

# Wellington County Official Plan Amendment No. 81

## *5-Year Review Amendment*

*This companion document to OPA 81 is intended to show the effect of the proposed text changes by placing them in the context of the current Official Plan policies and format.*

**Blue text is proposed to be added.**

Text with a line through it is proposed to be deleted

Text inside a box was added or changed since the Sept. 2012 Open Houses

Text with yellow highlighting was added since the May, 2013 Public Meeting

**Red text is per County Council Adoption**

# **PART 1**

## ***INTRODUCTION***

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### **1.2 WELLINGTON COUNTY**

Wellington County is a community of ~~76,000~~ **89,500** (in ~~1996~~ 2006) people living in an area of over 1,000 square miles. The small towns and rural countryside of the County are located west of the Greater Toronto Area and east of the Kitchener Waterloo area. The separated City of Guelph is within southern Wellington. These larger centres create growth pressures throughout the County.

The rich farmland, large natural areas and small urban places of Wellington offer attractive choices to many people and businesses. The proximity to larger centres offers opportunities and challenges which must be addressed in a careful process of community building.

### **1.3 THE PLAN**

This Official Plan is a legal document intended to give direction over the next 20 years, to the physical development of the County, its local municipalities and to the long term protection of County resources.

All land use and servicing decisions must conform to the policies of this plan.

Through this Plan, County Council will outline a long-term vision for Wellington County's communities and resources.

The Plan provides policy to attain the long-term vision.

It is expected that the policies of this Plan will be the basis on which County and local councils and other government agencies make decisions on land use planning matters. Public and private initiatives will be required to conform with County policy.

# PART 2

## WELLINGTON'S PLANNING VISION

### 2.1 FUNDAMENTAL BELIEFS

#### 2.1.1 Planning Concepts

Wellington County supports certain community planning concepts recognized in Ontario and in many other parts of the world. These concepts include:

- sustainable development
- land stewardship
- healthy communities

#### 2.1.2 Sustainable Development

Sustainable development is a concept that supports development which “meets the need of the present without compromising the ability of future generations to meet their own need.”

Wellington County will make planning decisions which properly balance:

- protecting and enhancing the natural environment;
- enhancing economic competitiveness;
- fostering a healthy, safe and socially responsible society.

#### 2.1.3 Land Stewardship

Land Stewardship recognizes that preserving natural features and protecting the environment is a shared value between government, community groups and landowners. County Council believes that all landowners are entitled to reasonable use and enjoyment of their land but they are also stewards of the land with responsibility to the community for the long term environmental health of their land.

#### 2.1.4 Healthy Communities

Healthy communities are those which:

- foster physical, mental, social and economic well being;
- provide residents with a sense of control over decisions which affect them;

- are designed to reduce the stress of daily living and meet the life-long needs of its residents;
- make accessible employment, social, health, educational and recreational opportunities to all segments of the community.

#### *Wellington County supports:*

- *sustainable development*
- *land stewardship*
- *healthy communities*

#### 2.1.5 Decision Making

Wellington County will promote land use decisions which provide an economically strong, healthy and socially responsible community and which protect our natural and cultural heritage for this and future generations.

### 2.2 OUR COMMITMENT TO THE FUTURE

Over the next twenty years County Council commits to pursue planning policies which achieve the following objectives:

#### 2.2.1

Accommodate a total County population of 409,000 **122,000** by the year 2022 **2031**;

#### 2.2.2

Direct growth to urban areas and in particular to those with municipal sewer and water services;

#### 2.2.3

Provide opportunities for jobs, commerce and services that are based on population growth;

#### 2.2.4

Provide opportunities for housing which accommodate a wide range of need and affordability;

#### 2.2.5

Ensure that County residents have convenient access to commercial uses and services;

**2.2.6**

Maintain strong main streets in towns and villages as a focus for commerce and services;

**2.2.7**

Develop communities, which are efficient and livable;

**2.2.8**

Ensure cost effective development and land use patterns;

**2.2.9**

Maintain the small town and rural character of the County;

**2.2.10**

Protect the agricultural land base for farming;

**2.2.11**

Ensure that farmers, following normal farming practices, are not hindered by conflicting development.

**2.2.12**

Require development to pay its fair share of growth related costs and to demonstrate its compliance with the County's planning policies;

**2.2.13**

Provide the infrastructure required to accommodate growth in an environmentally and fiscally responsible manner;

**2.2.14**

Maintain clean water, clean air and a healthy, ~~plant, fish and wildlife~~ diverse and connected Greenlands system;

**2.2.15**

Protect, ~~restore or, where feasible, improve the diversity, connectivity and ecological functions of natural heritage features and areas and where reasonable enhance features and functions within natural heritage areas~~ such as wetlands, environmentally sensitive areas, streams and valley lands, woodlands, areas of natural and scientific interest, discharge and recharge areas and other open space areas;

**2.2.16**

Support the creation of partnerships among landowners, community groups and government which promote or undertake land stewardship activities.

**2.2.17**

Prevent, eliminate or minimize the risks to public health or safety and to property caused by natural hazards ~~Protect people and property from natural hazards;~~

**2.2.18**

Promote a natural heritage systems approach to watershed management that includes protecting the County's Greenlands System and public health and safety.

**2.2.19**

Protect County resources such as farmland, minerals, mineral aggregates and forests, and provide for wise management practices;

**2.2.20**

Ensure that County residents continue to have convenient access to health care, education and cultural facilities;

**2.2.21**

Develop a safe and efficient transportation system for people, goods and services;

**2.2.22**

Broaden recreational and leisure opportunities;

**2.2.23**

Promote energy efficient land use and servicing decisions; and

**2.2.24**

Ensure responsible waste management practices, which emphasize waste reduction, reuse and recycling.

**2.2.25**

Ensure the quality and quantity of groundwater and surface water are protected as an essential resource for urban and rural water supplies, agricultural production, the maintenance of the Greenland system, and future growth.

## 2.3 URBAN, RURAL AND GREENLAND SYSTEMS

In order to clearly articulate the County's vision, lands within Wellington will be placed in broad categories – urban, rural and greenland systems. Urban systems will be the focus for growth, rural systems will be the focus for resource activities and **the greenlands system** will be the focus for **protection of the natural heritage protection system**.

## 2.4 THE PROVINCE

The Provincial government has ultimate legislative responsibility for land use planning and community development. The County has been delegated a number of provincial planning responsibilities and will continue to encourage the Province to allow a greater degree of community control in land use matters affecting Wellington. The County recognizes and accepts the value of provincial policy statements to provide a common planning framework for Ontario and its planning decisions shall be consistent with the Provincial Policy Statement.

The province has established a Growth Plan for the Greater Golden Horseshoe which includes Wellington. The County will contribute to achieving the vision and goals set out in the *Growth Plan for the Greater Golden Horseshoe* in a manner that is in keeping with appropriate and sustainable growth in small towns and rural areas. The decisions of the County ~~will shall be consistent with~~ **conform to** the *Growth Plan for the Greater Golden Horseshoe*.

The province has also established a *Greenbelt Plan for the Greater Golden Horseshoe*. The County recognizes the role of the Greenbelt in preserving agricultural and natural systems in the Greater Golden Horseshoe, and its decisions ~~will shall be consistent with~~ **conform to** the *Greenbelt Plan for the Greater Golden Horseshoe*.

## 2.5 OUR NEIGHBOURS

Wellington County borders on nine other Counties and Regions, the City of Guelph and many other local municipalities. Wellington is also part of six Conservation Authority watersheds **Authorities**. The County recognizes and welcomes the need to work co-operatively with our neighbours to ensure our common interests are achieved.

## 2.6 COUNTY-LOCAL PARTNERSHIP

The County and the local municipal governments in Wellington share responsibility for the wise management of our resources and the betterment of the community. The County will work co-operatively with local governments to provide a land use planning system which is thorough and efficient and which promotes the County's overall planning vision.

The County will ensure that local municipalities are involved in any changes to official plan policy that affects their community and the County may provide local municipalities with a direct involvement in the public consultation process.

## 2.7 LOCAL PLANNING

The County's Official Plan attempts to provide a consistent set of policies across Wellington. These policies are developed in sufficient detail to provide appropriate official plan coverage for the entire County, while still responding to local conditions.

Local municipalities will have the option of relying on the County's planning policies or developing their own more detailed policies for all or parts of their community.

Local municipalities will continue to manage the development control process. The use of local zoning by-laws, site plan and development agreements will ensure that local standards are applied to new building activity.

Local municipalities will develop comprehensive zoning by-laws that implement the County Official Plan and any local official plans.

Local municipalities will also exercise development control functions in a manner consistent with the Provincial Policy Statement, and in conformity with the **Growth Plan for the Greater Golden Horseshoe, Greenbelt Plan, County Official Plan and any local official plans.**

The County and local municipalities will make all reasonable efforts to avoid duplication in policies and approval processes.

# PART 3

## WELLINGTON GROWTH STRATEGY

### 3.2 PROJECTED GROWTH

Table 1 shows, on a County Wide basis, the projections for population, households and employment expected for Wellington over 25 years. This forecast is based on a county population and household forecast prepared by C.N. Watson and Associates and will be used by all municipalities and government agencies in planning for growth and growth-related facilities.

The forecast anticipates that ~~83%~~ **82%** of population growth in Wellington County will take place in ~~15~~ **14** urban centres. The remainder will largely be directed mainly to hamlets and secondary agricultural areas.

### 3.3 GUIDING GROWTH

Wellington has the following objectives for growth:

- to encourage **efficient and** cost effective development patterns;
- to take advantage of capacities in existing and planned water, waste water, **utilities** and transportation systems;
- to encourage growth in urban areas;
- to identify and promote opportunities for growth in the built up areas of urban centres through intensification and redevelopment where this can be accommodated, taking into account small town scale and historic streetscapes;
- to encourage more efficient use of land through increased densities in designated Greenfield areas of urban centres;
- to identify ~~non-prime agricultural areas~~ **areas outside of prime agricultural areas** as a location for rural growth opportunities;
- to maintain a healthy balance between jobs and housing in order to reduce the need for long-distance commuting, and increase the

modal share of walking and cycling, where appropriate;

- to provide choice for residents and businesses by providing a variety of growth opportunities, housing types, services, recreation and cultural activities, and public open space;
- to encourage mixed-use and pedestrian-friendly development in appropriate locations;
- to prohibit the establishment of new settlement areas; and
- to support a culture of conservation, including water, energy and cultural heritage conservation, air quality protection and integrated waste management.

# **PART 4**

## **GENERAL COUNTY POLICIES**

The following policies apply throughout the County of Wellington:

### **4.1 CULTURAL HERITAGE AND ARCHAEOLOGICAL RESOURCES**

Cultural heritage and archaeological resources form an important and in many cases highly visible part of the community fabric. These resources are a source of civic pride for the residents, a benefit to the local economy through tourism, and are important to our understanding of the settlement of the County. The policies of this Plan, in conjunction with the Ontario Heritage Act, provide a framework for the protection and enhancement of cultural heritage resources in Wellington.

#### **Built Heritage**

Wellington has a rich history reflected in many buildings and structures, either individually or in groups, which are considered to be architecturally or historically significant to the community, county, province or country.

#### **Cultural Heritage Landscapes**

~~Cultural heritage landscapes involve groupings of individual heritage features such as structures, spaces, archaeological sites, and natural elements which together form a larger area of heritage value.~~

*[note: the following wording is from the 2005 PPS and the definitions section of this Plan]*

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

constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

For cultural heritage landscapes to be significant, they must be valued for the important contribution they make to our understanding of a place, an event, or a people.

The identification, listing, evaluation and protection of cultural heritage landscapes is an ongoing process. The Canadian Heritage Rivers Board has designated the Grand River and its valleylands as a Canadian Heritage River.

#### **Archaeological Resources**

The past settlement of Wellington forms an important aspect of our community. Traces of human settlement both recent and long past are recognized as important elements of our history and culture. Archaeological resources include a property or area recognized by the Province as being archaeologically significant.

#### 4.1.1 Identifying Cultural Heritage Resources

Cultural heritage resources include, but are not necessarily restricted to the following criteria under Ontario Regulations 9/06 issued under the Ontario Heritage Act:

- a) A property has design value or physical value because it:
  - i) is a rare, unique, representative or early example of a style, type, expression, material or construction method,
  - ii) displays a high degree of craftsmanship or artistic merit, or
  - iii) demonstrates a high degree of technical or scientific achievement.
- b) A property has historical value or associative value because it:
  - i) has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
  - ii) yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
  - iii) demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
- c) A property has contextual value because it:
  - i) is important in defining, maintaining or supporting the character of an area,
  - ii) is physically, functionally, visually or historically linked to its surroundings, or
  - iii) is a landmark.

#### 4.1.2 Ontario Heritage Act

Under the *Ontario Heritage Act*, a local Council may pass by-laws to:

- a) Designate individual properties of cultural heritage value or interest, in accordance with the criteria set out in Ontario Regulation 9/06. Such a by-law shall include a description of the property and a statement of cultural heritage value or interest and description of the heritage attributes;
- b) Designate a Heritage Conservation District or Districts in order to protect the heritage resources of an area. Such a by-law will be based on a study identifying the heritage resources of the area. If a by-law is passed to identify a Heritage Conservation District, the designated area may be recognized by an amendment to the Plan.

Designated heritage properties and heritage conservation districts shall be listed in a register of properties kept by the municipal clerk. The register may also include properties that Council considers to be of cultural heritage value or interest but have not been designated.

#### 4.1.3 Heritage Committees

A Heritage Committee will advise and assist Council on cultural heritage resource matters as set out by the *Ontario Heritage Act*.

Other Municipal Authority:

- a) A local Council may pass by-laws providing for the acquisition by purchase, lease, or otherwise of any property or part thereof, designated under Part IV of the Ontario Heritage Act. A local Council may dispose by sale, lease or otherwise of any property or interest acquired under Part IV of the Ontario Heritage Act upon such terms and conditions as Council may consider necessary.

- b) Pursuant to the Planning Act, the Municipal Act and other relevant legislation, a local Council may pass by-laws for the following purposes:
  - i) to ensure the protection of heritage features;
  - ii) to regulate development so that it is sympathetic in height, bulk, location and character to heritage resources;
  - iii) to control demolition of heritage buildings or structures in a defined area.
  
- c) A local Council may enter into an easement agreement or covenant, pursuant to Section 37 of the Ontario Heritage Act, with the owner of any real property and register such easement or covenant against the real property in the land registry office for the purpose of:
  - i) conserving, protecting and preserving the heritage features of the property;
  - ii) preventing any demolition, construction, alteration, remodeling or any other action which would adversely affect the heritage features of the property;
  - iii) establishing criteria for the approval of any development affecting the heritage property.
  
- d) A local Council will use its best efforts to obtain, in consultation with the Heritage Committee, documentation for archival purposes which may include a history, photographic record and measured drawings, of cultural heritage resources which are to be demolished or significantly altered.

It is the policy of this Plan that any development, redevelopment or public work shall respect the goals and objectives relating to the protection and enhancement of heritage resources. Development projects requiring planning approval which are of a size, scale or character not in keeping with the surrounding heritage resources shall not be allowed. The Heritage Area is broadly defined and contains many buildings which are not heritage resources. The intent of the Heritage Area is to identify an area in which a significant number of buildings contain heritage values and to ensure proper consideration is given to protecting these buildings when development proposals are put forward. A Heritage Area is not a Heritage Conservation District under the *Ontario Heritage Act*.

#### **4.1.4 Heritage Areas**

This Plan may identify a Heritage Area as shown on Schedule "A", for the purposes of regulating land use under the Planning Act.

#### 4.1.5 Policy Direction

- a) significant built heritage resources and significant cultural heritage landscapes shall be conserved. Conserved means the identification, protection, use and/or management of cultural heritage and archeological resources in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment in accordance with Section 4.6.7.
- b) The need for a Heritage Impact Assessment and/or Conservation Plan will be based on the heritage attributes or reasons for which the resource is identified as significant, and will normally be identified in preconsultation on development applications.
- c) Wellington County will work with its local municipalities to identify significant cultural heritage landscapes. The identification of significant cultural heritage landscapes shall be implemented through at least one of the following options:
  - i) Added to an Official Plan through an Amendment that shows the resource as an overlay designation on the Schedule, and adds site-specific policies where needed;
  - ii) Included in the municipal register of properties that Council considers to be of cultural heritage value or interest but have not been designated;
  - iii) Designated under the *Ontario Heritage Act*.
- d) Wellington will encourage the conservation of significant built heritage resources through heritage designations and planning policies which protect these resources.
- e) The re-use of heritage buildings is often a valid means of ensuring their restoration, enhancement or future maintenance. Projects to re-use heritage buildings may be given favourable consideration if the overall results are to ensure the long term protection of a heritage resource and the project is compatible with surrounding land uses and represents an appropriate use of land.
- f) Where a property has been identified as a protected heritage property, development and site alteration may be permitted on adjacent lands where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved. Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.
- ~~g) in order to conserve a cultural heritage resource, a Heritage Impact Assessment and/or a Conservation Plan may be required.  
*note: incorporated in revised bullet a)*~~
- h) The County recognizes the important cultural significance of the Grand River as a Canadian Heritage River, and the need to conserve its inherent values.
- i) Where development and site alteration is allowed, significant archaeological resources must be conserved. Such resources will be

conserved through removal, and documentation, or preservation on site. Where significant archaeological resources must be preserved on site, development and site alteration will only be allowed if the heritage integrity of the site is maintained.

- i) Where the County has determined a proposed development has areas of archaeological potential, an assessment of the property will be required to identify archaeological resources. Resources identified and determined to be significant will be conserved. The County may also require parts of a site to be excluded from development in order to maintain the heritage integrity of the site.
- j) The County or local municipality may develop an archaeological master plan to be used as a planning tool where addressing archaeological conservation concerns. The principal components of the master plan would be:
  - i) an inventory of all registered and known archaeological sites in the County;
  - ii) archaeological potential mapping based on locally relevant criteria;
  - iii) implementation guidelines for use of the master plan and management of the area's historical heritage.

## 4.2 ECONOMIC DEVELOPMENT

### 4.2.2 Conversion

Conversion of employment lands (Industrial, and Highway Commercial and Rural Employment Areas) within employment areas to non-employment uses which, for the purposes of this sub-section includes major retail uses, may be permitted only through a municipal comprehensive review where it has been demonstrated that:

- a) there is a need for the conversion;
- b) the municipality will meet its employment forecast allocation;
- c) the conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets, and other policies of this Plan.
- d) there is existing or planned infrastructure to accommodate the proposed conversion;
- e) the lands are not required over the long term for the employment purposes for which they are designated; and
- f) cross-jurisdictional issues, if any, have been considered.

## 4.3 FARMLAND PROTECTION

### 4.3.2 Secondary Agricultural Areas

Areas with agricultural capability, but determined not to be prime agricultural soils areas will be identified as secondary agricultural areas. Agriculture will continue to be the dominant use but a range of other uses will also be allowed.

### 4.3.3 Policy Direction

a) Class 1, 2 and 3 agricultural soils, associated Class 4 to 7 soils and additional areas where there is a local concentration of farms which exhibit the characteristics of ongoing agriculture, and specialty crop land will be designated as prime agricultural areas unless:

- i) municipal scale studies demonstrate that the land would more appropriately be placed in a greenlands or secondary agricultural designation,
- ii) ~~the lands are to be used on an interim basis for mineral aggregate extraction;~~
- ii) studies demonstrate that non-farm limited non-residential use is appropriate.

b) ~~Where settlement area urban centre or hamlet expansion is justified based on need under the policies of this Plan, it will only be allowed on prime agricultural land if there are no reasonable alternatives locations which:~~

- i) ~~which avoid prime agricultural lands areas; and~~
- ii) ~~in prime agricultural areas with use lower priority prime agricultural land.~~

Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands should be mitigated to the extent feasible.

Urban Centre or Hamlet expansions are subject to the comprehensive review policies of Section 4.8 Urban Expansion.

c) Non-farm Limited non-residential uses, other than aggregate extraction, may only take place in areas of prime agricultural land areas if the need for the use can be demonstrated and ~~reasonable alternative locations are not available on non-prime farmland or on lower priority prime agricultural land.~~ provided that there are no reasonable alternative locations which avoid prime agricultural areas; and there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands. In considering need and alternative locations, decision makers will be guided by the following:

#### i) Need

- projected population for the local municipality and county or growth allocated by broader studies
- public health or safety considerations
- existing vacant land already designated for the proposed use
- potential for infilling existing areas
- previous rates of land consumption
- availability and efficiency of servicing
- need for a variety of opportunities to encourage economic development and satisfy housing and business demand

#### ii) Alternative Locations

- impacts on agriculture
- location requirements of the proposed use
- compliance with minimum separation distances established for livestock operations
- degree of land fragmentation in the area
- Canada Land Inventory classification

#### 4.4.3 Residential Intensification

This Plan contains policies encouraging intensification primarily in urban centres but also, to a much lesser extent in rural areas and hamlets. The strategic approach to intensification intends to retain small town character and revitalize downtown areas which includes:

- a) supporting increased densities in newly developing greenfield areas with a broader mix of housing types than has been the norm in small towns;
- b) supporting appropriate intensification in all areas within the built boundary including adaptive re-use or redevelopment of brownfields and greyfields;
- c) encouraging added housing above commercial uses in and near the downtown, in residential transition areas, and in other main commercial areas;
- d) encouraging intensification within urban centres along major roadways and arterial roads;
- e) encouraging modest intensification in stable residential areas respecting the character of the area. Stable residential areas are considered to be established areas generally consisting of predominantly low density housing on local roads with the built boundary;
- f) conserving cultural heritage and archaeological resources where feasible, as built up areas are intensified;
- g) encouraging intensification which results in new rental accommodation;
- h) encouraging small scale intensification in rural areas and hamlets consistent with their character and servicing including accessory or second residences, limited severances and conversions; and
- i) encouraging the development of appropriate standards for residential

intensification, redevelopment and new residential development which are cost effective, environmentally sound and compatible with existing uses, small town scale and character;

- j) ensuring that adequate infrastructure is, or will be, established to serve the anticipated development.

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#### 4.4.6 Special Needs and Seniors Housing

The County will provide opportunities for special needs housing to address the needs of seniors and persons with physical, sensory and mental health disabilities.

An aging population will result in greater need for senior's housing. Facilities such as senior citizen's complexes, homes for the aged, rest homes and nursing homes will be encouraged in urban areas. Additionally "life-style" or "leisure" communities oriented to healthy seniors and usually providing common recreational amenities are increasingly being proposed. These housing facilities will be encouraged in urban settings with appropriate services.

~~Small scale senior's projects may be considered in Hamlets and Secondary Agricultural Areas based on private services. Prime agricultural land will not be used for seniors housing, other than garden suites.~~

#### 4.6.7 Heritage Impact Assessment and Conservation Plan

A heritage impact assessment and conservation plan may be required to determine if any **significant** cultural heritage resources are impacted by a development proposal.

A heritage impact assessment is a study to determine if any **significant** cultural heritage resources are impacted by a development proposal, whether the impacts can be mitigated, and by what means. A heritage impact assessment will generally be required to contain:

- a) Historical research, site analysis and evaluation
- b) Identification of the significance and heritage attributes of the cultural heritage resources
- c) Description of the proposed development or site alteration
- d) Assessment of development or site alteration impact
- e) Consideration of alternatives, mitigation and conservation methods. **Methods to minimize or avoid a negative impact on a significant cultural heritage resource include, but are not limited to:**
  - i. alternative development approaches
  - ii. isolating development and site alteration from significant built and natural features and vistas
  - iii. design guidelines that harmonize mass, setback, setting, and materials.
  - iv. limiting height and density
  - v. allowing only compatible infill and additions
  - vi. reversible alterations
  - vii. buffer zones, and
  - viii. site plan control.
- f) Implementation and monitoring
- g) Summary statement and conservation recommendations.

A conservation plan provides details as to how a cultural heritage resource can be conserved, and will generally be required to contain:

- a) identification of the conservation principles appropriate for the type of cultural heritage resource being conserved
- b) Analysis of the cultural heritage resource
- c) Recommendations for conservation measures and interventions, short or long term maintenance programs, implementation, and the qualifications of anyone responsible for the conservation work
- d) Schedule for conservation work, inspection, maintenance, costing, and phasing
- e) Monitoring of the cultural heritage resource.

## 4.8 URBAN EXPANSION

### 4.8.2 Urban Centre Expansion Criteria

An Urban Centre expansion may only occur as part of a municipal comprehensive review where it has been demonstrated that:

- a) sufficient opportunities to accommodate the allocation in the County growth forecast forecasted growth pursuant to Places to Grow contained in Table 1 of this Plan, through intensification and in designated greenfield areas, using the intensification target and greenfield density targets, are not available;
- i) within the regional market area; and  
ii) within the applicable lower-tier municipality to accommodate the growth allocated to the municipality pursuant to Places to Grow in Part 3 of this Plan.
- b) the expansion makes available sufficient lands for a time horizon not exceeding the growth forecast 20 years, based on the analysis provided for in a);
- d) the timing of the expansion and the phasing of development within the designated greenfield area will not adversely affect the achievement of the intensification target and density targets set out in Section 3.3.1 as approved by the Province, and the other policies of this Plan;
- d) where applicable, the proposed expansion will meet the requirements of the Greenbelt Plan;
- e) the existing or planned infrastructure required to accommodate the proposed expansion can be provided in a safe, efficient, financially and environmentally sound sustainable manner;
- f) in prime agricultural areas, there are no reasonable alternatives that avoid prime agricultural areas, and there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
- g) impacts on agricultural operations which are adjacent to or close to the urban centre are mitigated to the extent feasible;
- h) in determining the most appropriate direction and location for expansion, the following are addressed:
- i) the existing development pattern in the community;
- ii) the potential impacts on people;
- iii) the need to avoid mineral aggregate areas or where it is unavoidable to use lands of lower quality aggregate resources;
- iv) the impacts on natural heritage systems and features;
- v) the impacts on groundwater and surface water;
- vi) the impacts on the safety and efficiency of existing or planned infrastructure;
- vii) the impacts on archaeology, cultural heritage landscapes, and built heritage resources;
- viii) logical boundaries based on existing property lines or recognized physical features where possible; and
- ix) other planning criteria considered appropriate in the circumstances.
- i) the County and local municipalities will plan to maintain or move significantly towards a minimum of one full-time job per three residents within or in the immediate vicinity of the urban centre or hamlet.

### 4.8.3 Hamlet Expansion

None of the hamlets in Wellington are on municipal services and it is the policy of this Plan to limit growth in areas without municipal services. Hamlet expansions of more than 5 residential lots or units will not be allowed. The expansion must be based on a municipal comprehensive review as set out in Section 4.8.2 that includes an analysis of need under the County's growth strategy, alternative locations, and potential impacts.

## 4.9 WATER RESOURCES

### 4.9.1 Watershed Planning

Wellington County accepts the value of broad strategic planning for water and water related resources through a watershed planning process. Watershed and subwatershed studies, where undertaken, will be used as key components for land use policy and development decisions. **The completion of subwatershed studies may be required prior to development proceeding, and may be a component of a Secondary Plan.** The results of watershed plans **and subwatershed studies** will be incorporated into the County Official Plan, where appropriate.

### 4.9.2 Surface Water

**Watercourses, Streams,** lakes, ponds and wetlands **and appropriate setbacks** normally will be protected through their inclusion in the County's Greenlands System.

### 4.9.3 Groundwater

Groundwater resources occur throughout the County and are not confined to the Greenlands system. Groundwater needs to be protected to promote public health, and as an essential resource for urban and rural water supplies, agricultural production and the maintenance of the Greenland system. It is the intent of this Plan that all development **and site alteration** shall be subject to the following policies to ensure water quality and quantity are not **negatively** adversely affected. Specifically, it is the County's intent that the development of public and private uses will not:

- ~~significantly~~ alter **negatively impact** groundwater recharge or discharge
- impair groundwater or surface water quality
- negatively impact municipal groundwater supply.

Maintaining a sustainable groundwater supply is a priority to meet the needs of current and future residents. The County recognizes a relationship between groundwater and surface water in terms of recharge and discharge functions. The policies of this Plan are intended to address both groundwater and surface water protection.

Groundwater is not confined to municipal boundaries. As such, the County will work collaboratively with local municipalities and municipal neighbours to ensure effective groundwater protection.

### 4.9.4 Policy Direction

Wellington County commits to pursuing the following directions relating to water resources:

- a) ensure that land use planning contributes to the protection, maintenance and enhancement of water and related resources and aquatic systems on an integrated watershed management basis;
- b) protect surface and groundwater quality through the use of regulatory and voluntary means of prohibiting, restricting or influencing land uses and activities within wellhead protection areas and overlying vulnerable aquifers;
- c) ensure that development meets provincial water quality objectives;
- d) ensure levels of wastewater treatment that are appropriate for the size, location and scale of development anticipated;
- e) ensure development does not alter groundwater levels to the detriment of surrounding users and resources;
- f) support policies to protect municipal water sources;
- g) protect wetlands and areas that make significant contributions to groundwater recharge;
- h) protect the hydrogeological functions of the moraine systems in the County;
- i) ensure the base flow needed to protect streams, fisheries and wetlands are maintained;
- j) support **sustainable** stormwater management systems practices that protect water quality and quantity **or, where feasible, enhance water quality and water quantity control;**
- k) **promote efficient and sustainable use of water resources that** maintain and enhance water quantity and quality through

the retention of vegetation or through **re-naturalization** ~~revegetation~~;

- l) maintain and enhance fish habitat;
- m) protect or enhance the function of sensitive groundwater recharge areas, discharge areas, aquifers and headwaters;
- n) ensure land use decisions promote water conservation efforts and support the efficient use of water resources;
- o) encourage agricultural practices that protect water resources;
- p) require mineral aggregate operations to use best management practices to protect groundwater resources as set out in Section 4.9.5.8;
- q) require impact studies when development proposals have the potential to affect water or water related resources;
- r) to amend this Plan where appropriate to address relevant Drinking Water Source Protection Plan recommendations.

[Note: new section]

#### **4.9.7 Paris and Galt Moraine Policy Area**

The Paris and Galt Moraines are unique landforms. With their combination of soil types, numerous land surface depressions, and higher elevations relative to surrounding lands, they function as a support for hydrologic processes and features that influence groundwater and surface water resources at regional and local scales. These processes and features include:

- groundwater recharge;
- groundwater storage;
- surface water detention;
- groundwater potential;
- baseflow to streams;
- springs; and
- watershed divides for groundwater and surface water.

On the moraines, and in catchment areas influenced by the moraines, there are cold-water fisheries, wetlands, private wells, farms, industrial and commercial businesses, mineral aggregate processing operations, and municipal water supplies that rely, either directly or indirectly, on these moraine processes and features.

##### **4.9.7.1 Objectives**

The Paris and Galt Moraine policies are intended to:

- protect moraine processes and features in order to maintain and where possible restore and enhance groundwater and surface water resources; and
- promote stewardship activities on the moraines that maintain, restore or enhance groundwater and surface water resources.

##### **4.9.7.2 Policy Direction**

On lands in the Paris and Galt Moraines Policy Area on Schedule 'B' that lie outside of Wellhead Protection Areas, the following shall apply:

- a) Large scale development proposals including intensive recreation, mineral aggregate operations, new rural employment area designations, and urban boundary expansions will be required to demonstrate that ground and surface water functions will be maintained, and where possible, restored and enhanced;
- b) Small scale developments that do not rely on significant site alterations will not normally be required to demonstrate protection of the moraines. Where planning approvals for small scale developments are needed, best practices for site alteration will be required to reduce or eliminate cut and fill activities that would fill in land surface depressions;
- c) Agriculture is a major activity on the moraines and is an accepted and supported use of land. The County will encourage best practices for agriculture by developing and supporting stewardship programs."

## **~~4.13 ALTERNATIVE AND RENEWABLE ENERGY~~**

*Section deleted in its entirety.*

# PART 5

## THE GREENLANDS SYSTEM

### 5.1 DEFINED

The Greenlands System is intended to include those features and areas which are part of Wellington's natural heritage or areas in which natural or human-made conditions may pose a threat to public safety. These often inter-related areas include:

- wetlands
- environmentally sensitive areas
- streams and valley lands
- ponds, lakes and reservoirs
- areas of natural and scientific interest
- woodlands
- fish ~~and~~ wildlife ~~and plant~~ habitat
- flood plains and hazardous lands
- threatened or endangered species

*Our natural heritage will be protected and enhanced.*

### 5.2 PURPOSE

The Greenlands System set out in the Plan contains landscapes, resources and ecological systems that are essential to environmental and public health in Wellington. The Greenlands System will ensure that natural features and areas and their natural beauty will be retained for future generations.

The County recognizes the many important and inter-related functions of our natural environment. The careful conservation of our land, animal, plant, water and air resources is necessary to provide healthy, prosperous and enjoyable communities.

Certain parts of the County including **contain land subject to natural hazards including flooding hazards, erosion hazards flood plains and areas of unstable soils or bedrock. These hazards may pose a danger to public health and safety, including risks to life and property.** ~~pose hazards to people and their~~

~~activities.~~ The County recognizes the public interest in reducing exposure to unsafe conditions.

The Greenlands System also has a spiritual value providing visual pleasure, tranquility, recreation and renewal essential to human health and well being.

Finally, the Greenlands System has an economic value related to tourism, forestry, recreation, fishing and other resource products which is sustainable if properly managed.

### 5.3 PLANNING APPROACH

The Greenlands System is designated on Schedule "A" to this Plan and is a composite of many natural heritage features, flood prone areas and hazardous lands. The boundaries of many natural heritage features overlap and inter-relationships frequently exist between these areas. The system is divided into two broad categories: Core Greenlands and Greenlands. as summarized below: *Note: Table that was to be added is no longer proposed.*

The Greenlands System will be maintained or enhanced. Activities which diminish or degrade the essential functions of the Greenlands System will be prohibited. Activities which maintain, restore or, where possible, enhance the health of the Greenlands System will be encouraged where reasonable.

While the Greenlands System designated on Schedule 'A' is based on those features that have been mapped at a municipal scale, the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

*[note: moved from Section 5.5.7, and added wording]*

### 5.4 CORE GREENLANDS

Within the Greenlands System certain areas have greater sensitivity or significance. These areas will be identified in policy and protected. These areas have been included in the "Core" Greenlands designations and include:

- provincially significant wetlands
- **all other wetlands**
- habitat of endangered or threatened species **and fish habitat**
- ~~floodway and~~ hazardous lands

#### 5.4.1 Wetlands

All wetlands in the County of Wellington are included in the Core Greenlands. Development and site alteration will not be permitted in wetlands which are considered provincially significant. Provincially significant wetlands are shown in Appendix 3 of this Plan. All other wetlands will be protected in large measure and development that would seriously impair their future ecological functions will not be permitted.

The appropriate Conservation Authority should be contacted when development is proposed in or adjacent to a wetland.

#### 5.4.2 Habitat of Endangered or Threatened Species and Fish Habitat

Development and site alteration will not be allowed in significant habitat of endangered or threatened species **except in accordance with appropriate authorization under the Endangered Species Act.** Development or site alteration ~~in proximity~~ **adjacent** to significant habitat of endangered or threatened species shall require a satisfactory Environmental Impact Assessment that demonstrates there will be no negative impact on the significant habitat of endangered or threatened species or its ecological function. Proponents will be directed to the federal or provincial agency that has jurisdiction over the species or habitat to be protected.

Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.

#### 5.4.3 ~~Flooding Hazards and Hazardous Lands~~

The Core Greenlands designation includes areas subject to flooding hazards and erosion hazards and ~~other hazardous conditions~~ hazardous sites that could be unsafe for development or site alteration due to naturally occurring hazards like organic soils or unstable bedrock conditions. Generally development shall be directed away from areas in which conditions exist which would pose risks to public health and safety or property caused by natural hazards. ~~a threat to public health and safety.~~

Development shall not be permitted to locate in hazardous lands where the use is:

- An institutional use associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools where there is a threat to safe evacuation during an emergency as a result of flooding, failure of floodproofing measures and/or protection works, or erosion;
- An essential emergency service such as that provided by fire, police, and ambulance stations and electrical

substations, which would be impaired during an emergency as a result of flooding, failure of floodproofing measures and/or protection works, or erosion;

- Associated with the disposal, manufacture, treatment or storage of hazardous substances.

*[note: changed from letter list to bullets]*

#### **5.4.4 Floodway**

Development and site alteration will not be permitted in the floodway of a river or stream unless a Special Policy Area has been approved or it is permitted elsewhere in this Plan. In most parts of the County, a one-zone flood plain management concept applies and the floodway encompasses the entire floodplain.

#### **5.4.5 Development and Site Alteration in Hazardous Lands**

Development and site alterations will only be permitted in the flood-fringe portion of the floodplain (where a two-zone concept applies), in Special Policy Areas and in areas susceptible to other natural hazards if:

- the hazards can be safely addressed, and the development and site alteration is carried out in accordance with established standards and procedures;
- new hazards are not created and existing hazards are not aggravated;
- no adverse environmental impacts will result;
- essential emergency services have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- the development does not include institutional uses or essential emergency services or the disposal, manufacturing, treatment or storage of hazardous substances;
- no reasonable alternative is available.

## **5.5 GREENLANDS**

Other significant natural heritage features including habitat, areas of natural and scientific interest, streams and valleylands, woodlands, environmentally sensitive areas, ponds, lakes and reservoirs and natural links are also intended to be afforded protection from development or site alteration which would have negative impacts.

These areas are often found within Core Greenlands. Where they are outside Core Greenlands they are identified as Greenlands.

### **5.5.1 Habitat**

Fish ~~and~~ wildlife ~~and plant~~ habitat are included in the Greenlands System, often as part of other defined natural heritage features.

Development and site alteration ~~will~~ shall not be allowed in significant wildlife ~~or plant~~ habitat unless it has been demonstrated that there will be no negative impacts on the habitat or its ecological functions ~~and, in the case of fish habitat, in accordance with provincial and federal requirements.~~

Development and site alteration shall not be allowed in fish habitat except in accordance with provincial and federal requirements.

### **5.5.2 Areas of Natural and Scientific Interest**

Areas of Natural and Scientific Interest (ANSI's) are included in the Greenlands system where they have been determined ~~by the Province~~ to be provincially significant or ~~determined by the County to be~~ regionally significant. ~~Both provincially and regionally significant Areas of Life Science or Earth Science Natural and Scientific Interest Life science areas (plant and animal communities)~~ will be protected from ~~any~~ development or site alteration which would have a negative impact on the ~~life science natural~~ feature or its ecological function. ~~Earth science areas (drumlins, eskers, spillways) will be protected in large measure from development or site alternations which would significantly alter their nature or earth science values.~~

### 5.5.3 Streams and Valleylands

Streams and valleylands are included in the Greenlands system. All streams and valleylands and will be protected from development or site alterations which would negatively impact on the stream or valleyland or their ecological functions.

### 5.5.4 Woodlands

In the Rural System, woodlands over 40 4 hectares in area and plantations over 10 hectares in the Rural System are considered to be significant by the County, and are included in the Greenlands system. Woodlands of this size are important due to their contribution to the amount of forest cover on the County landscape. Exceptions may include a plantation established and continuously managed for the sole purpose of complete removal at rotation without a reforestation objective, as demonstrated with documentation acceptable to the County.

In the Urban System, woodlands over 1 hectare are considered to be significant by the County and are included in the Greenlands System. Woodlands of this size are important due to their economic, visual and environmental contributions to the urban landscape.

~~More detailed studies may determine that these woodlands have additional significance due to~~ Detailed studies such as environmental impact assessments may be used to identify, delineate and evaluate the significance of woodlands based on other criteria such as: proximity to watercourses, wetlands, or other woodlands; linkage functions; age of the stand or individual trees; presence of endangered or threatened species; or overall species composition.

These Significant woodlands will be protected from development or site alterations which would negatively impact the woodlands or their ecological functions. Good forestry practices will be encouraged and tree removal shall be subject to the Wellington County *Forest Conservation By-law*.

Smaller ~~woodlots~~ woodlands may also have local significance and, where practical, these smaller ~~woodlots~~ woodlands should be protected.

### 5.5.5 Environmentally Sensitive Areas (ESA's)

Environmentally sensitive areas as determined by the County from previous studies are included in the Greenlands system. The areas will be protected from development or site alterations which would negatively impact them or their ecological functions.

### 5.5.6 Ponds, Lakes and Reservoirs

Ponds, lakes and reservoirs are included in the Greenlands system where the County determines they require protection. These areas will be protected from development or site alterations which would negatively impact them or their ecological functions.

### 5.5.7 Natural Heritage Systems

~~The boundaries of many natural heritage features overlap and inter-relationships frequently exist between these areas. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features. [note: moved to revised Section 5.3]~~

## 5.6 DEVELOPMENT CONTROL

### 5.6.1 Permitted Uses

Within the Core Greenlands designation, no development or ~~and~~ site alteration is ~~shall not be~~ permitted within Provincially Significant Wetlands or in ~~provincially~~ significant habitat of threatened or endangered species.

In other ~~Core Greenlands,~~ areas ~~and in Greenlands areas,~~ permitted uses ~~and activities may~~ include:

- a) agriculture;
- b) existing uses;
- c) conservation;
- d) forestry;
- e) aggregate extraction within Mineral Aggregate Areas ~~subject to appropriate rezoning, licensing and the policies of this Plan;~~
- f) open space; and
- g) passive recreation.

Other uses permitted in the applicable adjacent or underlying designations may be permitted.

### 5.6.2 Development Impacts

*[note: moved in front of Zoning Section]*

The above uses for both, the Core Greenlands and Greenlands designations, as well as accessory buildings and structures, shall only be permitted if:

- there are no negative impacts on ~~provincially~~ significant features and functions and no significant negative impacts on other greenland features and functions;
- ~~any natural hazards present can safely be overcome~~ ~~the hazardous lands policies of Section 5.4.3 are met;~~
- the development conforms to policies of the applicable adjacent or underlying designation.

Where development is proposed in the Greenland system or on adjacent lands, the County or local municipality shall require the developer to:

- a) identify the nature of the ~~natural heritage resource(s)~~ features potentially impacted by the development;

b) prepare, where required, an environmental impact assessment to ~~address potential impacts~~ ~~ensure that the requirements of this Plan will be met,~~ and consider enhancement of the natural area where appropriate and reasonable. ~~and demonstrate that there will be no negative impacts on the natural heritage resources or on its ecological function;~~ *Note: this combines bullets b), c) and d) into bullet b)*

- c) address any other relevant requirements set out in Section 4.6.3 ~~Environmental Impact Assessment.~~

No development will be approved unless the County is satisfied that the Greenland ~~and Environmental Impact Assessment~~ policies are met.

### Natural Heritage Systems

The County will encourage the restoration or enhancement of the natural heritage system in accordance with the following:

- In areas undergoing significant development, particularly in urban areas, an assessment of opportunities to link or connect natural features may be required to demonstrate how the development will maintain, restore or, where possible, improve linkages and connectivity;
- In areas not undergoing significant development, particularly agricultural and rural areas, stewardship initiatives will be the main means to maintain, restore or, where possible, improve linkages and connectivity.

### 5.6.3 Adjacent Lands

For the purposes of this section of the Plan, adjacent lands are considered to be:

- a) lands within 120 metres of provincially significant wetlands, ~~provincially significant Life Science Areas of Natural and Scientific Interest,~~ ~~significant habitat of endangered and threatened species,~~ ~~fish habitat,~~ ~~significant wildlife habitat,~~ ~~significant valleylands, and significant woodlands;~~
- b) lands within 50 metres of provincially significant Earth Science Areas of Natural and Scientific Interest;
- c) lands within 30 metres of all other Core Greenlands and Greenland areas.

#### 5.6.4 Zoning *[note: renumbered]*

Core Greenland areas shall be placed in a restrictive zone which prohibits buildings, structures and site alterations except as may be necessary for the management or maintenance of the natural environment. Other greenlands may also be given a restrictive zoning by a municipal council.

Zoning by-laws may also recognize existing land uses in core greenlands and, where appropriate, provide for reasonable expansions or alterations. Zoning by-laws may also establish setbacks from greenland areas in which no buildings or structures shall be permitted.

#### 5.6.5 Agriculture

Natural heritage policies will not limit the ability of agricultural uses to continue.

#### 5.6.6 Mineral Aggregate Areas

~~Areas of high potential for mineral aggregate are shown on Schedule 'C' as an overlay over the Greenland System. Mineral Aggregate operations are not allowed in provincially significant wetlands or in significant habitat of threatened or endangered species but may be considered in other areas subject to the policies of this Plan. Within significant woodlands, new mineral aggregate operations may be permitted~~  
In addition to the policies of Section 5.6.1 and 5.6.2, new mineral aggregate operations shall not be permitted within significant woodlands unless the woodland consists of habitats that can be effectively replaced or restored, such as young plantations or early successional woodlands, and the area of woodland removed will be replaced with woodland of equal or greater area and quality.

Existing licensed mineral aggregate operations are permitted and will be protected.

In the Greenbelt, mineral aggregate operations are subject to the policies of Section 9.9.10.2.

#### 5.6.7 Greenlands Mapping

The mapping identifying Core Greenlands and Greenlands on various schedules to this Plan may need to be refined by more detailed mapping on individual sites. Where more detailed mapping is available, minor adjustments may be made without an amendment to this Plan and the land use policies of the adjacent designation will apply as determined by Council.

#### 5.6.8 Conservation Authority Regulations

Some lands within and adjacent to the Greenland System may be subject to an Ontario Regulation issued under the Conservation Authorities Act. Where development or site alteration is proposed within a regulated area, as shown on Conservation Authority schedules and/or described in the text of the applicable Conservation Authority regulation, the Conservation Authority should be consulted before development (including construction, conversion, grading, filling, or excavating)

#### 5.7 Restoration and Enhancement

*[note: new section]*

While the majority of the County policy framework is focused on protecting natural heritage features from development and site alteration, the County also supports restoration and enhancement of the natural heritage system. The development control process can provide a means to identify opportunities for restoration and enhancement where development activities are taking place.

The Rural System is by far the largest land area of the County and this area is not normally undergoing development. The County believes that the most effective way to restore and enhance the natural heritage system in these areas lies in stewardship initiatives. These initiatives normally involve partnerships with willing landowners to identify and make improvements.

The County has developed a Rural Water Quality Program with Conservation Authorities to encourage farm stewardship initiatives to improve water quality. The County also has a Green Legacy Program that supports community and private planting activities which include an educational and advisory component. Both programs are stewardship initiatives that restore and enhance the County's natural heritage. Examples include projects to: restore streambeds; fence livestock from streams which have become naturalized linkages over time; tree planting to prevent or reduce water and wind erosion or to restore fragile lands.

#### 5.8 Greenbelt Plan

Lands within the Greenbelt are subject to the policies of Section 9.9.

# PART 6

## THE RURAL SYSTEM

### 6.1 DEFINED

The Rural System is primarily natural resource land and some other uses typically found in non-urban areas.

The Rural System includes:

- prime agricultural areas
- secondary agricultural areas
- mineral aggregate areas
- seasonal and recreational use areas
- rural housing
- rural industrial **employment** areas
- ~~highway commercial areas~~
- waste management sites
- special use areas

### 6.3 PLANNING APPROACH

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Rural ~~industrial and highway commercial~~ **employment** lands are intended to provide locations for business activities that may be better served by sites outside urban areas.

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*[to be added to end of section]*

New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae.

## 6.4 PRIME AGRICULTURAL AREAS

### 6.4.1 Defined

Class 1, 2 and 3 agricultural soils, associated Class 4 to 7 soils and additional areas where there is a local concentration of farms which exhibit the characteristics of ongoing agriculture, and specialty crop land will be designated as prime agricultural areas. These areas will be protected for agriculture.

### 6.4.2 Agriculture First

In Prime Agricultural Areas, all types, sizes and intensities of agricultural uses and normal farm practices will be promoted and protected in accordance with provincial standards.

As a general rule, land use activities which support agriculture will be encouraged and land use activities which do not support agriculture will be discouraged.

### 6.4.3 Permitted Uses

Permitted uses and activities in Prime Agricultural Areas may include:

- a) agricultural uses
- b) secondary uses including home businesses and farm businesses
- c) agriculture-related uses
- d) existing uses
- e) single detached homes
- f) accessory residential uses
- g) forestry uses
- h) wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts
- i) licensed aggregate operations
- j) community service facilities
- k) group homes on existing lots of records
- l) kennels on existing lots of record

All uses permitted by this section must be compatible with and not hinder surrounding agricultural uses.

### 6.4.9 Mineral Aggregate Areas

~~Areas of high potential for mineral aggregate are shown as an overlay over the Prime Agricultural Areas. Mineral aggregate operations may be allowed in these areas subject to the more detailed policies of this Plan.~~

### 6.4.10 Community Service Facilities

For the purposes of this section, community service facilities are restricted to buildings, structures and uses for which a location in the prime agricultural area is necessary for reasons of public safety or government service delivery, such as: emergency services (fire halls, police detachments, ambulance facilities, public works, temporary emergency facilities); municipal works garages; trails; and schools, churches and cemeteries required for local communities that rely extensively on horse drawn vehicles as their sole means of transportation.

The foregoing does not include: any other schools or churches; hospitals; medical clinics; seniors housing; or waste management facilities.

In order to ensure that prime agricultural land is only used for community service facilities where need and alternative locations have been considered, the establishment of new community service facilities may only be allowed through a zoning by-law amendment that addresses the requirements of Section 4.3.3, with the exception of the following:

- public works
- temporary emergency facilities; and
- trails.

### 6.4.12 Group Homes

Small scale group homes may be allowed on existing lots of record and local zoning by-laws may be establish criteria for these uses.

### 6.4.13 Kennels

Kennels may be allowed on existing lots of record and local zoning by-laws may establish criteria for these uses.

## 6.5 SECONDARY AGRICULTURAL AREAS

### 6.5.1 Defined

Secondary Agricultural Areas include lands within the Rural System which are determined to be non-prime farmland and agricultural areas but which can sustain certain agricultural activities.

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### 6.5.3 Permitted Uses

Permitted uses and activities in Secondary Agricultural Areas may include:

- a) all uses allowed in the Prime Agricultural Area;
- b) small scale commercial, industrial and institutional uses;
- c) public service facilities.

In Secondary Agricultural Areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.

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### ~~6.5.6 Mineral Aggregate Areas~~

~~Areas of high potential for mineral aggregate are shown as an overlay over the Prime Agricultural Areas. Mineral aggregate operations may be allowed in these areas subject to the more detailed policies of this Plan.~~

## 6.6 MINERAL AGGREGATE AREAS

### 6.6.1 Mineral Aggregate Areas Resource Overlay

**Lands within the Mineral Aggregate Areas Resource Overlay** are areas of high potential for mineral aggregate extraction and are shown as an overlay on Schedule ~~“A” “C”~~. These lands have been identified ~~using information provided by the Ministry of Natural Resources based on geological information in the Ministry of Northern Development and Mines Aggregate Resources Inventory Paper report (ARIP No. 162).~~ Lands in **the Mineral Aggregate Areas Resource Overlay** generally consist of sand and gravel deposits that the province has identified as being of Primary or Secondary Significance. There are also sites in the Mineral Aggregate Area **Resource Overlay** where there is an existing or approved mineral aggregate operation that lies outside of the sand and gravel resource areas of Primary or Secondary Significance.

The ~~overlay for Mineral Aggregate areas Resource Overlay~~ only indicates that aggregate deposits are likely to be available. It does not presume that all conditions are appropriate to allow extraction or processing of the resource to proceed. The intention is to make as much aggregate resources available as close to markets as is realistically possible. ~~In order to recognize environmental and land use constraints to the establishment of mineral aggregate operations, the following are not included in the Mineral Aggregate area Resource Overlay:~~ urban centres and hamlets plus 300 metres beyond their boundaries; provincially significant wetlands; other wetlands; and significant woodlands.

There are no known mineral deposits or petroleum deposits of significance that warrant inclusion in this Plan. Should any deposits be identified, the County will develop policies to govern their protection and development.

### 6.6.2 Protection

In areas adjacent to or in **the Mineral Aggregate Areas Resource Overlay**, development which would preclude or hinder new aggregate operations or access to the resource will only be allowed if:

- a) resource extraction use would not be feasible;
- b) the proposed development serves a greater long term public interest; in this case, reasonable efforts should be made to use the resource wherever practical;
- c) issues of public health, public safety and environmental impact are addressed.

### 6.6.5 New Mineral Aggregate Operations

~~New aggregate operations may be established within the Mineral Aggregate Area subject to the appropriate rezoning and licensing. New operations proposed outside of this area shall require an amendment to this Plan.~~

**New or expanded mineral aggregate operations shall only be established through amendment to this Plan. New or expanded mineral aggregate operations also require appropriate rezoning and licensing.**

Rezoning applications to allow mineral aggregate operations are subject to all relevant policies of this Plan. In considering proposals to establish new aggregate operations, the following matters will be considered:

- a) the impact on adjacent land uses and residents and public health and safety;
- b) the impact on the physical (including natural) environment;
- c) the capabilities for agriculture and other land uses;
- d) the impact on the transportation system;
- e) existing and potential municipal water supply resources are protected in accordance with Section 4.9.5 of this Plan.
- f) the possible effect on the water table or surface drainage patterns;
- g) the manner in which the operation will be carried out;
- h) the nature of rehabilitation work that is proposed; and
- i) the effect on cultural heritage resources and other matters deemed relevant by Council.

It is essential that extraction be carried out with as little social and environmental cost as practical. Provincial standards, guidelines and regulations will be used to assist in minimizing impacts.

## 6.7 RECREATIONAL AREAS

### 6.7.1 Defined

Recreational areas are normally land associated with lakes, reservoirs, ponds, rivers or other scenic resources which have potential for the development of recreational or seasonal residential uses relying on recreational activities. New Recreational Areas will be established by amendments to this Plan. Where new Recreational Areas are proposed in Prime Agricultural Areas, the policies of Section 4.3.3c) shall be met.

## 6.8 RURAL INDUSTRIAL EMPLOYMENT AREAS

### 6.8.1 Defined

Rural ~~Industrial~~ **Employment** Areas are lands set aside for industrial and limited commercial uses which would benefit from a rural location due to:

- the need for a relatively large site; or
- the need for access to major transportation routes; or
- the need to be close to rural resources.

In all cases, rural ~~industrial~~ **employment** areas will be used by “dry” industrial and limited commercial uses which do not use significant amounts of water in their operation and which do not produce significant amounts of effluent, consistent with rural servicing levels which rely on private water and sewage systems.

Rural ~~Industrial~~ **Employment** Areas are expected to provide diversity to Wellington’s land supply for business.

### 6.8.2 Permitted Uses

Dry industrial and commercial uses requiring large lots, major road access or proximity to rural resources are permitted in rural ~~industrial~~ **employment** areas.

Such industrial uses may include manufacturing, processing, fabrication and assembly of raw materials or repair, servicing, distribution and storage of materials. Accessory uses including the retail sale of products produced on-site may be allowed. ~~The sale of agricultural products such as farm machinery and farm supplies may also be allowed.~~

Such commercial uses will be service focused with limited accessory retail and may include business or professional offices, farm machinery sales, farm supplies, farm produce sales, small scale motels or inns, small scale restaurants and automobile sales and services. Retail commercial uses and service commercial uses normally found in urban centres are not allowed.

### 6.8.3 Land Use Compatibility

In Rural Employment Areas, establishing specific areas for detailed land use regulations is normally left to the Zoning By-law. In establishing zones and considering rezoning applications, Councils shall ensure that existing and proposed uses are compatible, and that sensitive uses are adequately separated from industrial uses. The Zoning By-law may also limit the location and size of commercial uses.

### 6.8.4 New Locations

New Rural ~~Industrial~~ **Employment** Areas shall only be established by amendment to this Plan. In establishing new rural ~~industrial~~ **employment** land consideration shall be given to the following:

- a) the amount of rural ~~industrial~~ **employment** land in any part of Wellington shall be limited in size and based on reasonable estimates of need;
- b) no **new** rural ~~industrial~~ **employment** areas shall be established **adjacent to within 1km of** urban centre or hamlet boundaries;
- c) the impacts on agricultural operations shall be kept to a minimum and the loss of prime agricultural land shall be avoided wherever practical, as set out in Section 4.3.3c);
- d) the Greenland System will be protected from negative impact in accordance with the policies of this Plan;
- e) adequate separation or buffering from incompatible uses can be provided;
- f) adverse impacts on any nearby land use will be avoided;
- g) mineral aggregate resources will be protected.
- h) existing and potential municipal water supply resources are protected in accordance with Section 4.9.5 of this Plan.
- i) adequate infrastructure is, or will be, established to serve the anticipated development in an orderly manner.

## ~~6.9 HIGHWAY COMMERCIAL AREAS~~

*[section to be deleted in its entirety]*

# **PART 7**

## **THE URBAN SYSTEM**

### **7.5 URBAN CENTRES**

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#### **7.5.12 Parks and Open Space**

Urban Centres shall provide adequate parks and open space areas to serve their population and may provide recreational opportunities to a larger regional population.

Parks and open space areas may be located in or adjacent to Greenland areas depending on impacts and opportunities.

#### **7.5.13 Greenlands System**

The Greenland System policies established in this Plan apply within Urban Centres. More detailed policies may be developed for urban centres, particularly where urban development is adjacent to sensitive Greenland System areas or where existing development has already occurred in or near Greenland System areas.

#### **7.5.14 Urban Forests**

Urban forests, which are made up of trees in a range of environments from downtowns to rural fringes, including: trees in planters on main streets; street trees; trees in yards; park trees; interspersed woodlots or hedgerows in greenfield areas; and trees in hazardous lands, wetlands and significant woodlands referred to above that are protected in the Greenlands System of this Plan.

Collectively, these trees make important economic, visual and environmental contributions to the quality of life in Wellington's small towns and hamlets. The County will encourage the retention of trees where practical and will encourage increases in the overall urban tree canopy.

*[7.5.14 Sewage Treatment Plants would be renumbered to 7.5.15]*

## **PART 8 - DETAILED URBAN CENTRE POLICIES**

### **8.1 GENERAL**

#### **8.1.3 Vision Statement**

By the end of the planning period, it is expected that the urban centres in Wellington County will have the following characteristics:

- a) that traditional community values will be maintained and the small town character will be enhanced;
- b) that the single-detached home will continue to be the dominant form of housing but a greater variety of housing types will also be available;
- c) that the central business district will remain the primary focus of commercial, cultural and civic functions for the municipality;
- d) that well planned industrial areas will continue to provide new job opportunities and municipal tax revenues;
- e) that the quality of life for the residents will be enhanced by the protection of natural and cultural environment, the enhancement of new recreational opportunities, and the preservation of heritage resources;
- f) that ~~municipal services~~ **infrastructure** such as roads, water, **utilities**, fire protection and administration will be improved and, where feasible, expanded to meet the needs of a growing community;
- g) that the greenland system and rivers will remain dominant natural features in urban centres providing aesthetic and recreational opportunities for both residents and visitors alike;
- h) that the elements of the natural environment including rivers, hills, wetland, groundwater and forest resources will be protected, enhanced and well managed.

#### **8.1.4 Major Objectives**

The major objectives of all urban centres are:

- a) to ensure that adequate lands, ~~municipal services~~ **infrastructure** and community facilities are available to serve the existing and future needs of the community;
- b) to provide opportunities for an adequate supply and diversity of housing to satisfy the varied needs of a growing community;
- c) to provide the opportunity for an adequate supply and diversity of commerce and industry to serve the needs of a growing community;
- d) to ensure that development and development-related activity proceeds in an environmentally responsible manner;
- e) to encourage steady, economic growth in a carefully controlled manner to provide employment;
- f) to encourage economically viable and physically attractive central business district;
- g) to utilize urban design principles that ensure public safety and security for local residents and visitors;
- h) to maintain appropriate standards for development and redevelopment which encourage controlled growth and represent a long term benefit to the community;
- i) to ensure that adequate parkland, open space, and recreational opportunities are available to meet the recreational needs of every citizen;
- j) to protect, preserve and where practical enhance, the unique natural and cultural heritage resources of the community; and
- k) to provide for a safe and efficient vehicular and pedestrian transportation system in the community.

## 8.3 RESIDENTIAL

### 8.3.2 Objectives

Wellington has set the following objectives for residential development:

- a) to ensure that an adequate supply of land is available to accommodate anticipated population growth over the planning period;
- b) to provide a variety of dwelling types to satisfy a broad range of residential requirements and ensure that affordable housing is available;
- c) to manage the rate of growth and the amount of residential development within the urban centre in order to maintain and enhance the small town character;
- d) to support the development, at appropriate locations and densities, of residential facilities that meet the housing needs of persons requiring specialized care;
- e) to ensure that an adequate level of ~~municipal services~~ **infrastructure** will be available to all residential areas;
- f) to minimize potential compatibility issues between residential and other land uses;
- g) to encourage intensification, development proposals provided they maintain the stability and character of existing neighbourhoods;
- h) to support the establishment of certain non-residential uses in appropriate locations of the municipality;
- i) to encourage residential developments which incorporate innovative and appropriate design principles which contribute to public safety, affordability, energy conservation and that protect, enhance and properly manage the natural environment;
- j) to monitor the housing supply by reviewing new development, demolitions, intensification, and the

number of affordable housing units brought on stream.

### 8.3.10 Non Residential Uses

Non residential uses such as schools, churches, local convenience stores, medical clinics, professional offices, personal services, day care centres and nursery schools may be permitted provided that they meet the following criteria:

- a) non residential development should be located on an arterial or collector road or in close proximity to the Central Business District;
- b) the design of the proposed development with respect to building height, setbacks, landscaping, parking and vehicular circulation will ensure that it will be compatible with surrounding uses of land;
- c) ~~adequate municipal services such as water, sewer, storm water, roads and hydro~~ **infrastructure** shall be available or will be made available to service the development;
- d) the zoning by-law establishes a specific zone or zones for these uses.

### **8.3.12 Intensification Criteria**

Intensification within all residential land use designations shall be evaluated using the following criteria:

- a) the compatibility of the proposed development in built form including height, massing, scale, setbacks, orientation, use, built form, architectural character and materials, separation distances, shadowing and privacy. Compatible development is considered to be development that may not be the same as existing adjacent development but which can co-exist with existing development while not creating unacceptable adverse impacts;
- b) the degree to which building height and massing shall provide a transition between planned and existing development;
- c) the maintenance of a lotting pattern that is generally consistent and compatible with the predominant character of the area;
- d) the ability of ~~roads or municipal~~ infrastructure to accommodate the proposal;
- e) the impact of the development on the streetscape including, where feasible, the protection of municipal street trees;
- f) the degree to which impact on the adjacent properties is minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, views, enjoyment of outdoor amenities, and shadowing; and
- g) the conservation of significant cultural heritage resources.

## 8.9 GREENLANDS SYSTEM

### 8.9.1 Overview

The main greenland features identified are rivers, their adjacent flood prone land and valley slopes. Also included are wetlands, significant woodlands, smaller watercourses and other areas with physical constraints such as poor drainage, steep or unstable slopes. These areas serve as plant and animal habitat, forest areas and fishery resource areas in urban centres.

### 8.9.4 Hazardous Lands and Sites

- a) lands which may be hazardous because of unstable slopes or other hazards will be identified in the implementing Zoning By-law, in consultation with the Conservation Authority;
- b) the reconstruction or minor alteration of existing uses may occur subject to the approval of Council and any required Conservation Authority permits. ~~in consultation with the Conservation Authority.~~

### 8.9.5 Flood Plain Lands

Many urban centres were settled along the banks of a major water course. A significant portion of many urban centres in Wellington lie within a flood plain. The following policies shall apply to land designated GREENLANDS within a flood plain.

- a) this Plan prescribes a “one-zone” approach to flood plain management, meaning that development is restricted below the Regulatory Floodplain (i.e. flood plain area), as shown on Schedule “A”);
- b) no buildings or structures shall be erected and no placement, movement or removal of fill may occur within the flood plain without

the prior approval of the Conservation Authority;

- c) outdoor industrial storage or the storage of hazardous or toxic substances including sewage disposal or collection shall not be permitted;
- d) the reconstruction or minor alteration of existing uses may occur subject to the approval of Council and any required Conservation Authority permits. ~~in consultation with the Conservation Authority;~~
- e) the creation of lots which extend into flood susceptible areas may only be permitted, ~~subject to any Conservation Authority permits in consultation with the Conservation Authority~~, where no public agency is willing to assume ownership of the flood plain lands and that sufficient buildable area exists outside the flood plain; *[note: restores current OP wording]*
- f) amendments to this Plan will not be required for minor revisions to flood plain boundaries.

# PART 9 - LOCAL PLANNING POLICY

## 9.4 GUELPH-ERAMOSA LOCAL POLICIES

The following local policies and policy areas have been identified in Guelph-Eramosa.

### PA3-19 Propane Operations

The areas identified as PA3-19 on Schedule 'A-3' include propane operations with hazard distances that have been defined through risk and safety management plans. Potential land use changes within the hazard distance may result in an increased risk profile and, accordingly, may require a propane operator to institute additional mitigation measures.

In accordance with *Planning Act* regulations, the propane operators shall be notified of applications for official plan amendments, plans of subdivision, vacant land condominium description, common elements condominium description, zoning by-law amendments, and minor variances, where the facility's hazard distance extends into the area under consideration for change.

## 9.6 MINTO LOCAL POLICIES

The following local policies and policy areas have been identified in Minto.

### PA5-10 Propane Operations

The areas identified as PA5-10 on Schedule 'A-5', 'A5-2' and A5-3' include propane operations with hazard distances that have been defined through risk and safety management plans. Potential land use changes within the hazard distance may result in an increased risk profile and, accordingly, may require a propane operator to institute additional mitigation measures.

In accordance with *Planning Act* regulations, the propane operators shall be notified of applications for official plan amendments, plans of subdivision, vacant land condominium description, common elements condominium description, zoning by-law amendments, and minor variances, where the facility's hazard distance extends into the area under consideration for change.

## 9.8 PUSLINCH LOCAL POLICIES

The following local policies and policy areas have been identified in Puslinch:

- .
- .

### PA7-6 Mini Lakes

Over the past decade, the Mini Lakes campground in the Township of Puslinch has evolved from a seasonal family campground to an adult lifestyle community. The owners, who reside within the Mini Lakes residential community, intend on maintaining the adult lifestyle characteristics of the development. Extending the annual use of the residential units from 7 9 months to 12 months will be contingent on the units meeting Building Code standards for year-round accommodation of mobile homes or manufactured buildings and the upgrading of the sewage disposal and water supply services.

## 9.9 GREENBELT POLICIES (Erin and Puslinch)

The Greenbelt surrounds a large area from Niagara through Durham that has been rapidly growing outward from Lake Ontario for a long time. Within Wellington, the Greenbelt includes the headwaters of watersheds that drain to Lake Ontario: the Credit River watershed in Erin, and the Bronte and Spencer Creek watersheds in Puslinch.

The Greenbelt also contains some of the best farming areas in Canada as well as smaller urban areas and rural settlements. Within Wellington, the Greenbelt includes the Hillsburgh, Erin and Morriston Urban Centres and the Hamlet of Ballinafad. Much of the agricultural land in the Wellington part of the Greenbelt is of somewhat lower agricultural capability relative to the remainder of the County; however, it should also be recognized that there are prime agricultural areas, and livestock operations.

### 9.9.1 Purpose

The Greenbelt Plan vision states that the Greenbelt is a broad band of permanently protected land which:

- Protects against the loss and fragmentation of the agricultural land base and supports agriculture as the predominant land use;
- Gives permanent protection to the natural heritage and water resource systems that sustain ecological and human health and that form the environmental framework around which major urbanization in south-central Ontario will be organized; and
- Provides for a diverse range of economic and social activities associated with rural communities,

### 9.9.2 Greenbelt Plan Structure

The area of the Greenbelt Plan in Wellington is designated Protected Countryside and is shown on Schedules A2-1 and A7-3. There are three geographic areas with policy direction in the Protected Countryside:

- Agricultural System;
- Natural System; and
- Settlement Areas.

There are also general policies in the Protected Countryside that are based on uses or resources (non-agricultural uses, recreation and tourism uses, infrastructure, natural resource uses, cultural heritage resources, existing uses, and lot creation).

### 9.9.3 Relationship to the Official Plan

The Greenbelt Plan builds on the Provincial Policy Statement and is to be implemented through municipal official plans. Therefore, the policies of this Plan and local official plans continue to apply provided that they conform with the Greenbelt Plan.

The Greenbelt Plan relies on Schedules A2 and A7 of this Plan for the boundary between Prime Agricultural Areas and other rural designations, and for detailed settlement area boundaries.

The Natural Heritage System is not a designation in and of itself with a list of permitted uses. Rather, it functions as an overlay on top of the designations on Schedules A2 and A7, subject to constraints of the Natural System policies.

The policies of this Section are in addition to, and to be read in conjunction with, all other relevant policies of this Plan. In the event of conflict, the more restrictive policy shall prevail, except that this Plan may not be more restrictive than the Greenbelt Plan in regard to agricultural and mineral aggregate resource policies.

#### 9.9.4 Agricultural System

The Agricultural System of the Greenbelt Protected Countryside is comprised of prime agricultural areas and rural areas and includes direction to recognize connections to agriculture beyond the Greenbelt.

##### Prime Agricultural Area

Prime agricultural areas are those areas designated as such within municipal official plans. In Wellington County, prime agricultural areas are identified as Prime Agricultural on Schedules A2 and A7. For lands falling within the prime agricultural area of the Protected Countryside, the following policies shall apply:

- Uses permitted shall be in accordance with Section 6.4 and Sections 9.9.9 through 9.9.11 of this Plan.
- Prime agricultural areas in the Greenbelt Protected Countryside shall not be redesignated for non-agricultural uses except for settlement area expansions subject to section 9.9.7.

##### Rural Area

The rural area of the Protected Countryside in Wellington includes areas designated on Schedules A2 and A7 as: Secondary Agriculture; Recreation; Rural Employment Area; Country Residential; and site-specific policy areas. The Core Greenlands, Greenlands, and Mineral Aggregate Area overlay designations are in the rural area as well. For lands falling within the rural area of the Protected Countryside, the following policies shall apply:

- Uses permitted shall be in accordance with Sections 6.3, and 6.5 through 6.10, and Sections 9.9.8 through 9.9.11 of this Plan.
- Urban Centre expansions are permitted into rural areas, subject to the settlement area policies of section 9.9.7.
- New lots for any use shall not be created if the creation would extend or promote strip development.

#### 9.9.5 Natural System

The Natural System of the Greenbelt Protected Countryside is made up of a Natural Heritage System and a Water Resource System. The Natural System policies protect areas of natural heritage, hydrologic and/or landform features which are often functionally inter-related and which collectively support biodiversity and overall ecological integrity.

##### Natural Heritage System

The Natural Heritage System includes areas with the highest concentration of the most sensitive and/or significant natural features and functions, and is shown on Schedules A2-1 and A7-3.

The Natural Heritage System contains a substantial portion of the Core Greenlands and Greenlands designations, as well as areas that are adjacent to, or located between, Core Greenlands and Greenlands that are designated Prime Agricultural, Secondary Agricultural, Country Residential and Recreational on Schedules A2 and A7.

For lands within the Natural Heritage System of the Protected Countryside the following policies shall apply:

- |  |
|--|
| a) The full range of existing and new agricultural, agriculture-related, and secondary uses and normal farm practices are permitted subject to the policies below; |
|--|
- b) New buildings or structures for agriculture, agricultural-related and secondary uses are not subject to the Natural Heritage System policies below, but are subject to the policies on key natural heritage features and key hydrologic features as identified in the natural features policies of section 9.9.6.
  - c) New development or site alteration in the Natural Heritage System (as permitted by the policies of this Plan) shall demonstrate that:

- i. There will be no negative effects on key natural heritage features or key hydrologic features or their functions;
  - ii. Connectivity between key natural heritage features and key hydrologic features is maintained, or where possible, enhanced for the movement of native plants and animals across the landscape;
  - iii. The removal of other natural features not identified as key natural heritage features and key hydrologic features should be avoided. Such features should be incorporated into the planning and design of the proposed use wherever possible; and
  - iv. The disturbed area of any site does not exceed 25 percent, and the impervious surface does not exceed 10 percent, of the total developable area, except for uses described in and governed by sections 9.9.8 and 9.9.10. With respect to golf courses, the disturbed area shall not exceed 40 percent of the site.
- d) Where non-agricultural uses are contemplated within the Natural Heritage System, applicants shall demonstrate that:
- i. At least 30 percent of the total developable area of the site will remain or be returned to natural self-sustaining vegetation, recognizing that section 9.9.10 establishes specific standards for mineral aggregate operations.
  - ii. Connectivity along the system and between key natural heritage features or key hydrologic features located within 240 metres of each other is maintained or enhanced; and
  - iii. Buildings or structures do not occupy more than 25 percent of the total developable area and are planned to optimize the compatibility of the project with the natural surroundings.

e) The Natural Heritage System, including the natural features policies of Section 9.9.6, does not apply within the existing boundaries of settlement areas, but does apply when considering expansions to settlements as permitted by the policies of this Plan. The Natural Heritage System connections within settlement areas should be considered when implementing municipal policies, plans and strategies.

### **Water Resource System**

The Water Resource System is made up of both ground and surface water features and their associated functions, which provide the water resources necessary to sustain healthy aquatic and terrestrial ecosystems and human water consumption.

Throughout the Protected Countryside, the County shall continue the following policy directions, as set out in greater detail in Section 4.9 of this Plan:

- provide for a comprehensive, integrated and long-term approach for the protection, improvement or restoration of the quality and quantity of water;
- promote watershed planning, including consideration of cross-jurisdictional and cross-watershed impacts; and
- protect source water, and vulnerable surface and ground water areas, such as wellhead protection areas.

### **Urban River Connections**

The river valleys that run through settlements are a key component of the long-term health of the Natural System. In considering land conversions or redevelopments in or abutting an urban river valley, the County will strive for planning approaches that:

- Establish or increase the extent or width of vegetation protection zones in natural self-sustaining vegetation, especially in the most ecologically sensitive areas (i.e. near the stream and below the stable top of bank);

- Increase or improve fish habitat in streams and in the adjacent riparian lands;
- Include landscaping and habitat restoration that increase the ability of native plants and animals to use valley systems as both wildlife habitat and movement corridors; and
- Seek to avoid, minimize and/or mitigate impacts associated with the quality and quantity of urban run-off into the valley systems.

### 9.9.6 Key Natural Heritage Features and Key Hydrologic Features

Key natural heritage features include:

- Significant habitat of endangered species, threatened species and special concern species;
- Fish habitat;
- Wetlands;
- Life Science Areas of Natural and Scientific Interest (ANSIs);
- Significant valleylands;
- Significant woodlands; and
- Significant wildlife habitat;

Key hydrologic features include:

- Permanent and intermittent streams;
- Lakes (and their littoral zones);
- Seepage areas and springs; and
- Wetlands.

For lands within a key natural heritage feature or a key hydrologic feature in the Protected Countryside, the following policies shall apply:

- a) Development or site alteration is not permitted in key hydrologic features and key natural heritage features within the Natural Heritage System, including any associated vegetation protection zone, with the exception of:
  - i. Forest, fish and wildlife management;
  - ii. Conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered; or

- iii. Infrastructure, aggregate, recreational, shoreline and existing uses, as described by and subject to the general policies of section 9.9.8 through 9.9.11.

- b) Beyond the Natural Heritage System within the Protected Countryside, key hydrologic features are defined by and subject to the natural features policies of this section.

- c) Beyond the Natural Heritage System within the Protected Countryside, key natural heritage features are not subject to the natural features policies of this section, but are to be defined pursuant to the Greenlands System designations and policies set out in Part 5 of this Plan.

- d) In the case of wetlands, seepage areas and springs, fish habitat, permanent and intermittent streams, lakes, and significant woodlands, the minimum vegetation protection zone shall be a minimum of 30 metres wide measured from the outside boundary of the key natural heritage feature or key hydrologic feature.

- e) A proposal for new development or site alteration within 120 metres of a key natural heritage feature within the Natural Heritage System or a key hydrologic feature anywhere within the Protected Countryside requires a natural heritage evaluation and hydrological evaluation, which identify a vegetation protection zone which:

- i. Is of sufficient width to protect the key natural heritage feature or key hydrologic feature and its functions from the impacts of the proposed change and associated activities that may occur before, during, and after, construction, and where possible, restore or enhance the feature and/or its function; and
- ii. Is established to achieve, and be maintained as natural self-sustaining vegetation.

- f) Expansions to existing agricultural buildings and structures and farm and

non-farm dwellings, together with accessory uses, are permitted in key natural heritage features, subject to the existing use policies of section 9.9.11.

- g) Notwithstanding the natural features policies of this section, new buildings and structures for agricultural uses will be required to provide a 30 metre vegetation protection zone from a key natural heritage feature or key hydrologic feature, but may be exempted from the requirement of establishing a condition of natural self-sustaining vegetation if the land is, and will continue to be, used for agricultural purposes. Despite this exemption, agricultural uses should pursue best management practices to protect and/or restore key hydrologic features and functions.

### 9.9.7 Settlement Areas

Settlement areas are an integral part of the long-term economic and social sustainability of the Greenbelt. The Greenbelt Plan and this Plan envision that they continue to evolve and grow in keeping with their rural and/or existing character.

The Greenbelt Plan places settlements into two categories: Towns/Villages, which in Wellington are the designated Urban Centres of Hillsburgh, Erin and Morriston; and Hamlets, which in Wellington is the designated Hamlet of Ballinafad. These settlement areas are shown on Schedules A2-1 and A7-3.

#### Towns/Villages

For lands within Towns/Villages, the following policies shall apply:

- a) Towns/Villages, within the boundaries shown on Schedules A2-1 and A7-3, continue to be governed by this Plan and local Official Plans and related programs or initiatives, and are not subject to the policies of the Greenbelt Plan, except for the Urban River Connections policies in Section 9.9.5.
- b) Municipalities are encouraged to continue efforts to support the long term vitality of these settlements through appropriate

planning and economic development approaches which seek to maintain, intensify and/or revitalize these communities. This includes modest growth that is compatible with the long-term role of these settlements as part of the Protected Countryside and the capacity to provide locally based sewage and water services.

- c) Settlement areas outside the Greenbelt are not permitted to expand into the Greenbelt.
- d) Extensions or expansions of services to settlement areas within the Protected Countryside shall be subject to the infrastructure policies of Section 9.9.9.2, including the environmental assessment requirements.
- e) At the 10-year Greenbelt Plan review period, modest expansions may be possible for Towns/Villages provided the growth:
  - i. Is on municipal sewage and water services;
  - ii. Would not exceed the assimilative and water production capacities of the local environment as determined on a watershed or subwatershed basis;
  - iii. Complies with any applicable watershed plan;
  - iv. Does not extend into the Natural Heritage System; and
  - v. Appropriately implements the growth strategy of this Plan.

#### Hamlets

Ballinafad, within the boundaries shown on Schedule A2-1, continues to be governed by this Plan and the Erin Official Plan and related programs or initiatives, and is not subject to the policies of the Greenbelt Plan, except for the Urban River Connections policies in Section 9.9.5.

### 9.9.8 Non-Agricultural Uses

The rural areas of the Protected Countryside are intended to continue to accommodate a range of commercial, industrial and institutional uses serving the rural resource and agricultural sectors. They are also intended to support a range of recreation and tourism uses such as trails, parks, golf courses, bed and breakfasts and other tourism based accommodation, serviced playing fields and campgrounds, ski hills and resorts.

#### 9.9.8.1 General Non-Agricultural Use

For non-agricultural uses, the following policies apply:

- a) With the exception of those uses permitted under Sections 9.9.9 through 9.9.11, and subject to the Natural System policies in section 9.9.5, non-agricultural uses are not permitted in prime agricultural areas.
- b) Proposals for non-agricultural uses must demonstrate that:
  - i. The use is appropriate for location in a rural area;
  - ii. The type of water and sewer servicing proposed is appropriate for the type of use;
  - iii. There are no negative impacts on key natural heritage features and/or key hydrologic features or their functions; and
  - iv. There are no negative impacts on the biodiversity or connectivity of the Natural Heritage System.

#### 9.9.8.2 Recreational Use Policies

In addition to the non-agricultural use policies above, recreational uses are also subject to the following policies:

- a) Residential dwelling units, other than for an employee, shall not be permitted in association with recreational uses.
- b) An application to establish or expand a major recreational use in the Natural Heritage System will be accompanied by a vegetation enhancement plan that incorporates planning, design,

landscaping, and construction measures that:

- i. Maintain or, where possible, enhance the amount of natural self-sustaining vegetation on the site and the connectivity between adjacent key natural heritage features or key hydrologic features;
  - ii. Wherever possible, keep intermittent stream channels and drainage swales in a free-to-grow, low-maintenance condition;
  - iii. Minimize the application and use of pesticides and fertilizers; and
  - iv. Locate new natural self-sustaining vegetation in areas that maximize the ecological value of the area.
- c) An application to expand or establish a major recreational use shall be accompanied by a conservation plan demonstrating how water use and nutrient and biocide will be kept to a minimum, including the establishment and monitoring of targets.
  - d) Small-scale structures for recreational uses (such as boardwalks, footbridges, fences, docks and picnic facilities) are permitted within key natural heritage features and key hydrologic features; however, the negative impacts on these features should be minimized.

### 9.9.9 Infrastructure

Infrastructure is important to economic well being, human health and quality of life in southern Ontario and the Greenbelt. There is already extensive local and regional infrastructure within the Greenbelt to serve its settlements, agricultural and resource sectors and the rural economy. Existing infrastructure must be maintained and new infrastructure will be needed to continue serving existing and permitted land uses within the Greenbelt. In addition, major infrastructure serving national, provincial and inter-regional needs traverses the Greenbelt. It is also anticipated that new and/or expanded facilities will be

needed in the future to serve the substantial growth projected for southern Ontario.

#### 9.9.9.1 General Infrastructure Policies

For lands falling within the Protected Countryside, the following policies shall apply:

- a) All existing, expanded or new infrastructure subject to and approved under the *Canadian Environmental Assessment Act*, the *Environmental Assessment Act*, the *Planning Act*, the *Aggregate Resources Act*, the *Telecommunications Act* or by the National or Ontario Energy Boards, or which receives a similar environmental approval, is permitted within the Protected Countryside, subject to the policies of this section and provided it meets one of the following two objectives:
  - i. It supports agriculture, recreation and tourism, rural settlement areas, resource use or the rural economic activity that exists and is permitted within the Greenbelt; or
  - ii. It serves the significant growth and economic development expected in southern Ontario beyond the Greenbelt by providing for the appropriate infrastructure connections among urban growth centres and between these centres and Ontario's borders.
- b) The location and construction of infrastructure and expansions, extensions, operations and maintenance of infrastructure in the Protected Countryside, are subject to the following:
  - i. Planning, design and construction practices shall minimize, wherever possible, the amount of the Greenbelt, and particularly the Natural Heritage System, traversed and/or occupied by such infrastructure;
  - ii. Planning, design and construction practices shall minimize, wherever possible, the negative impacts and disturbance of the existing landscape,

including, but not limited to, impacts caused by light intrusion, noise and road salt;

- iii. Where practicable, existing capacity and coordination with different infrastructure services is optimized so that the rural and existing character of the Protected Countryside and the overall urban structure for southern Ontario established by Greenbelt and any provincial growth management initiatives are supported and reinforced;
  - iv. New or expanding infrastructure shall avoid key natural heritage features or key hydrologic features unless need has been demonstrated and it has been established that there is no reasonable alternative; and
  - v. Where infrastructure does cross the Natural Heritage System or intrude into or result in the loss of a key natural heritage feature or key hydrologic feature, including related landform features, planning, design and construction practices shall minimize negative impacts and disturbance on the features or their related functions, and where reasonable, maintain or improve connectivity.
- c) Infrastructure serving the agricultural sector, such as agricultural irrigation systems, may need certain elements to be located within the vegetation protection zone of a key natural heritage feature or key hydrologic feature. In such instances, these elements of the infrastructure may be established within the feature itself or its associated vegetation protection zone but all reasonable efforts shall be made to keep such infrastructure out of key natural heritage features or key hydrologic features or the vegetation protection zones.

### 9.9.9.2 Sewage and Water Infrastructure

None of the settlements in Wellington have Great Lake based sewage and water services. As such, extensions to or expansions of Great Lake based services to settlements in the Wellington portion of the Greenbelt is not permitted, unless such servicing is required to address failed individual on-site sewage or water services or to ensure the protection of public health where it has been determined by a medical officer of health (or health authority) that there is a public health concern associated with existing services within the settlement.

The capacity of the services provided in the these circumstances will be restricted to that required to service the affected existing settlement plus the capacity for potential development within the approved settlement boundary as it existed on the date the Greenbelt Plan came into effect.

Where settlement area expansions are contemplated by a municipality, the environmental assessment in support of expanded sewage and water services must be completed or approved prior to amending the boundaries of the settlement within the municipal official plan. The expansion must not extend into the Natural Heritage System.

The extension of municipal or private communal sewage or water services outside of a settlement boundary shall only be permitted in the case of health issues or to service existing uses and the expansion thereof adjacent to the settlement. Notwithstanding the above, where municipal water services exist outside of settlements areas, existing uses within the service area boundary as defined by the environmental assessment may be connected to such a service.

New or expanded partial servicing, where site conditions are suitable for the long-term provision of such services, is only permitted in the following circumstances:

- Where such servicing is necessary to address failed individual on-site sewage or water services serving existing development; or

- To allow for infilling and intensification within settlement areas served by partial services as of the date this Plan came into effect.

In the siting of new municipal and other wells, consideration shall be given to the location of vulnerable areas.

### 9.9.9.3 Stormwater Management

In addition to the above general infrastructure policies and the settlement area policies of Section 9.9.7, the following policies shall apply to stormwater management infrastructure proposals:

- a) Stormwater management ponds are prohibited in key natural heritage features and key hydrologic features or their vegetation protection zones.
- b) Applications for development and site alteration in the Protected Countryside shall be accompanied by a storm water management plan which demonstrates that:
  - i. Planning, design and construction practices will minimize vegetation removal, grading and soil compaction, sediment erosion and impervious surfaces;
  - ii. Where appropriate, an integrated treatment approach shall be used to minimize stormwater management flows and structures through such measures as lot level controls and conveyance techniques such as grass swales; and
  - iii. Applicable recommendations, standards or targets within watershed plans and water budgets are complied with.
- c) The objectives of a stormwater management plan are to avoid, minimize and/or mitigate stormwater volume, contaminant loads and impacts to receiving water courses in order to:

- i. Maintain groundwater quality and flow and stream baseflow;
- ii. Protect water quality;
- iii. Minimize the disruption of pre-existing (natural) drainage patterns wherever possible;
- iv. Prevent increases in stream channel erosion;
- v. Prevent any increase in flood risk; and
- vi. Protect aquatic species and their habitat.

### 9.9.10 Natural Resources

The Greenbelt Plan provides policy direction on renewable and non-renewable resources.

#### 9.9.10.1 Renewable Resources

For lands falling within the protected Countryside, the following policies shall apply:

- a) Renewable resources are those non-agriculture-based natural resources that support uses and activities such as forestry, water taking, fisheries, conservation, and wildlife management.
- b) Activities related to the use of renewable resources are permitted in the protected Countryside, subject to the policies of this Section and all other applicable legislation including the *Wellington County Forest Conservation By-law*, regulations and municipal planning documents, and the Provincial Policy Statement. All uses shall be undertaken in accordance with the applicable recommendations, standards or targets of any watershed plan or water budget.
- c) Within a key natural heritage feature or key hydrologic feature, renewable natural resource activities shall be carried out in a manner that maintains or, where possible, improves these features and their functions.

#### 9.9.10.2 Non-Renewable Resources

Non-renewable resources are those non-agriculture based natural resources that have a finite supply, including mineral aggregate resources. Aggregates, in particular, provide significant building materials for our communities and infrastructure, and the availability of aggregates close to market is important for both economic and environmental reasons. Activities related to the use of non-renewable resources are permitted in the Protected Countryside, subject to all other applicable legislation, regulations and official plan policies and by-laws. The availability of mineral aggregate resources for long-term use will be determined in accordance with the Provincial Policy Statement, except as provided below.

Notwithstanding the Natural System policies of Section 9.9.5, mineral aggregate operations and wayside pits and quarries are subject to the following:

- a) No new mineral aggregate operation and no wayside pits and quarries, or any ancillary or accessory use thereto will be permitted in the following key natural heritage features and key hydrologic features:
  - i. Significant wetlands;
  - ii. Significant habitat of endangered species and threatened species; and
  - iii. Significant woodlands unless the woodland is occupied by young plantation or early successional habitat (as defined by the Ministry of Natural Resources). In this case, the application must demonstrate that the specific provisions of the rehabilitation policies **of this section** have been addressed, and that they will be met by the operation.
- b) An application for a new mineral aggregate operation or new wayside pits and quarries may only be permitted in other key natural heritage features and key hydrologic features not identified in bullet a) above and any vegetation protection zone associated with such other feature where the application demonstrates:

- i. How the Water Resource System will be protected or enhanced; and
  - ii. That the specific provisions in the rehabilitation policies of this section have been addressed, and that they will be met by the operation.
- c) Any application for a new mineral aggregate operation, or the expansion of an existing mineral aggregate operation shall be required to demonstrate:
- i. How the connectivity between key natural heritage features and key hydrologic features will be maintained before, during and after the extraction of mineral aggregates;
  - ii. How the operator could immediately replace any habitat that would be lost from the site with equivalent habitat on another part of the site or on adjacent lands; and
  - iii. How the Water Resource System will be protected or enhanced.
- d) An application for the expansion of an existing mineral aggregate operation may be permitted in the Natural Heritage System, including key natural heritage features and key hydrologic features, and in any associated vegetation protection zone only if the related decision is consistent with the PPS.
- e) When operators are undertaking rehabilitation of mineral aggregate operation sites in the Protected Countryside, the following provisions apply:
- i. The aggregate industry will work with the Ministry of Natural Resources to consider the development and implementation of comprehensive rehabilitation plans in areas of high concentration of mineral aggregate operations;
  - ii. The disturbed area of a site will be rehabilitated to a state of equal or greater ecological value, and for the entire site, long-term ecological integrity will be maintained or restored, and to the extent possible, improved;
- iii. If there are key natural heritage features or key hydrologic features on the site, or if such features existed on the site at the time of application:
- The health, diversity and size of these key natural heritage features and key hydrologic features will be maintained or restored and, to the extent possible, improved to promote a net gain of ecological health; and
  - Any permitted extraction of mineral aggregates that occurs in a feature will be completed, and the area will be rehabilitated, as early as possible in the life of the operation.
- iv. Aquatic areas remaining after extraction are to be rehabilitated to aquatic enhancement, which shall be representative of the natural ecosystem in that particular setting or ecodistrict, and the combined terrestrial and aquatic rehabilitation shall meet the intent of bullet iii) above.
- v. Outside the Natural Heritage System, and except as provided by bullets iii) and iv) above, final rehabilitation will appropriately reflect the long-term land use of the general area, taking into account applicable policies of this Plan and, to the extent permitted under this Plan, existing municipal and provincial policies.
- f) Final rehabilitation in the Natural Heritage System will meet these additional provisions:
- i. Where there is no underwater extraction, an amount of land equal to that under natural vegetated cover prior to extraction, and no less than 35% of each license, is to be rehabilitated to forest cover, which shall be representative of the natural ecosystem in that particular setting or ecodistrict;
  - ii. Where there is underwater extraction, no less than 35% of the non-aquatic lands of each license is

- to be rehabilitated to forest cover, which shall be representative of the natural ecosystem in that particular setting or ecodistrict; and
- iii. Rehabilitation will be implemented so that the connectivity of the key natural heritage features and the key hydrologic features on the site and on adjacent lands will be maintained or restored, and to the extent possible, improved.
- g) Operators are encouraged to consider and provide for public access to former aggregate sites upon final rehabilitation.
- h) All land use activities related to the post extraction rehabilitation of mineral aggregate operations should be consistent with any relevant approved source protection plan and relevant watershed or subwatershed plan.
- ii. The use does not expand into key natural heritage features and key hydrologic features, unless there is no other alternative in which case any expansion shall be limited in scope and kept within close geographical proximity to the existing structure.
- d) Expansions to existing agricultural buildings and structures, residential dwellings, and accessory uses to both, may be considered within key natural heritage features and key hydrologic features if it is demonstrated that:
  - i. There is no alternative and the expansion, alteration and establishment is directed away from the features to the maximum extent possible; and
  - ii. The impact of the expansion or alteration on the feature and its functions is minimized to the maximum extent possible.

#### **9.9.11 Existing Uses**

For lands falling within the Protected Countryside, the following policies shall apply:

- a) All existing uses lawfully used for such purpose on the day before the Greenbelt comes into force (December 15, 2004) are permitted.
- b) Single dwellings are permitted on existing lots of record, provided they were zoned for such as of the date the Greenbelt came into force, or where an application for an amendment to a zoning by-law is required as a condition of a severance granted prior to December 14, 2003 but which application did not proceed.
- c) Outside of settlement areas, expansions to existing buildings and structures, accessory structures and uses, and/or conversions of legally existing uses which bring the use more into conformity with this Plan, are permitted subject to the following:
  - i. Notwithstanding section 9.9.9.2, new municipal services are not required; and

- e) Expansion, maintenance or replacement of existing infrastructure is permitted, subject to the infrastructure policies of section 9.9.9.

#### **9.9.12 Lot Creation**

For lands falling within the Protected Countryside, the following policies shall apply:

- a) Lot creation is permitted for the range of uses permitted by the policies of this Plan;
- b) Lot creation is also permitted in the following circumstances:
  - i. Acquiring land for infrastructure purposes, subject to the infrastructure policies of Section 9.9.9.
  - ii. Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation, provided it does not create a separate lot for a residential dwelling in prime agricultural areas;
  - iii. Minor lot adjustments or boundary additions, provided they do not create

a separate lot for a residential dwelling in prime agricultural areas and there is no increased fragmentation of a key natural heritage feature or key hydrologic feature.

- c) More specifically, within the prime agricultural area, lot creation is permitted for:
- i. Agricultural uses where the severed and retained lots are intended for agricultural uses and provided the minimum lot size is 100 acres;
  - ii. Existing and new agriculture-related uses, provided that any new lot will be limited to the minimum size needed to accommodate the use, including a sewage and water system appropriate for such a use;
  - iii. The severance of a residence surplus to a farming operation as a result of a farm consolidation, which residence was an existing use as of December 16, 2004, provided that a dwelling is not permitted in perpetuity on the retained lot of farmland created by the severance.

The surplus dwelling policy above also applies to rural areas. The severance should be limited to the minimum size needed to accommodate the dwelling, including existing and reserve areas for individual sewage and water services.

#### **9.9.13 Parkland, Open Space and Trails**

Section 4.11 of this Plan also applies within the Greenbelt Plan area.

# PART 10 CREATING NEW LOTS

## 10.1 GENERAL POLICIES

The County will consider the following when considering new lot creation by subdivision, consent or part lot control:

- p) that provincial legislation and policies are met, including the Greenbelt Plan policies set out in Section 9.9 of this Plan.

## 10.4 SECONDARY AGRICULTURAL AREAS

### 10.4.4 Residential Lots

One new lot for residential purposes may be allowed from a parcel of land existing on the date of provincial approval of this Plan March 1, 2005 provided that:

- ~~a) the lot generally meets a 0.4 ha minimum lot size, and is large enough to support water and sewage systems;~~
- ~~b) the lot is not normally larger than 0.8 hectares unless existing natural features or development patterns make a larger lot more practical;~~
- a) the lot generally meets a 0.4 ha minimum lot size and is not larger than needed to accommodate the intended residential use, consisting of the dwelling, accessory buildings and uses, and individual sewage and water services, while taking into account site constraints such as grading, sightlines, natural heritage features, hazardous lands, and Minimum Distance Separation requirements;
- b) the accessory buildings referred to in a) above may include a hobby barn, subject to local regulations;
- c) the lot has access to an open public road;

- d) the residential use will not hinder or preclude the present use or future potential for agricultural or mineral aggregate operations;
- e) the residential use is compatible with surrounding development;
- f) the use is well removed from any settlement area boundary;
- g) the lands have been owned by the applicant for at least 5 years.

Residential lots in the Secondary Agricultural Area are to be considered part of the rural portion of the local municipal growth strategy. In considering new residential lots the County will assess whether other locations exist on the same property which would provide a more appropriate site given the overall policies of this Plan.

For the purposes of this section, if a parcel of land was the subject of a severance application that was submitted before March 1, 2005, then the severed and retained parcels will be deemed to have existed on March 1, 2005, and a new residential lot may be considered.

# **PART 11**

## **ENVIRONMENTAL SERVICES**

### **11.3 STORM WATER MANAGEMENT**

#### **11.3.1 General**

In order to control flooding, ponding, erosion and sedimentation and to enhance water quality and aquatic habitat including fish habitat or other natural habitat which depend upon watercourses and other waterbodies for their existence, it is necessary to develop the best management practices and techniques to maintain storm water quality and quantity.

The County or local municipality, the [Conservation Authority](#) and the Ministry of Environment shall be consulted with respect to the final storm water management design. All statutory approvals for storm water management works will be under the Ontario Water Resources Act and any required [Conservation Authority permits](#).

#### **11.3.2 Level of Protection**

Development and redevelopment in all watersheds shall incorporate storm water management to control runoff up to and including the 1:100 year design event or Regional Storm, whichever is greater. The level of storm water management to be achieved is to be determined through an assessment of watershed conditions and negotiations with the County, the local municipality and the Conservation Authority. Best management practices and storm water management techniques will be implemented in consultation with appropriate government agencies.

#### **11.3.3 Watershed Plans**

Municipalities may prepare Watershed Plans for developing areas in consultation with the Conservation Authority, the Ministry of Natural Resources and the Ministry of the Environment. When a Watershed Plan is approved by Council, applicants for approval of subdivisions, zoning amendments, site plans, or building permits may be required to submit a storm water management plan which demonstrates how the proposed development would manage storm water in accordance with the Watershed

Plan. If drainage is planned through an adjacent municipality, then the adjacent municipality shall be consulted with respect to the Watershed Plan.

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#### **11.3.8 Fisheries**

In addition to the information contained within the storm water management report, where development is proposed adjacent to a fishery resource, the following may also be required:

- a) an assessment of the effect the proposal will have on a fishery resource;
- b) an identification of the methods by which any negative impacts on the fishery resource can be eliminated, or minimized; and
- c) clearance from the Department of Fisheries and Oceans and/or the Conservation Authority with regard to impacts to fish habitat.

# PART 12

## TRANSPORTATION

### 12.5 ROADWAYS

#### 12.5.2 Provincial Highways

This classification applies to roadways under the jurisdiction of the Ontario Ministry of Transportation. These highways include Nos. 6, 7, 9, **23**, 89 and 401. Provincial highways generally function as major roadways or arterials but are regulated under the Public Transportation and Highway Improvement Act. Provincial highways carry large volumes of traffic at relatively high speed, therefore access to provincial highways is limited. Ministry of Transportation approvals (permits) are required for all entrances (new or altered), buildings/structures and signs located adjacent to the highway prior to any construction being undertaken. Access will only be considered to those properties abutting a provincial highway that meet the minimum safety and geometric requirements of the Ministry of Transportation.

### 12.6 UTILITIES

The County recognizes the need to consider the location of utilities with respect to their placement in road rights-of-way, and the need for a coordinated approach to infrastructure improvements.

#### 12.6.1 Utilities Allowed

Except as provided for in Section 4.13, the following uses may be permitted in any land use designation, subject to the provisions of the Zoning By-law.

- a) all electrical power facilities, including all works defined by the Power Corporation Act and ~~telephone lines~~ telecommunications facilities and multi-use cables, provided that the development satisfies the provisions of the Environmental Assessment Act, the Environmental Protection Act and any other relevant legislation;
- b) utilities and services necessary for the transmission of municipal water, sewage, public roads, parking facilities and facilities for the detention, retention, discharge and treatment of storm water.

#### 12.6.2 Easements and Location Criteria

Where new development is proposed, appropriate easements or rights-of-way will be required to be dedicated for utilities.

Utilities shall be planned for and installed in a coordinated manner in order to be more efficient and to minimize disruption. They will be encouraged, where feasible, to locate within an initial common trench to avoid unnecessary over digging and disruption of municipal rights-of-way.

Consideration shall be given to the location requirements of larger utility facilities such as grouping or clustering of elements in order to minimize visual impacts, where feasible.

**TABLE 13 – Con't**  
**SPECIFIC ROAD WIDENINGS**

ROAD ALLOWANCE	EXISTING WIDTH (METRES)	REQUIRED WIDTH (METRES)
<b>TOWN OF ERIN</b>		
Centre Street; Erin Village	11.43	20
Charles Street; Erin Village	7.62	20
Church Blvd; Erin Village	12.19	20
Hill Street; Erin Village	12.19	20
Hillview Avenue; Erin Village	15.24	20
Main Street; Erin Village	20.11	30
March Street; Erin Village	12.19	20
Sunnyside Drive; Erin Village	11.43	20
Union Street; Erin Village	12.19	20
William Street; Erin Village	11.43	20
<b>TOWNSHIP OF GUELPH/ERAMOSA</b>		
Speedvale Avenue (from City limits to Wellington Road 32)		<b>30</b>
Township Road 3 (from Highway 7 to Wellington Road 30)		<b>30</b>
<b>TOWNSHIP OF PUSLINCH</b>		
Wellington Rd 33 in Puslinch (from Wellington Rd 34 to Highway 401)		30
Wellington Rd 34 in Puslinch (from Wellington Rd 33 to Wellington Rd 32)		30
Wellington Rd 32 in Puslinch (from Puslinch Twp Boundary to Highway 401)		30
Wellington Rd 46 in Puslinch (from City of Guelph/Puslinch Twp Boundary Highway 401)		30
Wellington Rd 36 in Puslinch (from Highway 6 to Halton Region)		30 Rural, 20 Urban
Wellington Rd 35 in Puslinch (from Highway 401) to Hamilton-Wentworth/Puslinch Twp Boundary		30

**TABLE 13 – Con't**  
**SPECIFIC ROAD WIDENINGS**

ROAD ALLOWANCE	EXISTING WIDTH (METRES)	REQUIRED WIDTH (METRES)
<b>PUSLINCH TOWNSHIP (con't)</b>		
Wellington Rd 41 in Puslinch (from City of Guelph/Puslinch Twp. boundary to Wellington Road 37)		30 rural 20 urban
Gilmour Rd 23 in Puslinch (from Wellington Rd 46 to Concession 9)		20
Forestell Rd in Puslinch (from Sideroad 20 West to Cambridge)		20
Sideroad 12 (Concession 5 to Guelph/Puslinch Boundary)		20

# PART 13

## IMPLEMENTATION

### 13.9 SITE PLAN CONTROL

All lands in Wellington County are identified by this Plan as a proposed Site Plan Control area under the Planning Act.

A local council may, by by-law, designate the whole or any part of its municipality as a site plan control area, and set out exterior design criteria to be addressed through site plan control.

Site plan control is a mechanism normally used to control design features of residential, commercial, industrial and institutional developments. Provisions for such features as off-street parking and loading, walkways, lighting, utility equipment and utility clusters, buffering, waste storage, grading, stormwater facilities, groundwater impact mitigation and remedial measures and other features can be addressed. As provided for under Section 41 of the *Planning Act*, the Site Plan Control process may also address:

- matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design;
- sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and
- facilities designed to have regard for accessibility for persons with disabilities.

The following uses will be normally excluded from site plan control:

- a) single detached, semi-detached and duplex dwellings, unless the purpose of site plan control is for grading or drainage purposes, addressing design for intensification, compatibility with cultural heritage resources, to protect a feature of the greenland system or unless the residential units are part of a land lease project;

- b) agricultural buildings and structures associated with farming operations of a size and nature typical to the area;
- c) buildings and structures for flood control or conservation purposes.

## 13.15 COMPLETE APPLICATION AND PRECONSULTATION

In order to ensure that appropriate information is available to commenting agencies and the public when development applications are circulated, it is the policy of this Plan that:

1. Prior to confirming that an application for official plan amendment, subdivision, condominium, rezoning, consent, or minor variance is complete, the Council of the County or a local municipality who has received an application may require any or all of the studies outlined in Section 13.15.5 to be prepared by a qualified professional and submitted. A qualified professional is someone who is capable of being qualified to give expert opinion in a court or tribunal proceeding, or as defined in applicable legislation.
2. Applicants or their agents may preconsult with the County or local municipality to:
  - Determine which studies are required for their specific application; and
  - identify the scope of issues, and any technical requirements, to be addressed.

Applicants are also encouraged to preconsult with the applicable Conservation Authority on proposals involving lands within or in proximity to the Greenlands System or the Greenbelt Natural Heritage System.
3. The County or a local municipality may pass a by-law to require pre-consultation on any or all applications.
4. Additional information may be required as a result of further review, public input, agency comments, or a peer review of the application.
5. The studies that may be required include the following:
  - Planning Report as set out in Section 4.6.2
  - Environmental Impact as set out in Section 4.6.3
  - Traffic Impact Assessment as set out in Section 4.6.4

- Agricultural Impact Assessment as set out in Section 4.6.5
  - Fiscal Impact Assessment as set out in 4.6.6
  - Heritage Impact Assessment as set out in Section 4.6.7
  - Archaeological assessment
  - Dust Study
  - Environmental Site Assessment
  - Exterior design
  - Floodplain study
  - Functional servicing report for water, wastewater, and stormwater
  - Geotechnical studies
  - Hydrogeological cumulative effects assessment where aggregate extraction is proposed below the water table. The appropriate boundaries, level of detail, and baseline data to be used will be determined by the County, local municipalities and Conservation Authority as part of preconsultation
  - Hydrogeological impact
  - Noise Study
  - Odour Study
  - Servicing Options Assessment
  - Slope Stability study
  - Socio-economic impact
  - ~~Subwatershed—scale—hydrogeological study where aggregate extraction is proposed below the water table~~
  - Tree preservation and replacement
  - Vibration Study
  - Visual impact study
  - Studies required to fulfill the policies in Section 9.9 for lands within the Greenbelt.
6. The County, local municipalities and commenting agencies may develop standard terms of reference to guide or scope the preparation and review of the studies referred to above.

# PART 15

## DEFINITIONS

### **Connectivity:**

Means the degree to which key natural heritage and key hydrologic features are connected to one another by links such as plant and animal movement corridors, hydrologic and nutrient cycling, genetic transfer, and energy flow through food webs.

### **Existing uses – Greenbelt**

Means uses legally established prior to the date that the Greenbelt Plan came into force. Existing agricultural accessory buildings and structures including farm dwellings can expand on the same lot subject to the provisions of the municipal zoning by-law.

### **Hazard distance:**

Means the distance established as the hazard distance applicable to the propane operation referenced in a risk and safety management plan required under Ontario Regulation 211/01 (Propane Storage and Handling) made under the *Technical Standards and Safety Act*.

### **Large Wind Energy System**

~~consists of one or more wind turbines on a lot or an array of multiple turbines on multiple lots that have a total nameplate capacity of more than 5kW and less than 100kW.~~

### **Micro Wind Energy System**

~~consists of one wind turbine on a lot with nameplate capacity of 5kW or less.~~

### **Natural Heritage System**

means a system made up of natural heritage features and areas, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

### **Natural self-sustaining vegetation:**

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

### **Prime Agricultural Areas:**

means areas where prime agricultural lands predominate. This includes:

- areas of prime agricultural lands and associated Canada Land Inventory Class 4-7 soils; and
- additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture.

Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province.

### **Propane operation:**

Means an operation in respect of which a person is required to prepare a risk and safety management plan under Ontario Regulation 211/01 (Propane Storage and Handling) made under the *Technical Standards and Safety Act*.

### **Propane operator:**

Means a person who is required to prepare a risk and safety management plan under Ontario Regulation 211/01 (Propane Storage and Handling) made under the *Technical Standards and Safety Act*.

### **Small Wind Energy System**

~~consists of one or more wind turbines on a lot that have a total nameplate capacity of more than 5kW and less than 100kW.~~