Farming and Food Production Protection Act, 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 make 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, and regulations made under that Act.

Passive Noise Attenuation Measures – noise reducing site designs, building layouts, and structural design measures that mitigate noise between *sensitive land uses* and noise generating or other potentially incompatible land uses without the use of structural mitigation measures such as noise attention walls or berms.

Pedestrian – a person moving from place to place, either by foot or by using an assistive mobility device. Pedestrians include residents and visitors of all abilities.

Portable Asphalt Plants – a facility:

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

Portable Concrete Plants – a facility:

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

Preferential pathways – a constructed pathway or excavation to a depth greater than five meters and/or where protective geologic layers overlying an aquifer have been removed that create a direct access or conduit facilitating the transport of contaminants to a municipal drinking-water source.

Pre-submission Consultation Meeting – the opportunity for staff to consult with an owner/applicant prior to the owner/applicant preparing an application, in order to outline the information and materials that the owner/applicant will be required to submit concurrently with the application form and prescribed fees.

Prime Agricultural Areas – areas where *prime agricultural lands* predominate. This designation includes areas of *prime agricultural lands* and associated areas of Canada Land Inventory Class 4 to 7 soils, and additional areas where there is a local concentration of farms that exhibit characteristics of ongoing agriculture.

Prime Agricultural Land – means *specialty crop areas* and/or Canada Land Inventory Classes 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Protection Works Standards – the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards*, *erosion hazards* and other water-related hazards, and to allow access for their maintenance.

Province – the Province of Ontario or one or more of its ministries or other agencies that exercise delegated authority on behalf of one or more ministries.

Provincial and Federal Requirements –

- a) for the purposes of Chapters 5, legislation, regulations, policies and standards administered by Federal or *Provincial* governments for the purpose of protecting the environment from potential impacts associated with energy systems and ensuring that the necessary approvals are obtained;
- b) for the purposes of Chapter 6.1.8, legislation and policies administered by Federal or *Provincial* governments for the purposes of protecting *fish habitat*, and related scientifically established standards such as water quality criteria for protecting Lake Trout populations.

Provincially Constrained Environmental Areas – landscape features where the features are both identified in any applicable official plan or Provincial plan, and where applicable Provincial plan or Provincial Policy Statement prohibits development in the features: *wetlands*, *woodlands*, Significant Valleys, Environmentally Significant Valley Features, Areas of Natural and Scientific Interest, Significant Habitat of Endangered or Threatened Species, *significant* wildlife habitat and *fish habitat*.

Provincially Significant Wetlands – *Wetlands* evaluated and previously classified as Class 1, 2, or 3 by the *Ministry of Natural Resources*.

Rail facilities – means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated land for future rail facilities.

Recreational and Tourism Uses – both passive and active recreational and tourism uses, such as trails, parks, golf courses, playing fields, campgrounds, outdoor paint ball facilities, butterfly conservatories, and similar uses.

Registry – the official list or record of *cultural heritage resource* properties that have been identified as being of cultural heritage value or interest.

Renewable Energy Source – means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Retail Commercial Centres – a group of stores planned and developed as a unit and having a minimum *gross leasable area* of 10,000 square metres.

Reurbanization – describes four distinct types of activity, all or which serve to increase the residential or employment density on sites located within the existing, *built-up area*. The four types of activity captured under the definition of *reurbanization* include:

- a) infill: new development on formerly vacant land;
- b) intensification: an expansion in the use of an existing structure or structures that serves to increase the density on a site;
- c) adaptive reuse: a change in the use of a structure, typically from
- d) commercial/industrial to residential, that results in greater density; and redevelopment: the wholesale change or conversion of an area, often involving some form of land assembly and/or demolition, which results in significantly higher density than existed previously.

Reurbanization Area – Lands within a Rural Settlement Area that are to be the focus for accommodating intensification. *Reurbanization Areas* include urban growth centres, *reurbanization* corridors, major transit station areas, and other major opportunities that may include infill, redevelopment, *brownfield* sites, the expansion or conversion of existing buildings and *greyfields*.

Rural Areas – Lands which are located outside Rural Settlement Areas that are not *Prime agricultural areas*.

Rural Residential Infilling Formulae – the measurement of the 100 metre separation distance set out in ROP Policy 6.E.10 will be determined as follows:

- a) measurement is established between two points located along the centre-line of the existing right-of-way of an open public road and which points are determined by a line drawn from the centre of such unit and perpendicular to the public road;
- b) the distance between the two points is measured along the public road through intersecting public roads; and
- c) the point of reference on an adjoining and undeveloped *non-farm lot* is determined by the mid-point along the public road.

Secondary Uses – uses secondary to the principal use of the property, including but not limited to home occupations, bed and breakfasts, home industries, *agri-tourism activities* and uses that provide value-added agricultural products from the farm operation on the property.

Sensitive Land Uses – buildings, land uses, amenity areas, or outdoor spaces:

- a) Where routine or normal activities occurring at reasonable expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment; or
- b) That may be adversely impacted by noise from transportation sources, including: residential developments, seasonal residential developments; and hospitals, nursing/retirement homes, schools, and day-care centres.

Significant –

- a) in regard to wildlife habitat, areas where plants, animal and other organisms live and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.
- b) in regard to regionally *significant* features and areas comprising the Greenlands Network, area identified as being ecologically important to the region based on the specific criteria established by the Region and described in the associated policies in this Plan.
- c) in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event or a people.
- d) in regards to woodlands, an area identified as ecologically important by the Region of Waterloo based on criteria set out in the Regional Official Plan.

Significant Areas of Natural and Scientific Interest – areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

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

Site plan (for use in all Chapters and Sections, except Section 5.2) – a plan prepared under Section 41 of the Planning Act which details building location and design as well as other site specific considerations such as walkways, landscaping, lighting and storage areas.

Site plan (for the purposes of Section 5.2) – a plan as defined in the licensing process for aggregate extraction operations in accordance with the provisions of the Aggregate Resources Act.

Specialty Crop Area – areas designated using guidelines developed by the *Province*, as amended from time to time. In these areas, speciality crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce speciality crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and

- c) a long-term investment of capital in areas such as crops, drainage, *infrastructure*, and related facilities and services to produce, store, or process speciality crops.

Special Needs Housing – any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living.

Sustainable/sustainability – the ability to meet the needs of both current and future generations by balancing cultural, economic, environmental and social elements through thoughtful, comprehensive and inclusive decision-making. A sustainable region is one that is robust, resilient and strives to live within its natural limits.

Temporary Farmers' Markets – outdoor food stands using temporary structures to sell food products to the public. The foods sold would be primarily from local sources, and may include processed foods such as jams and preserves and other farm-made products. Stand operators could be farmers or staff or volunteers of a business or organization with a permit to operate the stand.

Two-Zone Policy Area – the approach that selective developed urban areas within the *floodplain*, as defined by the Regulatory Floodline, are considered to be less hazardous than others such that *development applications* could potentially safely occur. The first zone, termed the *flood fringe*, defines the portion of the *floodplain* where development may occur subject to appropriate *floodproofing standards*. The second zone, termed the floodway, defines that portion of the *floodplain* where development is prohibited.

Vulnerable/Vulnerability – surface water and/or groundwater that can be easily changed or impacted

Watershed – for the purposes of this Plan the term watershed also includes subwatersheds.

Watershed Studies – comprehensive scientific studies of rivers and streams and the lands draining into them. These investigations result in recommendations as to where and how development activity can safely occur so as to minimize flood risks, stream erosion, degradation of water quality, and negative impacts on natural systems. Recommendations may also identify opportunities for ecological enhancement and recreation.

Wayside Pits and Quarries – a temporary pit or quarry opened and used by, or for, a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands – 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, marches, bogs, and fens. Periodically soaked or wet lands being used for agricultural purposes, which no longer exhibit wetland characteristics, are not considered to be *wetlands* for the purposes of this definition.

Woodland – complex ecosystems of different tree species, shrubs, ground vegetation and soil complexes that provide habitat for many plants and animals. Woodlands is a general term which collectively refers to areas occupied by trees, treed areas, *woodlots* and forested areas.

Woodlands – treed areas that provide environmental and economic benefits to both the private landowner

and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the *sustainable* harvest of a wide range of woodland products. Woodlands include treed areas, *woodlots* or forested areas and vary in their level of significance at the local, regional and provincial levels

Woodlot – as defined by the Regional Tree-Cutting By-Law, wooded areas over two acres (approximately 0.8 hectares) in size with a specified number of trees of a certain size per acre.