

PART D LAND USE POLICIES

1. URBAN RESIDENTIAL

1.1 USES

Uses permitted in urban residential areas include:

- Dwellings;
- Special housing such as nursing and retirement homes, senior citizen housing, and student housing;
- Elementary, secondary and private schools;
- Places of worship;
- Parkland and open space;
- Libraries, day care centres, day nurseries, group homes, fire halls, and publicly operated community service activities;
- Public utilities;
- Other uses normal to the occupation of a dwelling;
- Bed and Breakfast establishments.

1.2 DENSITY CATEGORIES

The following density categories are intended for incorporation into Community Plans, but they may be modified or refined in the development of such plans without the necessity of an amendment to this section of the Official Plan.

The density range is 6-17 dwelling units per site hectare. Appropriate densities per site hectare may be established in Community Plans. Where lands are identified with a specific density number on a Land Use Figure, this number shall be interpreted to be the maximum permitted number of dwelling units per site hectare, and shall prevail over any maximum density that would otherwise be permitted. The actual density for a specific development will be determined in the Zoning By-Law.

a) Low Density I Housing

The Low Density I Housing category shall consist of detached dwellings, semi-detached dwellings, and similar types of dwellings, all with direct frontage on and access to a public street. Other forms of low density, including accessory apartments, may be considered where neighbourhood compatibility can be demonstrated in terms of natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview. Detached dwellings on private roads shall be permitted in plans of condominium provided all other applicable policies of this Plan are satisfied.

Appropriate densities per Site Hectare³ will be established in Community Plans.

A variety of lot sizes and house sizes shall be provided, and the development of single detached units should reflect the spacious, open character usually associated with this housing type.

Adequate standards for front yards, height restrictions, and separations between dwelling units will be applied in zoning by-laws.

For accessory apartments, the physical appearance of the building, the number of accessory units per lot and parking standards will be addressed in zoning by-laws.

b) Low Density II Housing

The Low Density II Housing category shall consist of detached (small lot) dwellings, semi-detached dwellings, duplexes, and similar types of dwellings, all with direct frontage on and access to a public street. Other forms of low density housing including accessory apartments may be considered where neighbourhood compatibility can be demonstrated in terms of natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview. The density range is 20 - 29 dwelling units per site hectare.

³Site Hectare - See Part F, Implementation and Interpretation for definition.

c) Medium Density I Housing

Medium Density I Housing shall only consist of detached (small lot) dwellings, semi-detached dwellings, multiple-attached dwelling

units and duplexes. The overall site density range is 25 - 35 dwelling units per site hectare.

d) Medium Density II Housing

Medium Density II Housing shall only consist of multiple-attached dwelling units, stacked townhouses, and apartments at an overall site density ranging from 31 to 50 dwelling units per site hectare.

e) High Density I Housing

High Density I Housing shall only consist of stacked townhouses and apartments at a density range of 51 to 100 units per site hectare.

f) High Density II Housing

High Density II Housing shall only consist of stacked townhouses and apartments at a density range of 101 to 185 units per site hectare.

1.3 LOCATIONS OF MEDIUM AND HIGH DENSITY RESIDENTIAL USES

In determining locations of Medium and High Density Housing in the design of Community Plans or in the consideration of development applications, the following locational criteria will be considered:

- proximity to natural amenities such as major areas of open space, valleys, and parks;
- proximity to community or local commercial and cultural facilities;
- proximity to public transit and pedestrian pathways;
- proximity to arterial and collector roads so as to provide controlled access to such roads and minimize traffic infiltration of low density housing areas.

1.4 RESIDENTIAL COMMUNITY DESIGN

- a) Generally, each community will be designed in neighbourhoods of mixed housing with higher density areas clustered around the community commercial and community institutional use. The communities shown on Figure "G" will constitute the basic units for the preparation of detailed community plans.
- b) The Community Commercial areas and areas adjacent to it are considered suitable to provide a focus for the community. Such areas may encompass a broad range of uses including residential, commercial, institutional, cultural, and public parks to serve as community focal points.
- c) Neighbourhoods will be primarily residential and designed to allow easy access to schools, local recreation facilities, and where appropriate, neighbourhood and convenience commercial centres. Non-residential land uses will generally be designed to serve only the immediate needs of the neighbourhood or groups of two or perhaps three neighbourhoods.
- d) Each community shall be designed to provide a relatively complete range of housing and tenure types suitable for different age levels, life styles, and family structures.
- e) The established communities south of the Q.E.W. are not expected to follow these general patterns, but will develop with many of the more intensive uses centred on the Old Oakville Central Business District.
- f) Every effort will be made to ensure that special purpose housing, such as government assisted housing or senior citizens' dwellings are integrated with private housing rather than located in large readily identifiable sites.
- g) All education facilities should be centrally located with due consideration given to the safety of pupils. Provision should be made for both safe and convenient access from the residential development to neighbourhood parks and schools.

1.5 GENERAL POLICIES

- a) Where Medium and High Density Housing abuts developments of a lower density, site design considerations will be undertaken to ensure that the amenity of the lower density area is maintained.

Site design considerations may include:

- increased setback;
- sensitive building siting;
- provision of landscaped buffers;
- control of the scale of development.

- b) The design of Medium and High Density Housing and mixed commercial-residential developments shall provide for appropriate on-site amenities which may include:

- indoor and outdoor recreation areas;
- adequate separation between buildings;
- exterior private use areas of an appropriate size;
- landscape buffers and site landscaping;
- appropriate width and acceptable construction standards for internal roads;
- adequate visitor and residential parking;
- appropriate refuse storage and handling facilities;
- building design which is appropriate to both the surrounding architecture and natural landscaping.

- c) Generally, Low Density and Medium Density Street Townhousing areas will not be designed to have reverse frontages on arterial roads.

- d) Senior citizen housing will be encouraged to locate in close proximity to major commercial areas on transit routes.

- e) Various mixtures of Medium and High Density Housing may be permitted in any one development provided that the proposal is consistent with the design guidelines of policy (b) above.
- f) Residential development will not be permitted in areas where pollution from noise, air, or water exceed Provincially recommended limits unless appropriate alleviating measures can be incorporated into the proposed development.
- g) Detailed zoning by-laws will be developed for all forms of housing and will specify regulations including standards for lot frontage, lot area, floor area, setbacks, yard requirements, building heights, coverage, and parking, among other matters.
- h) The Town will encourage rezoning applications for innovative housing developments which may not comply with the precise standards established in the zoning by-laws provided that the following criteria are met:
 - i) the proposed change in standards has a demonstrable positive effect on the living efficiency, building appearance, streetscape, or environmental aspects of the proposed development;
 - ii) that there is sufficient space for adequate yards to ensure light and air, both for the subject lot(s) and for adjoining lots;
 - iii) adequate provision is made for vehicular access and off-street parking on the lot(s);
 - iv) that building coverage is in general compliance with existing standards;
 - v) that the lot size and design of the proposed dwelling are in keeping with adjacent development and the general intent of the provisions in the Restricted Area (zoning) by-law;
 - vi) that the proposed development is sited and designed in such a manner that any reductions in existing standards do not adversely affect the amenity of the surrounding properties.
- i) To encourage the provision of alternative housing types in the Town, retrofit apartments will be permitted in medium and high density residential categories, provided that the following criteria

are met:

- i) the proposed retrofit apartments cause no change to the building appearance or streetscape;
- ii) adequate provision is made for vehicular access and off-street parking on the lot;
- iii) that the building is in keeping with the general intent of the provisions in the Restricted Area (zoning) by-law.

2. COMMERCIAL**2.1 USES**

There are six categories of commercial land use established by this Plan:

1. Central Business District and Uptown Business Core;
2. Regional Shopping Centre;
3. Community Shopping Area
4. Arterial Commercial Area;
5. Neighbourhood Commercial; and
6. Convenience Commercial.

2.2 GENERAL

- a) A proposal to expand a major shopping centre or to develop or expand any major shopping centre not provided for in the Plan and the Zoning By-law may only be approved after consideration and acceptance by the Town of detailed impact studies prepared by the proponents. Such studies shall, among other matters, include analysis of impact on existing shopping areas, local core areas, public and private transportation, and the community's social and economic life. For the purposes of this Plan, a major shopping centre is any centre over 23,225 square metres of gross leasable area, or any shopping centre that has a primary trade area extending beyond the boundaries of Oakville.
- b) The following land use categories are intended for incorporation into Community or District Plans, but may be modified, refined or otherwise defined in the development of such plans without the necessity of an amendment to Part D, Section 2 of the Official Plan.

2.3 CENTRAL BUSINESS DISTRICT AND UPTOWN BUSINESS CORE

- a) Location - The Central Business District designation includes the historic business district of Oakville centred around Lakeshore Road and the Sixteen Mile Creek.

The Uptown Business Core is designated at the corner of Trafalgar Road and Dundas Street. Its associated concentration of office/commercial and residential development and significant civic and public presence will provide identification and focus to the northern urban area.

- b) Uses - The uses permitted in this designation may include:
- a broad variety of retail activities including department stores, specialized retail outlets;
 - offices;
 - hotels and convention centres;
 - service commercial uses including service stations;
 - entertainment and recreation uses;
 - residential units;
 - government, institutional, research, cultural, and social facilities;
 - open space uses;
 - public transportation uses;
 - various mixed uses that provide any of the above uses in combination.
- c) Special Policies - The Uptown Business Core is subject to the following additional special policies:
- i) A site specific zoning by-law will be developed in accordance with a detailed urban design study to be prepared by the proponent(s) for the ultimate development of the area.
 - ii) The urban design study shall include:
 - staging plans for the sequential development of the area;
 - an analysis of the urban character and the overall form of the area to be controlled by detailed design

guidelines concerning building height, building setbacks, allowable site coverage, parking standards by type of use, and suggested site plan controls by area and use;

- the location, size, general design, and connection of public and private open space;
 - a detailed transportation plan that includes road, transit, and pedestrian circulation facilities and the phasing thereof.
- iii) The site specific zoning by-law will regulate land uses, Department Store Type Merchandise area, height, site coverage, setbacks, road width requirements, parking, open space, and other matters. Specific zoning standards may be developed for one stage at a time with the remainder of the site placed in a holding category.

2.4 REGIONAL SHOPPING CENTRE

- a) Location - One Regional Shopping Centre is designated in this Plan, located at the northwest quadrant of Trafalgar Road and the Q.E.W.
- b) Uses - The uses permitted in this designation will include:
- a broad variety of retail activities including department stores, specialized retail outlets, food and convenience stores;
 - offices and service commercial uses including service stations;
 - government, institutional, cultural, and social facilities.
- c) Special Policies - The planned size and function of the Regional Shopping Centre is designed to service the trade area of Oakville and may extend beyond the boundaries of Oakville

2.5 COMMUNITY SHOPPING AREA

- a) Locations - The locations for Community Shopping Areas will be established at the Community Plan stage based on the following criteria:

- i) the location must be easily accessible to the population in the community to be served;
 - ii) the location must be accessible by arterial or minor arterial roads;
 - iii) the location must be suitably distant from any other community shopping area;
 - iv) the location must be capable of being efficiently and economically serviced by public transit.
- b) Description - A Community Shopping Area may take one of two forms:
- i) A Street Oriented Business District - The existing street oriented Community Shopping Areas are in the Bronte area in the vicinity of Lakeshore Road and Bronte Road and the Kerr Street area from Lakeshore Road to north of Speers Road. No new street oriented Community Shopping Areas are contemplated for this Plan, however, such uses may be considered in the development of new community plans.
 - ii) A Shopping Centre - A physically cohesive grouping of retail and service commercial functions occupying a single site of not more than 8.5 hectares, of which no single use may occupy more than 50% of the permitted building area on the site.

The planned size and function of such Centres are designed to primarily serve the trade area of a single community. However, this Plan shall not prescribe that the primary or secondary trade area of any one use that may locate in these Centres will not exceed the area of the community in which it is located.
- c) Uses - The permitted uses in this designation may include:
- i) A broad variety of retail activities including department stores, food stores, and specialized retail outlets and convenience stores;

- ii) Office and service commercial uses including service stations;
- iii) Government, institutional, social, and cultural facilities.

d) Special Policies

- i) Off-street parking facilities sufficient to meet demand will be required.
- ii) Residential uses alone, or in combination with commercial uses, are anticipated only within the Bronte and Kerr Street Community Shopping Areas subject to the specified policies for these areas outlined in Part "E" of this Plan. Integrated residential and commercial community shopping developments may be considered in other areas.
- iii) Major community facilities such as places of worship and community centres shall be encouraged to locate in conjunction with Community Shopping Areas.
- iv) A shopping centre designed as a collection of buildings placed close to the streets will be encouraged. A well-defined streetscape will be encouraged that is sympathetic with the surrounding residential community, promote safe pedestrian access from the adjacent streets and minimizes on-site parking between the building frontages and the adjoining streets. This shopping centre shall be designed with general sidewalks adjacent to buildings for safe pedestrian movement. Adequate screening and noise protection for adjacent residential uses shall be provided.

2.6 ARTERIAL COMMERCIAL AREAS

- a) Location - Arterial Commercial uses will be permitted only in a very limited number of suitable locations on arterial roads and will be encouraged to establish in nodal or campus fashion.
- b) Description - Arterial Commercial uses will consist predominantly of commercial uses designed to serve the traveling public and the automobile using consumer.

- c) Uses - The permitted uses in the Arterial Commercial designation are as follows:
- i) Retail Warehousing and Large Scale Retail Sale of Merchandise;
 - ii) Auto commercial uses (excluding auto body shops and auto wreckers);
 - iii) Service commercial uses, hotels, and restaurants;
 - iv) Office uses at a scale compatible with adjacent residential uses but not exceeding a floor area one times lot coverage unless otherwise specified;
 - v) Government, institutions, recreation facilities, and non-profit clubs and organizations;
 - vi) Private and commercial education facilities;
 - vii) Light industrial manufacturing ancillary to the principal retail sales.
- d) Special Policies -
- i) It is not intended that the full range of Arterial Commercial uses will be permitted in all locations so designated. The precise range of uses and density of development may be stipulated in Community or District Plans or in the Zoning By-law. Such uses may be further controlled by the use of holding provisions in the implementing zoning by-law.
 - ii) In all applications for additional Arterial Commercial designations, the proponent may be required to undertake detailed supporting market and transportation studies to the satisfaction of the Town.
 - iii) No large concentrations of Arterial Commercial uses will be permitted in close proximity to residential areas, particularly where shadowing, overview, local traffic, noise, and pollution problems may result, unless buffering is provided.
 - iv) Arterial commercial areas in the form of strip or linear commercial development along arterial roads shall be discouraged. Where strip commercial development already

exists, it shall be the aim of the Town to alleviate two of the major problems of such development by encouraging the provision of common off-street parking facilities and common access points.

- v) Arterial commercial development shall be encouraged to demonstrate design solutions that promote:
- compatibility with the adjacent residential uses
 - well-defined and articulated street edges
 - quality landscaping to enhance the images of the development
 - architectural interest in individual buildings
 - aesthetic harmony and pedestrian linkages between buildings
 - limited on-site parking between buildings and the adjoining streets
 - safe pedestrian access from public streets and adjacent residential neighborhood
 - adequate screening and noise protection for adjacent residential uses
- vi) Outside storage or display of merchandise shall generally not be permitted. Nursery and garden sales outlets, boat and trailer sales, and similar uses which require outside storage and display of merchandise, shall be permitted only in locations where their exposure would be visually acceptable and not detract from the general character of the area. Specific amendments shall be required in the implementing zoning by-law to permit outside storage for such uses.
- vii) Large Scale Retail Sale of Merchandise Uses include a broad variety of goods, merchandise, substances, articles or things that are offered or kept for sale directly to the public at retail, but does not include the following:

- a department store,
- a food supermarket,

- a food store;
- a grocery store.

Notwithstanding the above, Large Scale Retail Sale of Merchandise Uses may include the retail sale of food subject to the following:

- the retail food sales component is restricted to a maximum 10% of the gross floor area devoted to the retail use, or 500m², whichever is the lesser;
- viii) The precise location of Large Scale Retail Sale of Merchandise Uses in Arterial Commercial Areas will be controlled in the implementing Zoning By-law and must meet the following locational criteria:
- The location has a good exposure to a high traffic corridor.
 - The location will not adversely affect existing or proposed Business Cores, Sub-Regional Shopping Centres or Community Shopping Areas.
 - The location will not adversely impact adjacent residential or industrial areas.
 - There must be adequate capacity in the road system to accommodate the proposed uses.
- ix) The implementing Zoning By-law to regulate Large Scale Retail Sale of Merchandise Uses in Arterial Commercial Areas will be structured in such a manner to ensure that Large Scale Retail Sale of Merchandise Uses are designed to function as larger scale, destination oriented retail uses at a scale and character distinct from retail uses normally located within designated and planned shopping centre formats.

The implementing Zoning By-law will also establish parameters to limit site access, and to encourage shared access, common off-street parking and improved traffic

movement and circulation.

- x) In all applications for amendment to the Zoning By-law to permit Large Scale Retail Sale of Merchandise Uses in Arterial Commercial Areas, the proponent may be required to undertake detailed supporting market and transportation studies to the satisfaction of the Town.

2.7 NEIGHBOURHOOD COMMERCIAL CENTRES

- a) Description - The Neighbourhood Commercial Centre may be a small free-standing shopping centre or a collection of stores within a residential complex intended to serve the whole or part of a single residential neighbourhood.

The planned size and function of such Centres are designed to primarily serve the trade area of the residential neighbourhood. However, this Plan shall not prescribe that the primary or secondary trade area of any one use that may locate in these Centres will not exceed the area of the neighbourhood or community in which it is located.

- b) Location - Neighbourhood Commercial Centres will be located on collector roads or at the intersection of collector and arterial roads in a location central or easily accessible to the neighbourhood trade area.

It is essential that a Neighbourhood Commercial Centre locate as close as possible to the pedestrian and bicycle path network.

- c) Uses - The permitted uses in this designation may include retail and service uses, including service stations all designed to serve the day-to-day needs of a neighbourhood.
- d) Special Policies -
 - i) The maximum site area for such a Centre shall not exceed 4 hectares. The maximum gross floor area permitted will not exceed 10,000 m², of which no single use may occupy more than 35% of the total permitted building area on the site.
 - ii) The design, appearance, and scale of the Centre shall be in harmony with the character of the residential area and adequate screening and buffering from the adjoining

residential uses shall be provided.

- iii) A Neighbourhood Commercial Centre will be permitted in apartment complexes where the total population of the complex so warrants.
- iv) No existing designated Neighbourhood Commercial Centre sites within the residential communities or industrial districts south of Dundas Street, with the exception of the West Oak Trails Community and the Iroquois Ridge North Community, will be permitted to expand in size greater than 2 hectares.

Notwithstanding the above, the Official Plan recognizes that the Neighbourhood Commercial Centre site designated at the intersection of Sheridan Garden Drive and Winston Churchill Boulevard is 2.8 hectares in size, and that the Neighbourhood Commercial Centre designation on the south side of Rebecca Street, east of Burloak Drive, is permitted to expand by a maximum of 2 hectares subject to certain conditions specified in the Bronte Community Plan.

2.8 CONVENIENCE COMMERCIAL CENTRE

- a) Description - The Convenience Commercial Centre can take one of several forms, a small free-standing shopping centre, a single store, or small collection of stores within an apartment building or within a non-residential use permitted in a residential neighbourhood.

The planned size and function of such Centres are designed to primarily serve the trade area of the immediate residential neighbourhood. However, this Plan shall not prescribe that the primary or secondary trade area of any one use that may locate in these Centres will not exceed the area of the neighbourhood or community in which it is located.

- b) Location - Convenience Commercial Centres will generally be located on collector roads or at the intersection of collector and arterial roads in a location central or easily accessible to the neighbourhood trade area.

It is essential that a Convenience Commercial Centre locate as close as possible to the pedestrian and bicycle path network.

- c) Uses - The permitted uses in this designation may include retail and service uses, including service stations, all designed to serve the day-to-day needs of a neighbourhood.
- d) Special Policies -
 - i) The maximum site area for such a Centre shall not exceed 0.8 hectares. The maximum gross floor area permitted will not exceed 2,000 m², of which no single use may occupy more than 35% of the total permitted building area on the site.
 - ii) The design appearance and scale of the Centre shall be in harmony with the character of the immediately surrounding residential area and adequate screening and buffering from the adjoining residential area shall be provided where required.
 - iii) No existing designated Convenience Commercial Centre sites within the residential communities or industrial districts south of Dundas Street, with the exception of the West Oak Trails Community and the Iroquois Ridge North Community, will be permitted to expand in size greater than 0.4 hectares.

2.9 GENERAL POLICIES FOR COMMERCIAL LAND

- a) The Town may, at its discretion, implement the 2% parkland dedication provision of the *Planning Act* for commercial development or redevelopment.

3. EMPLOYMENT

3.1 LAND USE

There is one “Employment” land use category and designation established by this Plan.

a) Permitted Uses

The employment land use category permits a wide range of ‘employment’ uses, and includes industrial, office, service employment, service commercial, automobile related, public institutional, entertainment, sport and recreation uses, and also related ancillary retail uses.

It is not expected that the full range of employment uses will be permitted throughout the entire employment designation. This Plan envisions a general distribution and range of employment uses to be permitted in this designation, as set out below in Section 3.1 b), and which is more precisely defined within the Employment District Plans under Part E, Section 2 of this Plan, and implementation through the Town of Oakville Zoning By-law.

b) General Development Framework

The primary focus of the employment designation is to protect for, and establish a range of development opportunities for employment generating industrial, office, and service employment uses. These uses typically serve a client base beyond the local population.

Employment generating industrial, office, and service employment uses will be encouraged to locate throughout the employment designation.

Other permitted employment uses serve to enhance the viability of generating employment uses and opportunities, but are also intended to serve nearby residential areas and the public at large. These population related, or population generated uses rely more on a local market, labour force and client base, but by virtue of the nature, type or size of the operation, do not typically locate in residential communities.

Limited distribution of these uses throughout the employment

designation are contemplated, but are expected to concentrate on lands to the periphery of Employment Districts, in a manner to establish an interface and buffer between employment generating employment uses to the interior of the employment designation, and adjacent residential, commercial and other uses.

The range of permitted employment uses and the general distribution of such uses may be categorized as follows:

i) Light Employment

Light employment uses are permitted throughout the entire employment designation. The range and scale of uses will be sensitive to the adjacency and compatibility with residential neighbourhoods, and permitted employment uses and other uses, or because of visibility and exposure to highway corridors and major roads. All uses are to be within enclosed buildings with no outside storage or outside processing.

Light employment uses include:

- a) light industrial operations, including light manufacturing, assembling, processing, fabricating, repairing, warehousing and wholesaling;
- b) business and professional office uses, medical clinics;
- c) service establishment – employment uses, restaurants, hotels, adult entertainment establishments, financial institutions;
- d) public and institutional uses, vocational schools;
- e) sport and recreation, and place of amusement uses;
- f) automobile related uses, excluding gas stations;
- g) ancillary retail sales
- h) a residential unit for a caretaker.

ii) General Employment

General employment uses are to be restricted to the interior, central portions of the employment designation, in areas less sensitive to the potential negative impacts of these uses by reason of erosion or the emission of noise, odour, dust, gas, fumes, smoke, refuse or water-carried waste, by materials used or aesthetics of the operation, or by reason of the generation of traffic onto Town streets.

General employment uses include the following:

- a) general industrial operations within enclosed buildings including manufacturing, assembling, processing, fabricating, refining, repairing, warehousing and wholesaling;
- b) outside storage, and outside operations incidental to general industrial operations;
- c) transportation terminal, railway spur line; outside storage yard;
- d) waste processing station, waste transfer station.

iii) Transitional Employment

Transitional employment uses are encouraged to locate to the periphery of the employment designation. These uses provide a greater range of employment uses and opportunities to serve both the employer/employee and the public at large. Transitional use areas are intended to establish an interface and buffer between the more intensive concentration of industrial, office, and service employment uses located to the interior of employment designations, with that of adjacent residential, commercial or public open space uses, and major municipal roads.

Transitional employment uses are to be within enclosed buildings, with no outside storage or processing, and includes the following:

- a) light employment uses;

- b) industrial retail uses;
- c) service establishment – commercial uses, commercial schools.

3.2 IMPLEMENTATION

- a) The employment land use category shall be incorporated into all Employment District Plans, establishing a general policy framework for the development and redevelopment of designated employment lands.
- b) A policy statement will be prepared for each Employment District, establishing a general pattern of land use, and giving more specific guidance and direction to the planned location and distribution of permitted “employment uses”; the implementation of development standards; and any special policy considerations that may apply to a given property or area within a District.
- c) It is not intended that the full range of employment uses will be permitted in all locations so designated. The precise range of uses and density of development will be stipulated in the Town’s Zoning By-law.
- d) Development standards will be established in the Zoning By-law to provide for functional and orderly development, to encourage the distribution of uses to desired locations, encourage compatibility of development, and minimize the potential for land use conflict between competing uses.
- e) All development will be subject to the development control provisions pursuant to the *Planning Act*, and comply with all Federal and Provincial regulations.
- f) Site Plan approval will be required for all employment development, and will be diligently applied to achieve desired high development and design standards, landscaping and buffering, and compatibility with adjacent properties and uses. Property Standards and Noise and Nuisance By-laws, and any other municipal by-law will be strictly applied to achieve desired development.
- g) The amount of employment land designated in this Official Plan is related to the amount of industrial and office employment required by the municipality to achieve activity rate policy goals, and to maintain a competitive supply of vacant and marketable employment lands. The municipality will strive to maintain a minimum 15-year supply of vacant

employment lands.

- h) Employment land will be developed on the basis of full urban servicing being available; however, beyond this constraint, no other development phasing constraints will be imposed on employment designated land.
- i) Oakville will encourage the early provision of services to employment lands so that the amount of vacant serviced land will meet or exceed the projected demand.
- j) No new areas of employment land will be considered for designation unless adequate separation from existing or proposed residential land uses can be provided.
- k) The Town may only consider the redesignation of lands within the employment designation for non-employment generating uses if, in addition to all other land use compatibility criteria:
 - There is a demonstrated need for the proposed non-employment generating land use.
 - The redesignation will not compromise the achievement of the long-term activity rate objective.
 - There exists a sufficient inventory of appropriately designated employment generated land.
 - There exists a shortfall in the inventory of appropriately designated non-employment generating land.
 - The site's physical and natural characteristics, development constraints and location justify the consideration of a non-employment generating land use, and
 - The intensity and characteristics of the proposed non-employment generating land use do not detrimentally impact on the viability, desirability or proper servicing of existing and future employment generating land uses in the surrounding area.
- l) Oakville will cooperate and assist other levels of government in efforts to promote employment development in the town.

- m) The Town may, at its discretion, implement the 2% parkland dedication provision of the *Planning Act* for the development or redevelopment of employment lands.

3.3 GENERAL POLICIES

- a) The range and scale of uses permitted within the employment designation may be limited or restricted in certain locations, and specific by-law standards and provisions related to scale, massing, height, density of development, building design, buffer, screening, and landscaping may be established to ensure:
- protect the amenity of residential neighbourhoods and adjacent properties and uses;
 - encourage greater design initiatives and prestige development and employment generating opportunities along the QEW and 403 Highway corridors, and other major roads;
 - protect the overall character and viability of the employment designation for industrial, office and service employment generating uses, and to ensure that the functional characteristics of the employment designation are not basically altered by uses intended primarily to serve the public at large;
 - encourage and enhance compatible streetscapes, and open space linkages;
 - encourage compatibility of uses;
 - encourage “gateway” and District design and development features on all employment lands adjacent to highway corridors, and District and municipal boundary roads.
- b) All development on a lot will be at a scale compatible with adjacent uses and will not exceed a maximum floor area of one times lot area, unless otherwise specified.
- c) A high degree of building design will be required, and all undeveloped parts of lots shall be landscaped.
- d) Buffering and landscaping may be required to ensure visual and physical separation and compatibility between employment and adjacent non-employment uses, and between adjacent employment uses themselves. Fencing and masonry walls will be required where necessary to ensure

separation and safety.

- e) In all cases where employment lands abut residential designated land, a landscaped buffer strip of not less than 7.5 metres shall be provided on the employment lands; and where abutting arterial roads, a minimum 3 metre landscaped buffer shall be provided on the employment lands.
- f) In any yard abutting the QEW or 403 Highway corridors, a minimum 5 metre landscaped buffer strip shall be provided on the employment lands, and greater landscaping requirements established.
- g) Limited access to arterial roads, and shared parking aisles, ingress and egress will be encouraged. Access to the interior of Employment Districts will be restricted to street intersections where feasible.
- h) Where permitted, the location and scale of outside storage and outside operations will be strictly limited, and will ensure appropriate and adequate screening from public view along all roads, and separation from adjacent properties and residential neighbourhoods.

No outside storage will be permitted in a required front yard.

Outside operations ancillary to general industrial operations will be limited to rear building yards, and separated from residential properties by a minimum distance requirement.

- i) Retail sales and administrative office uses are permitted ancillary to any employment use, provided they are located on the same lot, and are to be clearly subordinate to and support the main use to which they are affixed. Ancillary retail sales are to be located within the same building unit of the main use.
- j) On a lot abutting a rail right-of-way, any business and professional office uses shall be subject to minimum building setbacks, and mitigating noise attenuation and vibration measures.
- k) Any development within 200 metres of a high pressure natural gas pipeline right-of-way will first consult with TransCanada pipeline.

4. GREENLANDS

Introduction

Greenlands generally refer to lands left in an undeveloped or parkland state for natural area preservation, conservation, hazard land, recreation uses, cemeteries and open space. The plan envisages an integrated Greenlands system which provides a continuous linkage between parks, open spaces, natural areas and the waterfront. Greenlands are organized under three designations:

Parkland
Private Open Space
Natural Areas

There are six classifications of municipal parkland set aside primarily for specific educational, recreational or cultural use of either an active or passive nature. They are as follows:

- community park,
- neighbourhood park,
- tableland woodlot park,
- community link park,
- major valley park; and
- minor valley park.

On the Land Use schedules in each of the Community Plans, all community and neighbourhood parks are identified and designated as “Parkland”, except where that parkland contains natural features identified in Part D, Section 4.3, and shown on Figures “F1” and/or “F2”, in which case the natural features are subject to the “Natural Area” land use designation. Notwithstanding the above, all parkland located at the harbours of the Sixteen Mile and Bronte Creeks are designated “Parkland” irrespective of containing natural features identified in Part D, Section 4.3 and shown on Figure “F1” and/or “F2”.

For the convenience of mapping, only “Parkland” designations of 6 hectares or greater, and only those natural features being the Sixteen Mile

Creek, the Bronte Creek and the Joshua's Creek Valleys are identified on the General Land Use Schedule, Figure "B".

The Private Open Space designation includes all lands maintained in a natural or parkland state for private usage such as golf courses and privately operated cemeteries, except for private land containing natural features identified in Part D, Section 4.3 and shown on Figures "F1" and/or "F2", in which case the natural features will be subject to the "Natural Area" designation.

The "Natural Area" designation contains all natural features including:

- Areas of Natural and Scientific Interest (ANSI),
- wetlands,
- valley lands,
- watercourses,
- floodplains,
- Environmentally Sensitive Areas (ESA),
- significant woodlands,
- wildlife habitat,
- wildlife corridors, and
- associated buffer areas.

All natural features are identified separately on Figures "F1" and/or "F2", Natural Features schedules, but are all designated "Natural Area" on the Community Land Use Schedules.

Although the main purpose for "Natural Area" designations is for preservation of native plant and animal species, wildlife habitat, ecological processes, maintenance of biological diversity and erosion and flood control, they also may have some recreational amenity for paths, trails, and education, contribute to a continuous greenway system, and may be acquired and utilized for municipal parkland or other public recreational purposes.

Municipal parkland located within and designated “Natural Area” includes tableland woodlot parks, community link parks, major valley parks, and minor valley parks.

The Regional Greenlands System as designated in the Official Plan for the Halton Planning Area is contained within the “Natural Area” designation, except for parts of the Greenlands System contained within the Parkway Belt West designation as shown on Schedule “B.”

4.1 PARKLAND

The “Parkland” designation delineates all municipal Community and Neighbourhood parks, except those portions of parkland containing natural features identified in Part D, Section 4.3 and shown on Figures “F1” and/or “F2”, in which case the natural features are subject to a “Natural Area” designation.

Notwithstanding the above, all parkland located at the harbours of the Sixteen Mile and Bronte Creeks are designated “Parkland”, irrespective of whether they contain natural features identified in Part D, Section 4.3 and shown on Figures ‘F1’ and/or ‘F2’.

4.1.1 USES

The range of uses permitted in the Parkland designation includes:

- public parks,
- active or passive indoor and outdoor recreational uses,
- garden plots,
- greenhouses,
- conservation uses,
- cemeteries,
- plant nurseries,
- cultural uses,
- pedestrian linkages,

- bicycle trail systems,
- other special purpose uses and similar uses,

all to be operated or authorized by a public agency.

4.1.2 POLICIES

- a) The “Parkland” designation consists of Community Parks and Neighbourhood Parks. These are the parks that meet the community’s needs for primarily active parkland and associated facilities.

The classification of municipal parks designated “Parkland” is summarized in this section, but for greater detail, defined maintenance categories, and specific geographic location by type, reference should be made to the Oakville Parks, Culture and Recreation Strategic Plan. The Town will endeavour to acquire this parkland which meets various sizes and configurations in order to permit and contribute to an efficient parks and greenlands system.

Community and Neighbourhood parks are described as follows:

- i) Community Park

This parkland is developed at the highest level of facility provision. Typically, parkland with lighted and irrigated sports fields, and hard surfaced Town Squares are included. These parks have no standard area, but by function, serve as gathering places for all the citizens of Oakville and as sport tournament locations.

As a general rule, Community parks will be maintained as ‘active parkland’, although there may be areas within a Community park maintained as ‘natural parkland’.

- ii) Neighbourhood Park

Neighbourhood parks are located throughout the Town and provide a basic level of outdoor recreational experiences. Typically, these parks will contain creative playground apparatus, unlighted sport fields, as well as general use open space and parkettes.

As a general rule, Neighbourhood parks will be maintained

as ‘active parkland’, although there may be areas within a Neighbourhood park which are maintained as ‘natural’ or ‘meadow’ parkland.”

- b) The Town shall endeavour to supply parkland on the basis of 2.2 hectares per 1,000 persons for “Parkland” consisting of Community and Neighbourhood parks. This standard should not be interpreted to be rigid or inflexible.
- c) The Town shall endeavour to use only native plants in natural areas.
- d) The Town shall reduce, where appropriate, the amount of grassed area that is cut within municipal parks, open spaces, greenways and recreational areas and allow naturalization of these areas.
- e) Harbours

Harbours consist of the Oakville Harbour at the mouth of the Sixteen Mile Creek and the Bronte Harbour at the mouth of the Bronte Creek. It is the intent of the Plan to promote the most suitable uses of the harbours for pleasure boating and other public activities.

Master Plans shall be prepared for both Oakville and Bronte Harbours. These Plans shall consider at least the following items:

- parking and vehicular circulation; integration of pedestrian circulation internally and externally to surrounding neighbourhoods and commercial uses;
- development of an overall landscaping plan including a planting program;
- development of an overall planting program to screen negative site features and improve overall visual appearance;
- development of special cultural and historic theme areas and displays.

Commercial uses serving the harbour and its users, including marine storage and service, offices and restaurants, will be encouraged.

- f) The Linear Waterfront Park System will generally form a linear corridor of open space along the Lake Ontario shoreline consisting of a series of municipal Community and Neighbourhood parks, to be linked by cycle paths, pedestrian walkways and scenic drives where appropriate. When combined, this linear waterfront park system will form a continuous linear strip of public parkland, minimum 15 metres in width, on the Lake Ontario waterfront across Oakville.
- i) The Town will create, where appropriate, as part of the Linear Waterfront Park System, a continuous strip of public parkland along the Lake Ontario waterfront across Oakville by acquisition, reservation or in cases of development or redevelopment of lakefront land by dedication.
 - ii) For the purposes of acquisition of the Linear Waterfront Park System, development or redevelopment of lakefront land does not include:
 - a) the enlargement or modification of an existing house,
 - b) the replacement of an existing house with another house,
 - c) the construction of a new house on an existing lot of record,
 - d) the granting of a consent to sever for the purpose of adjusting lot boundaries, creating rights-of-way or easements or other similar consents which do not have the effect of creating a new lot upon which a house could be constructed or increasing the density upon the property,
 - e) properties with more than one legally existing house at the date of the adoption of Official Plan Amendment No. 10, which is the date of passing of By-law 1987-93 on March 19, 1987.
 - iii) Where the development or redevelopment of lakefront land is contemplated other than that identified in Section 4.1.2, Subsection f) ii) above, the parkland dedication policies pursuant to Section 4.1.3 a), b), c) and d) will apply.

- iv) An overall waterfront parks linkage plan as part of the Linear Waterfront Parks System shall be developed including consideration of bicycle paths, pedestrian walkways and scenic drives where appropriate. This plan shall link Community and Neighbourhood Parks, Harbours and intersecting creek valleys through an interconnected system of greenlands.
- v) Development of Community and Neighbourhood Parks will be conducted in accordance with the policies of the Halton Region Official Plan and the Halton Region Waterfront Park Master Plans and will be integrated with the Lake Ontario Waterfront Trail and Greenway Strategy.
- vi) The Town may enter into partnership agreements with Halton Region, the appropriate Conservation Authority, and senior levels of government for the development, financing and/or operation of each park along the waterfront.
- vii) Where the siting or size of a development or redevelopment of lakefront land warrants, the Town will require the proponent to minimize any adverse effect to on-shore breezes and views of Lake Ontario from public places such as roads, parks and trails.
- viii) On lands adjacent to Lake Ontario, development will generally be directed to areas outside of hazard lands which are impacted by flooding, erosion and/or dynamic beach hazards.
- ix) On lands adjacent to Lake Ontario, development and site alteration will not be permitted within defined portions of the dynamic beach.
- x) Except as provided in Part D, Section 4.1.2, Subsection f), paragraph ix), development and site alteration may be permitted in hazardous lands, provided that all of the following can be achieved:
 - a) the hazards can be safely addressed, and the development and site alteration is carried out in accordance with established standards and procedures;

- b) new hazards are not created and existing hazards are not aggravated;
- c) no adverse environmental impacts will result;
- d) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; and
- e) the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.

4.1.3 IMPLEMENTATION

- a) As a condition of development of land, Oakville may require the conveyance of land to the Town for park for other public recreational purposes based on the following criteria:
 - 5 percent of the land proposed for residential development or redevelopment; or
 - 1 hectare of land for each 300 dwelling units proposed for development or redevelopment; and
 - 2 percent of the land proposed for commercial or industrial development or redevelopment.
- b) In order to conform to the overall objective of an open space system with linkages, and to allow flexibility in allocating parkland, Oakville may, at the Town's discretion, request cash payment in lieu of land for park purposes to the value of land otherwise required to be conveyed; such cash will be placed in a park trust fund to be expended in accordance with the provisions of the *Planning Act*. The Town may also exchange lands, or accept lots-in-lieu. The proceeds may be applied to the acquisition of parkland or construction of facilities in other areas if considered more appropriate to serve the needs of a coordinated open space system envisaged in this Plan.
- c) The Town will generally not accept as part of the minimum parkland conveyance referred to in Part D, Section 4.1.3 (a) above, lands required for drainage purposes, stormwater management facilities, connecting walkways, greenway links, lands for purposes of

shoreline protection works, lands susceptible to flooding, steep valley slopes, hazard lands, wetlands, associated buffer areas including top-of-bank setbacks, other natural features as identified in Part D, Section 4.3, and other lands unsuitable for development.

- d) All lands conveyed to the Town shall be conveyed in a physical condition satisfactory to the Town considering the anticipated park use.
- e) The Town may request the Province of Ontario to lease or convey to Oakville, for parkland purposes, lands contained within the Parkway Belt that are residual to the essential functions of the Parkway Belt West Plan or within areas delineated for open space by the Town of Oakville Parks and Recreation Department.
- f) The Town may request the Province of Ontario to assist in the provision of recreational facilities which have a Provincial or Regional significance.
- g) The Town shall encourage the Government of Canada to assume a greater responsibility in the provision of land and facilities for recreation and public use, particularly along the Lake Ontario waterfront.
- h) The Town shall continue to develop passive parkland and trail systems throughout the municipality.
- i) Linear Waterfront Park System – Implementation
 - a) In cases of the development or redevelopment of lakefront land, the Town will, by dedication or by using its other available powers, acquire a linear strip of land generally 15 metres in width along the waterfront from the stable top-of-bank to be determined in conjunction with Conservation Halton. This linear strip of land will form a part of the Linear Waterfront Park System. The Town will calculate the area of the linear park strip and apply the area to the parkland dedication requirement provided for in the Planning Act and this Plan. If the linear strip would exceed the parkland dedication requirement provided for in the Planning Act and this Plan, then the Town will compensate the owner for the surplus. The owner will be compensated for land required under the shoreline protection policies of this Plan on the basis of the value of such hazard lands.

- b) In all cases where a portion of the Linear Waterfront Park System is to be created, a clear identification of public and private property shall be established by means of appropriate landscaping, signing, fencing, a public road between the park and residential lot, or any combination of these means for the purpose of creating a physical or legal separation between the park area and private property. In establishing the appropriate means of separation, the Town will consult with the nearby property owners.
- c) Where the Town establishes parks along the Lake Ontario waterfront, it is the policy of the Town to use its available powers in respect of traffic, parking and noise control to minimize impacts upon nearby private properties arising from the use of the waterfront parkland.
- d) When developing the Community and Neighbourhood Parks, the Town will have regard for the impacts upon the privacy of the existing private homes adjacent to the Community and Neighbourhood Parks.
- e) Where the Town proposes to dispose of land acquired for waterfront park purposes, it shall be offered first to abutting property owners.
- f) Nothing in this Plan shall be construed as justifying parkland dedication which is not reasonable having regard to the nature of the development or redevelopment of the lakeshore land which is proposed.
- g) Oakville will generally not accept as part of the minimum parkland conveyance referred to in Part D, Section 4.1.3 (a), lands required for drainage purposes, lands for purposes of shoreline protection works, lands susceptible to flooding, steep slopes, hazard lands, connecting walkways and other lands unsuitable for development or redevelopment of lakefront land.
- h) The Town will negotiate public access with landowners who are willing to enter into access agreements in conjunction with the Conservation Halton, and Halton Region.
- i) The construction of buildings or structures or the creation of lots intended for building purposes will not be permitted within lands susceptible to flooding or erosion, except where

buildings or structures are intended for flood and/or erosion control and meet the mutual requirements of Oakville, the Conservation Authority having jurisdiction and the Ministry of Natural Resources. Minor structures related to a recreational use, such as picnic shelters, may be permitted subject to approval of the Conservation Authority and the Town of Oakville.

- j) In all cases of development or redevelopment of lakefront land, the Town will require suitable shoreline protection works to be constructed by the owner, if such protection work is deemed necessary by an engineer. Such protection work and an easement for access suitable for maintenance will be required to be dedicated to the Town to ensure the long-term maintenance of the protection works.
- k) Whenever possible, the Town shall consider planning solutions for shoreline protection in preference to hard structures to minimize further “hardening” of the shoreline.
- l) All development or redevelopment of lakefront land will require site plan approval. All applications for such development or redevelopment of lakefront land shall include landscape plans which attempt to give a natural appearance to the shoreline.
- m) In all cases of development or redevelopment of lakefront land, building setbacks sufficient to assure the long-term safety of the structure shall be established in consultation with the Conservation Halton and the Ministry of Natural Resources. In addition, sufficient building setbacks shall be required to provide for the implementation of the Linear Waterfront Park System, as well as an appropriate setback therefrom.
- n) The Town shall restrict private development or redevelopment of lakefront land from the placing of fill in Lake Ontario, and shall permit only open space uses, docks, and erosion protection works on water lots, subject to the approval of the Conservation Halton and the Ministry of Natural Resources.
- o) On all lands adjacent to the Lake Ontario shoreline required to be conveyed to the Town for park purposes under the provision of the Planning Act, the Town may require the

owner to provide suitable shoreline protection to the satisfaction of the Conservation Halton, the Ministry of Natural Resources, and the Town of Oakville.

4.2 PRIVATE OPEN SPACE

4.2.1 USES

Where lands have been designated as Private Open Space, the predominant use shall be for conservation and outdoor recreation purposes. Such uses as:

- plant nurseries,
- garden plots,
- golf courses,
- driving ranges,
- cemeteries,
- existing agriculture,
- managed forests, and
- similar low density, low intensity uses shall be permitted.

4.2.2 POLICIES

- a) The development of private parks may be permitted in locations where the natural environment, access and adjacent uses are compatible. Such developments, where appropriate, will require site plan approval.
- b) Where any lands designated for Private Open Space are under private ownership, this Plan does not indicate that this land will necessarily remain as open space indefinitely, nor shall it be construed as implying that open space areas are free and open to the general public or will be purchased by the municipality.
- c) Where proposals to develop any such lands that are in private ownership are made and the municipality does not wish to purchase such lands in order to maintain the open space, then an application for the redesignation of such land for other purposes will

be given due consideration by the municipality.

4.3 NATURAL AREAS

4.3.1

a) Description

It is intended that Natural Areas serve to protect and enhance the natural ecosystem and to maintain biological diversity within Oakville. In this role, Natural Areas shall contain one or more of the following natural features:

- i) Areas of Natural and Scientific Interest (ANSI),
- ii) wetlands,
- iii) watercourses,
- iv) Environmentally Sensitive Areas (ESA),
- v) valleylands,
- vi) significant woodlands, or
- vii) significant associated buffer areas.

Natural Areas may also contain areas which are essential to the functioning of natural processes including:

- i) floodplains, and
- ii) natural corridors and areas of wildlife habitat.

b) Uses

Permitted uses in all Natural Area designations shall include, subject to Part D, Section 4.3.2 (b) and 4.3.2 (c), the following uses:

- i) conservation areas
- ii) Forests that are subject to a management agreement
- iii) wildlife and fisheries management areas

- iv) essential public works including transportation, utility, watershed management and flood and erosion control facilities
 - v) passive recreation features such as trails, walkways, and bicycle paths
 - vi) natural interpretive centers
 - vii) municipal tableland woodlot parks, community link parks, major valley parks, and minor valley parks,
 - viii) accessory buildings
- c) Four classifications of municipal parkland are located within and identified under the “Natural Area” designation, as follows:
- tableland woodlot parks,
 - community link parks,
 - major valley parks, and
 - minor parks

These are the parks that meet the community’s needs for primarily passive parkland and associated facilities.

The classification of municipal parks designated “Natural Area” are summarized in this section, but for greater detail, defined maintenance categories, and specific geographic location by type, reference should be made to the Oakville Parks, Culture and Recreation Strategic Plan. The Town will endeavour to acquire this parkland which meets various sizes and configurations in order to permit and contribute to an efficient parks and greenlands system.

This parkland is described as follows:

i) Tableland Woodlot Parks

Tableland Woodlot Parkland is residual wooded lands that have been incorporated into the urban park system. These woodlots are not within valleys although they may be on tableland adjacent to valleyland.

ii) Community Link Parks

Community Link Parkland are linear parks which are usually utility corridors such as hydro or gas, but may also provide linkages and greenway links to connect or extend the parks system.

Generally, Community Link Parkland is maintained as "meadow parkland" but in some instances, small areas could be classified as "active parkland" or "natural parkland".

iii) Major Valley Parks

Major Valley Parkland is parkland associated with the two major river valleys in the Town, the Sixteen Mile and Bronte Creeks, excepting those valley areas at the harbours of Lake Ontario, which are classified as Community park.

Major Valley Parkland is so extensive that all three maintenance categories can be present. However, the dominant category is "natural parkland".

iv) Minor Valley Parks

Minor Valley parkland consists of the numerous small creek valleys throughout the Town. Only the Sixteen Mile and Bronte major creek valleys are excluded.

Minor Valley Parkland is generally classified as "natural parkland".

- d) Notwithstanding Part D, Section 4.3.1 b) of the Town of Oakville Official Plan, a golf course is a permitted use within the "Natural Area" designation on lands known locally as the Glen Abbey Golf Course, the golf course being located within Parts 1, 2, 3 and 4 on Plan 20R-5071, Parts 1, 3, 4 and 5 on Plan 20R-5211, and Part I on Plan 20R-9077. Any development or redevelopment of the existing golf course within the "Natural Area" designation and significant associated buffer area, that would result in a substantial change to the usability or intensity of use of the existing golf course, or the restoration and/or rebuilding of the use of the land to its previous condition in the event of a natural disaster damaging or destroying part or all of the existing use, that might negatively impact on the natural features or the "Natural Area" designation on

the site, will be subject to the following:

- a) site plan approval; and/or
- b) the owner demonstrating, to the satisfaction of the Town, by way of an Environmental Impact Statement, that erosion and any adverse impacts to water quality, water quantity, slope stability, wildlife habitat, existing vegetation and drainage will be minimized and existing valley slopes will not be disturbed. Necessary mitigation measures shall be implemented to the satisfaction of the Town;
- e) Notwithstanding the policies contained in Part D, Section 4 of the Town of Oakville Official Plan, in the event of a natural disaster damaging or destroying part or all of an existing private open space use on lands designated "Natural Area", the owner, being Appleby College, shall be permitted to rebuild and/or restore the use to its previous condition subject to the owner demonstrating, to the satisfaction of the Town, by way of an Environmental Impact Statement, that erosion and any adverse impacts to water quality, water quantity, slope stability, wildlife habitat, existing vegetation and drainage will be minimized and existing valley slopes will not be disturbed by the proposed redevelopment. Necessary mitigation measures shall be implemented to the satisfaction of the Town.

Once filed, the EIS will be processed as expeditiously as possible by the municipality in order to minimize, as much as possible, the disruption or discontinuity of the established use on the subject property.

4.3.2 POLICIES

General

- a) Existing uses and built features within a Natural Area shall be permitted to remain subject to the policies of this section.
- b) Public works shall be located outside Natural Areas, unless it is demonstrated that there is no reasonable alternative and then only if such works meet the requirements of Part D, Section 4.3.2 (c).
- c) Those new or expanded uses identified in Part D, Section 4.3.1 (b) which are not subject to the Environmental Assessment Act, shall be permitted provided that, as a condition of development approval,

an Environmental Impact Statement (EIS), as outlined in Part F, Appendix I, is undertaken; the use will not significantly impact any of the natural features or functions contained within the Natural Area designation; and alternative methods and measures for minimizing impacts have been considered.

- d) Figures "F1" and "F2" indicate the general locations of each of the known natural features which are located within Natural Area designations. Figures "F1" and "F2" may be updated as additional features are identified, through a subwatershed study, a natural feature study, secondary planning study, or through the development approval process, without amendment to this Plan, provided that the addition, modification, or deletion of a natural feature does not require an alteration to the boundaries of an existing Natural Area designation.
- e) Subwatershed Plans shall be the primary mechanism for identifying areas and systems of environmental or natural features prior to urban development. The general requirements of Subwatershed Plans are outlined in Part C, Section 10.5 and in Part F, Appendix II. The Town shall prepare and adopt Secondary Plan policies having regard to the recommendations of subwatershed studies.
- f) The Town shall update current inventories of natural features and natural systems prior to the approval of any Secondary Plan. The inventory shall be undertaken as part of a natural features study or as part of Subwatershed Plans. The inventory studies shall use an ecosystem approach to:
 - i) evaluate the natural health and sustainability of the natural areas;
 - ii) classify natural features into areas where either no development is permitted or development may be permitted only if it does not significantly impact the features or the ecological functions for which the features were identified having regard for the relationship of the feature to other local features and to the local ecosystem;
 - iii) identify opportunities for ecological restoration that will contribute to the long term viability of the area; and

- iv) recommend measures to mitigate potential impacts to the natural features from development.
- g) Natural features classified as areas where no development is permitted shall be designated as Natural Area.

Natural features classified as areas where development may be permitted shall be designated as Natural Area but identified as "Requiring Further Study" on the Community Plan schedule. This classification does not mean that these features may cease to exist as a result of development.

When determining the category of a natural feature, regard shall be had for the policies contained in Part D, Sections 4.3.2.1 to 4.3.2.7. These features will be identified on Figure "F1" or "F2".

- h) Designated Natural Areas where no development is permitted shall be zoned to prohibit the erecting, locating, or using of all or any class or classes of buildings or structures.
- i) For development applications within a Natural Area designation identified as "Requiring Further Study", an Environmental Impact Statement shall be prepared by the applicant to determine the type of development that is compatible with the natural feature. Lands will not be permitted to be redesignated unless it can be demonstrated through an Environmental Impact Statement that the development will:
 - i) not significantly impact the integrity of the natural features;
 - ii) not significantly impact the ecological functions of the area;
 - iii) not contravene any of the established limitations to development as set out in Part D, Sections 4.3.2.1 to 4.3.2.7.
- j) When evaluating an amendment for redesignation of a Natural Area or for proposals for development within or partly within a natural feature not identified under Part D, Section 4.3.2 (f) the proponent shall follow the procedure for evaluation of Natural Areas set out in Part D, Sections 4.3.2 (f), 4.3.2 (g) and 4.3.2 (h).
- k) Development shall not be permitted on lands adjacent to a Natural Area designation or a natural feature described in this section if it significantly impacts the integrity of the feature or the ecological functions for which the feature is identified (or other limitations to

development as set out in Part D, Sections 4.3.2.1 to 4.3.2.7).

- l) Where a Subwatershed Plan has not been prepared, development proposals within or on lands adjacent to a Natural Area or a natural feature will not be approved until the Town is satisfied, through the preparation of an Environmental Impact Statement, that the development can be sensitively located and designed to integrate with the natural environment as much as possible.
- m) On lands adjacent to a Natural Area designation or a natural feature, established agricultural activities shall be permitted without an Environmental Impact Statement.
- n) The Town may undertake to identify, map and evaluate the natural health and sustainability of the natural features within developed areas south of Dundas Street and to prepare remediation measures to restore or rehabilitate these natural areas. Once mapped, these features will be identified on Figure "F1" or "F2".
- o) Some natural features and systems within developed areas south of Dundas Street may have become degraded because of urban uses and activities. Appropriate studies may be undertaken to evaluate the overall health of natural features and assess the need or opportunity for restoration of these areas in conjunction with the Region and the appropriate Conservation Authorities.
- p) The Town shall cooperate with the Region, Conservation Authorities, local interest groups, and neighbouring municipalities in the creation of a continuous, interconnected trail system within the Natural Area and Parkland designations subject to Part D, Section 4.3.2 (c).
- q) The specific boundaries and appropriate buffers of a natural feature shall be identified through an Environmental Impact Statement, a natural features study or a Subwatershed Plan.
- r) The Town shall cooperate with Halton Region and the Conservation Authorities to identify, designate, protect, conserve and remediate newly identified and already identified natural features.

4.3.2.1 VALLEYLANDS

- a) Valleylands are included as part of the Natural Areas designation. The general location and boundaries of known Valleylands are

indicated on Figure "F1".

- b) The Natural Area designation generally delimits all lands within a valley, from top-of-bank to top-of-bank and all lands within a defined setback from the top of the valley bank as identified in Part D, Section 4.3.2.1 (c) and (d). The precise limits of the top-of-bank shall be determined at the time of development application through consultation with the Conservation Authorities.
- c) The valleylands shown on Figure "F1" which are subject to the policies of this section include the major valleys known as Sixteen Mile Creek, and the Bronte Creek and the minor valleys and tributaries known as Fourteen Mile Creek, Joshua's Creek, McCraney Creek, Taplow Creek, Glen Oak Creek, Osenego Creek, Shannon Creek, Munn's Creek, Morrison Creek, Sheridan Creek, Sheldon Creek, Wedgewood Creek, both upper and lower Morrison Creek systems.
- d) No development shall be permitted within the valley or within 15 metres of the top-of-bank of major valleys and 7.5 metres of the top-of-bank of other minor valleys except for compatible recreational uses, essential public works and utilities subject to the requirements of Part D, Section 4.3.2 (c). Compatible recreational uses are identified in Part D, Section 4.3.1 (b). Setbacks greater than the above requirements may be required in areas of highly erodible or unstable slopes and shall correspond to the one hundred year erosion limits.
- e) Where feasible, the lands below the top-of-bank shall be maintained in a natural state. In cases where these lands have been impacted by agriculture or urban uses, efforts shall be made to naturalize the lands where appropriate.
- f) No development, alterations to watercourses, or filling, except where permitted by the Conservation Authorities, shall be permitted within the valley.
- g) Where a Subwatershed Plan has not been prepared, all development on lands adjacent to a valley must demonstrate through an Environmental Impact Statement, that erosion and any adverse impacts to water quality, slope stability, wildlife habitat, existing vegetation and drainage will be minimized and existing valley slopes will not be disturbed. Specific geotechnical studies may also be required to demonstrate that long term slope integrity

can be maintained.

- h) Where appropriate, trails will be developed in valleys for pedestrians and cyclists.
- i) The Town of Oakville Zoning By-law shall establish appropriate setbacks from the top-of-bank for above ground and underground structures, parking lots and other man-made features. Such setbacks will minimize encroachment upon the natural scenic resource of the valley, prevent slope instability and minimize environmental disruption.

4.3.2.2 RIVERINE FLOOD PLAINS

- a) Riverine Flood Plains are included as part of the Natural Areas designation. The general location and boundaries of known Flood Plains are indicated on Figure "F2". The precise delineation of Flood Plains are shown on Flood Plain mapping available from the Conservation Authorities.
- b) The limit of Flood Plains within Oakville are defined by the regulatory flood resulting from the Hurricane Hazel storm or the one hundred year flood, whichever is greater.
- c) The Town recognizes the one zone concept for Flood Plains as established by the Conservation Authority. As such, no new development which is susceptible to flood damage or flood risk or which will cause adverse impacts to existing upstream or downstream development shall be allowed within Flood Plains, except the following:
 - i) flood or erosion control structures;
 - ii) utilities and other related facilities which by their nature must be located near water or traverse watercourses;
 - iii) recreational facilities and ancillary facilities of an adjacent land use which are of a passive, non-structural nature and do not adversely affect the ability of the Flood Plain to pass flood waters;
 - iv) existing low density housing. This housing may remain and be replaced if the replacement building is protected by acceptable floodproofing actions or measures in

accordance with the Conservation Authorities' standards.

- v) existing buildings in the Flood Plain, other than low density housing. These structures may only be replaced if the property can be flood-proofed and flood remedial work can be done to effectively remove the site from the Flood Plain to the satisfaction of the Conservation Authorities and if the site is not within Valleylands or within the applicable top-of-bank setback.

4.3.2.3 WETLANDS

- a) Wetlands are included as part of the Natural Areas designation. The general location and boundaries of known Wetlands are indicated on Figure "F2".
- b) Development shall not be permitted within Provincially Significant Wetlands as determined by the Ministry of Natural Resources. Provincially Significant Wetlands are comprised of Class 1, 2 and 3 wetlands.
- c) Development shall not be permitted in regionally and locally significant wetlands, comprised of Class 4 to 7 wetlands, if it:
 - i) significantly impacts the wetland functions for which the natural feature was identified;
 - ii) results in the loss of wetland function;
 - iii) results in subsequent demand for future development which will significantly impact on existing wetland functions;
 - iv) conflicts with existing wetland management practices; or
 - v) results in loss of contiguous wetland area.
- d) Where a Subwatershed Plan has not been prepared, the level of potential impact that may occur to a Wetland will be determined through an Environmental Impact Statement which addresses Part D, Section 4.3.2.3 (c) i) to v). In such cases, a proponent of any development wholly or partially in a regionally or locally significant wetland (Class 4 to 7) will be required to carry out an Environmental Impact Statement.

- e) Development proposed on lands within 120 metres of an individual wetland area or on lands connecting individual wetland areas within a wetland complex, that was not considered during a Subwatershed Planning study, will be required to carry out an Environmental Impact Statement to show that it will not result in any of the potential impacts set out in Part D, Section 4.3.2.3 (c).

4.3.2.4 AREAS OF NATURAL AND SCIENTIFIC INTEREST (ANSI)

- a) Areas of Natural and Scientific Interest (ANSI) are included as part of the Natural Areas designation. The general location and boundaries of known Areas of Natural and Scientific Interest are indicated on Figure "F2".
- b) Areas of Natural and Scientific Interest are defined as lands that contain natural landscapes or features which have been identified as having values related to natural heritage protection, scientific study, or education and contain representative earth science and/or natural processes typical of those which were instrumental in forming Halton's landscape (i.e. the Iroquois Shoreline). Depending upon the features of particular areas, they may be referred to as life science or earth science sites. These areas vary in their level of significance and their vulnerability to environmental impacts.
- c) Development will not be permitted within Provincially Significant Areas of Natural and Scientific Interest (both Life Science and Earth Science) as determined by the Ministry of Natural Resources.
- d) Development will not be permitted in regionally and locally significant Areas of Natural and Scientific Interest if it significantly impacts the long term preservation of the feature and the functions for which it was defined.
- e) Where a Subwatershed Plan has not been prepared, the level of potential impact that may occur to an Area of Natural and Scientific Interest will be determined through an Environmental Impact Statement. In such cases, a proponent of any development wholly or partially in regionally or locally significant Areas of Natural and Scientific Interest will be required to carry out an Environmental Impact Statement.
- f) Proponents of development proposed on lands within 120 metres of a provincially, regionally or locally significant Area of Natural and Scientific Interest, that was not considered during a Subwatershed Planning Study, will be required to carry out an Environmental

Impact Statement to show that it will not significantly impact the long term preservation and functions for which the Area of Natural and Scientific Interest was defined.

4.3.2.5 ENVIRONMENTALLY SENSITIVE AREAS

- a) Environmentally Sensitive Areas (ESA) are included as part of the Natural Areas designation. The general location and boundaries of known Environmentally Sensitive Areas are indicated on Figure "F2".
- b) Environmentally Sensitive Areas, in the context of Halton Region, are defined as lands that meet one or more of the ESA criteria set out in the Halton Region Official Plan.
- c) Development within, or adjacent to, an Environmentally Sensitive Area (ESA) will be restricted in accordance with the development policies established in the Region of Halton Official Plan.

4.3.2.6 WOODLANDS

- a) Significant woodlands are included as part of the Natural Areas designation. The general location and boundaries of known significant woodlands are indicated on Figure "F1".
- b) The Town shall not permit development within woodlands which are determined to be significant. Woodlands may include:
 - i) Carolinian Canada sites;
 - ii) Forests that are subject to a management agreement;
 - iii) large contiguous forests which provide relatively undisturbed expanses of natural, native plant communities;
 - iv) woodlands which contain endangered, threatened or vulnerable species based on provincial and national scales of assessment;
 - v) mature tableland woodlands that are relatively undisturbed and that contain forest species representative of Halton Region; and,

- vi) woodlands that meet other criteria as determined appropriate by the Town and the Province.
- c) Where a Subwatershed Plan has not been prepared, the level of potential impact that may occur to a woodland will be determined through an Environmental Impact Statement. In such cases, a proponent of any development wholly or partially inside a woodland will be required to carry out an Environmental Impact Statement.
- d) Proponents of development on lands adjacent to a woodland, that was not considered during a Subwatershed Planning Study, will be required to carry out an Environmental Impact Statement to show that it will not adversely affect the integrity of the feature or the ecological functions that the woodland provides.

4.3.2.7 NATURAL CORRIDORS AND WILDLIFE HABITAT

- a) Natural Corridors and Wildlife Habitat are included as part of the Natural Areas designation. The general location and boundaries of known Natural Corridors and Wildlife Habitat are indicated on Figure "F1".
- b) Natural Corridors are greenways maintained in a natural vegetated or revegetated state which serve as pedestrian or wildlife linkages, provide ecological functions such as habitat, passage, hydrological flow, and connection, and are generally a minimum of 30 metres in width.
- c) Development will not be permitted in the habitat of endangered or threatened species based on provincial and national scales of assessment.
- d) Development will not be permitted in significant natural corridors, in the habitat of vulnerable species and in significant wildlife habitat not containing endangered or threatened species, if it significantly impacts the ecological functions which the area provides or the available habitat of the resident wildlife species as determined through an Environmental Impact Statement.
- e) Where a Subwatershed Plan has not been prepared, the level of potential impact that may occur to Natural Corridors or Wildlife Habitat will be determined through an Environmental Impact Statement. In such cases, a proponent of any development wholly or partially in a Natural Corridor or Wildlife Habitat will be required

to carry out an Environmental Impact Statement.

- f) Development proposed within or on lands adjacent to Natural Corridors or Wildlife Habitat, that was not considered during a Subwatershed Planning Study, will be required to carry out an Environmental Impact Statement to show that it will not significantly impact the habitat quality of the resident wildlife species.

4.3.3 IMPLEMENTATION

- a) The Town shall pursue the preservation, extension and enhancement of Natural Areas through a variety of methods including acquisition, density transfers, land exchange, long-term lease, easement agreements, placing conditions on approval and land trusts among other measures that may be at its disposal.
- b) Where part or all of a Natural Area designation is privately owned, these Official Plan policies do not imply that such land is free and open to the public nor does it imply a commitment to purchase by the Town of Oakville or any other public agency.
- c) Oakville shall continue to consult with the Conservation Halton and the Credit Valley Conservation Authority to acquire lands for conservation and flood and erosion control purposes and to manage such lands to form integral components of municipal greenlands systems.
- d) To ensure the on-going protection, conservation and enhancement of natural features, public awareness of the importance of natural features for the well-being of the community shall be promoted. This promotion shall be conducted by providing information on natural feature protection and conservation and encouraging public education and involvement including land stewardship programs in conjunction with the Region, Conservation Authorities, the Ministry of Natural Resources and other interested persons or agencies.
- e) The Town shall endeavour to establish a system of greenway links in all new communities which will:
 - i) link individual public and private parks and open space rights-of-way in a continuous inter-connected system within a community;
 - ii) provide unobstructed walking and bicycling routes which connect major activity areas, transit lines and residential

neighbourhoods;

- iii) complement natural and man-made linear landscaped features such as watercourses, valleys and Hydro Electric Power Company and pipeline rights-of-way.

5. INSTITUTIONAL

Introduction

The primary groupings of institutional facilities contemplated by this Plan are:

- Educational Facilities
- Major Institutions
- Community Institutional Use
- Group Homes

5.2 USES AND LOCATIONAL CRITERIA

a) Educational Facilities

- i) Educational facilities consisting of elementary and secondary schools are to be located adjoining public parks where possible, central to the units of population served, with sites adequate for buildings, possible future expansion, and recreation facilities. Due consideration will be given to the safety of children and to the protection of the amenity of surrounding development.
- ii) Educational facilities, not specifically permitted by other policies of this Plan, may be permitted in any appropriate designations subject to the above locational criteria and subject to a site specific zoning application.
- iii) Notwithstanding the above, day nurseries may be permitted in any residential, commercial, institutional, industrial, open space, and agricultural land use designation or zone category subject to the following criteria:
 - Site Plan review will be required to ensure the proposed facility is compatible with surrounding uses, by means of buffering, fencing, landscaping, massing, and conceptual design;

- Zoning By-law standards will be developed stipulating minimum yard space, floor area, and parking requirements.
- iv) The size and frontage of the school sites to be designated will be in accordance with the policies of the local school boards. Frontage should be on collector roads.
- v) Sites will be located on lands where the topography and vegetation is suitable for active use.
- vi) Consult with the Medical Officer of Health and other interested agencies concerning the location of educational facilities.
- vii) Commercial and industrial development should be spatially separated from educational facilities.
- viii) Elementary and secondary school sites should be of adequate size to accommodate child care centres, pursuant to Ministry of Education policy. The facilities required are building space, outdoor play areas, parking and drop-off areas.

b) Major Institutions

- i) Major institutions include hospitals and post-secondary educational establishments, such as universities and community colleges, and other major government operated or funded facilities.
- ii) Major institutional uses will be located in areas protected from incompatible adjacent uses and unnecessary noise levels.
- iii) Major institutional uses will be located and planned so that the adverse effects on adjoining residential areas are minimized.
- iv) New major institutions will be located on or near an arterial roadway and will be served by a transit route where possible.

- v) Residential facilities associated with the major institutional use will be permitted.

- c) Community Institutional Use

- i) Community institutional uses are buildings or groupings of buildings and sites to accommodate such facilities as fire and police stations, libraries and public auditoria, medical clinics, day nurseries, places of worship, family counseling services, senior citizens' housing and nursing homes, meeting space of community groups, recreational facilities such as swimming pools, gymnasias, rinks, stadia, and the like.
- ii) Community institutional uses should be centrally located within communities to provide a focal point, preferably adjoining the community park and high school, or the community shopping centre.

- d) Group Homes

- i) Definition

A Group Home is defined as a single housekeeping unit in a residential dwelling where six to ten people (excluding staff or receiving family) live as a family under responsible supervision consistent with the requirements of its residents. The Group Home must be licensed and/or approved under Provincial statute. Group Home, as defined in this Plan, shall not include "foster homes" as defined in Section 3.(1), paragraph 14 of the *Child and Family Services Act, 1984*, and such "foster homes" shall be permitted in all residential zones. Shared accommodation licensed and/or approved under Provincial statute, of five or fewer residents, shall be permitted in all residential zones. Group Homes and shared accommodation shall not include those homes exclusively for adult offenders (Community Resource Centres) approved by the Ministry of Correctional Services, halfway houses exclusively for adult ex-offenders approved by the Ministry of Community and Social Services and Open or Closed Custody Residences exclusively for juvenile offenders licensed under the *Child and Family Services Act*.

ii) Location

Group Homes shall be permitted in all residential, agricultural, and Private Open Space area designations in the Town subject to all other provisions of this Plan.

iii) Performance

Group Homes will be permitted up to a maximum of two in any community in the Town of Oakville. A Zoning By-law will regulate Group Homes to be a minimum of 800 metres apart. A Group Homes Advisory Committee appointed by Council will ensure that Group Homes are not concentrated in any one area in the municipality. A Group Home permitted in Oakville will primarily serve the local Town of Oakville need, as identified by the various social agencies. The Group Home Advisory Committee will ensure that Oakville Group Homes are primarily serving the local need.

5.3 GENERAL POLICIES

- a) All institutional uses shall be subject to site plan control under the provisions of the *Planning Act*.
- b) Off-street parking adequate to meet the demands of the particular use will be required.
- c) Where possible, institutional uses should be located close to transit and pedestrian links.
- d) It is intended that seniors housing be treated as a residential use under Part D, Section 1 of this Plan, unless it is operated by the government or hospital, in which case it can be considered institutional under Part D, Section 5.2 (b) of this Plan.

6. AGRICULTURAL

6.1 USES

- a) In those areas designated Agricultural in this Plan, the predominant use of land shall be for agriculture, animal husbandry, forestry, and activities concerned with the conservation of soil and wildlife.
- b) Other uses ancillary to agricultural production or necessary in an agricultural area may also be permitted, including the following:
 - i) small scale industrial and commercial uses associated with the agricultural economy;
 - ii) public open space uses;
 - iii) existing commercial, residential, and industrial uses;
 - iv) strictly limited residential uses in accordance with the severance policies established under Part C, Section 12 of this Plan, and in addition bed and breakfast establishments in conjunction with a residential use.
- c) Notwithstanding other policies of this Plan, a boat manufacturing and fabrication operation will be permitted as a temporary use at 210 Burnhamthorpe Road East until such time as the ultimate land use north of Dundas Street is determined through an amendment to the Town of Oakville Official Plan including the completion of a comprehensive secondary planning study.
- d) Notwithstanding the Agricultural designation, a 6.65 hectare parcel of land, legally described as Part of Lot 24, Concession I, North of Dundas Street, and known municipally as 1359 Dundas Street, shall be permitted to have a museum/cultural centre.
- e) Notwithstanding the agricultural designation, a golf driving range will be permitted adjacent to Dundas Street within Part of Lot 20, Concession 1, N.D.S. This use is temporary until such time as the ultimate land use of the subject lands is determined through an amendment to the Town of Oakville Official Plan including the completion of a comprehensive secondary planning study.

- f) Notwithstanding the agricultural designation, a golf driving range will be permitted adjacent to Burnhamthorpe Road and Trafalgar Road within Part Lot 12 (Concession I, NDS, until such time as the ultimate land use of the subject lands is determined through an amendment to the Town of Oakville Official Plan, including the completion of a comprehensive secondary planning study and development of the land is initiated.
- g) Notwithstanding the agricultural designation, a golf driving range, tennis bubble, and administration trailers will be permitted adjacent to Burnhamthorpe Road and west of Ninth Line within Part Lot 7, Concession I, NDS, on a temporary basis until such time as the ultimate land use of the subject lands is determined through an amendment to the Town of Oakville Official Plan, including the completion of a comprehensive secondary planning study, and development of the land is initiated.

6.2 POLICIES

- a) It is the policy of the Town of Oakville to preserve the prime agricultural lands for farming and related uses, and more particularly to preserve agricultural lands identified by the Canada Land Inventory as having a Class 1 to Class 4 soil capability of agriculture⁴.
- b) Strip residential, strip commercial development, and rural estate residential development shall be prohibited in the agricultural area, thus protecting farm operations from harassment and complaint by non-agricultural uses.
- c) New non-agricultural uses locating in the Agricultural designation must comply with the Minimum Distance Separation Formula of the Agricultural Code of Practice.
- d) The agricultural policies of this Plan shall apply to those lands north of Dundas Street until such a time as these lands have been developed.

⁴Soil Capability for Agriculture, Canada Land Inventory Mapping, A.R.D.A.

7. SANITARY LANDFILL SITES

7.1 GENERAL

- a) Sanitary landfill sites have been given a specific designation in this Plan because of the long-term consequences of landfill operations on the use of surrounding lands and the after-use of the landfill sites themselves.
- b) The after-use of sanitary landfill sites shall be subject to the approval of the Ministry of the Environment in accordance with the *Environmental Protection Act*.
- c) New sanitary landfill sites and any expansion to existing sanitary landfill sites will require amendment to this Plan.

7.2 POLICIES

- a) The operational life of any landfill site shall be determined by a site specific amendment to the Zoning By-law. The sanitary landfill site designation shall always be an interim land use which will revert to either an agricultural or open space designation once the landfill operation has been completed.
- b) When a sanitary landfill operation ceases to be a permitted use, no amendment to the Plan will be necessary to permit public open space recreational uses or agricultural uses.

7.3 WASTE DISPOSAL ASSESSMENT AREAS

Waste Disposal Assessment Areas are classified as potentially environmentally sensitive areas for future development and are identified on Figure "B". The prior use of lands for the disposal of waste was a legitimate use that may have effects on future uses of these lands and possibly adjacent lands. In recognition of this, Waste Disposal Assessment Areas identify lands for which policies exist to ensure that all development occurs cognizant of the prior use in the area so as to safeguard all future uses. Where new information becomes available that alters the location or extent of identified sites or indicates the presence of other sites to the satisfaction of the Town, in consultation with the Ministry of the Environment, the Town will consider these when reviewing development proposals. New sites may be added to Figure "B" by amendment to the Plan.

- 7.4 Notwithstanding the land use designation shown on Figure "B" in areas subject to a Waste Disposal Assessment Area delineation, only land uses compatible with the potential impacts of waste disposal sites or their potential controls will be permitted.
- 7.5 On the former Waste Disposal Site itself, where studies indicate the presence of organic or chemical wastes, residential development will not be permitted. In such a case, open space uses will be encouraged.
- 7.6 Where major development or redevelopment is proposed on lands on or abutting the Waste Disposal Assessment Area delineation shown on Figure "B", approval shall only be considered upon the satisfactory completion of the following:
- a) Written approval has been received from the Ministry of the Environment that the development satisfies the provisions of the *Environmental Protection Act, R.S.O., 1980*;
 - b) Studies of gas, leachate, and hydrogeology have been carried out by a qualified engineer to the satisfaction of the municipality and the Ministry of the Environment that show the proposed development is compatible with the waste present and can safely take place;
 - c) The municipality shall be satisfied with the required studies with respect to any matter regarding structural stability, safety, and integrity of any and all structures; and
 - d) The municipality shall require the construction and phasing of all development to coincide with the control of any problems identified by the engineering studies.
- 7.7 Where the studies detailed in Part D, Section 7.6 indicate that the proposed development is not compatible with the delineation of the site as a Waste Disposal Assessment Area, the Town may consider an Official Plan Amendment to redesignate the site to a compatible land use designation.
- 7.8 In areas subject to the Waste Disposal Assessment Area delineation, the Zoning By-law will recognize existing uses and parks and open spaces. All other major development or redevelopment will be subject to the provisions of this section prior to rezoning in accordance with the Official Plan designation.

8. PITS AND QUARRIES

- 8.1 Permitted uses in areas to establish a pit or quarry shall include:
- a) the extraction of sand, gravel, shale, fill, and other mineral resources;
 - b) agriculture; and
 - c) forestry.
- 8.2 No new commercial pits and quarries may be permitted except by amendment to this Plan and the Zoning By-law and subject to the provisions of the *Pits and Quarries Control Act* or the pertinent legislation.
- 8.3 In considering an application to amend the Official Plan to permit the establishment of a pit or quarry, Council shall have regard for the following matters:
- a) The compatibility of the proposal with the surrounding land use and environment, including effects on the local water table.
 - b) Consideration shall be given to the adequacy and suitability of access points from pits and quarries onto a public road or roads, together with the impact of the resulting truck traffic upon the public road system.
 - c) Competent professional evidence and data shall be submitted in support of an application for approval of a pit or quarry demonstrating that the area contains the appropriate type and extent of material to justify its establishment.
 - d) Adequate and appropriate setbacks shall be established by the Town for all workings, storage of materials and equipment, from public roads, creeks, lakes, rivers, and adjacent land uses, together with requirements for landscaping, screening, buffering, and berms.
 - e) Drainage works shall be provided to the satisfaction of the appropriate Conservation Authority including, where necessary, treatment of the run-off prior to discharge from the property.
 - f) Satisfactory provisions and undertakings shall be made for the progressive rehabilitation of the lands and the implementation of an

overall rehabilitation plan upon conclusion of pit and quarry operations, including preservation and replacement of top soil, removal of all buildings, machinery and equipment, and appropriate grading and elimination of all unsightly conditions.

- 8.4 The creation of new wayside pits shall not be permitted.
- 8.5 It is the intention of Council that all types of pits and quarries be rehabilitated for eventual use in accordance with the Official Plan designation of the adjacent land and the appropriate policies of the Official Plan. In the agricultural designation, any pit or quarry shall be progressively rehabilitated back to an agricultural use or converted to the parks system or the system of Natural Areas in which case landscaping should use native plant species.
- 8.6 All applications for amendment to permit a pit or quarry shall include the following information:
- a) The location, dimensions, topography, area, and description of the site proposed for a pit or quarry;
 - b) The location, height, dimensions, and use of all buildings or structures existing or proposed to be erected on the site;
 - c) The location, quality, and estimated quantity of the mineral resources;
 - d) The use of all land, and the location and use of all buildings and structures lying within a distance of 150 metres of the boundaries of the site;
 - e) Surface water diversion, storage, and drainage provisions;
 - f) All entrances, exits, and proposed routes to be used by associated transport;
 - g) Proposed tree screening and berming;
 - h) Progressive and ultimate rehabilitation plans;
 - i) Hydrology, soil, wildlife, or vegetation studies which may be required by Council due to specific site concerns;
 - j) An Environmental Impact Statement as set out in Part F, Appendix I to address potential effects on ground water flow and quality, all

natural features and the potential effects of noise and air pollutants on nearby land uses; and

- k) Other information as Council deems necessary.