

PART E
PLAN IMPLEMENTATION
AND ADMINISTRATION

E1 PLAN IMPLEMENTATION AND ADMINISTRATION

This Plan is ultimately implemented by Council. Where the Plan refers to approval by Council, that approval authority includes delegated staff and Committees of Council.

E1.1 ZONING BY-LAWS

A review of the Town's Zoning By-laws shall be undertaken to ensure that it properly implements the policies of this Plan.

E1.2 TEMPORARY USE BY-LAWS

The Town may pass temporary use by-laws to apply to private land for uses and circumstances permitted by this Plan, including, but not limited to, for:

- temporary housing;
- temporary tourist uses and facilities;
- *garden suites*; and,
- parking lots for a specific one-time event; and
- Other permitted uses on a temporary basis.

These temporary uses may be authorized for a specific time period up to three years and should be applied where it is considered inappropriate by the Town to permit the proposed use on a permanent or continuing basis and where alternatives such as relocation are not practical. A *garden suite* may be permitted on a property for up to 20 years. A subsequent by-law granting an extension of up to three years may be passed. However, once the by-law has lapsed, the use must cease or otherwise will be viewed as contravening the implementing Zoning By-law.

Prior to the approval of a temporary use Zoning By-law, *Council* shall be satisfied that the following principles and criteria are met:

- a) The proposed use shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original use upon the termination of the temporary use;
- b) The proposed use shall be *compatible* with adjacent land uses and the *character* of the surrounding neighbourhood;
- c) The proposed use shall not require the extension or expansion of existing municipal services;

- d) The proposed use shall not create any traffic circulation problems within the area nor shall it adversely affect the volume and/or type of traffic serviced by the area's roads;
- e) Parking facilities required by the proposed use shall be provided entirely on-site; and
- f) The owner has entered into an agreement with the Town and/or posted securities, if necessary, to ensure that structures associated with a temporary use provision can be removed upon expiry of the by-law.

E1.3 HOLDING PROVISIONS

In accordance with the Planning Act, *Council* may use a Holding (H) symbol in conjunction with the zoning of land to prohibit *development* until specific conditions of the Town have been met. The objective of utilizing a Holding Provision is to ensure that:

- a) the appropriate phasing of *development* or *redevelopment* occurs;
- b) *development* does not proceed until services and utilities are available to service the *development*; and/or,
- c) agreements respecting the proposed land use or *development* are entered into.

E1.4 INTERIM CONTROL BY-LAWS

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

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

E1.5 SITE PLAN CONTROL

All areas of the Town are designated as proposed Site Plan Control areas under the provisions of the *Planning Act*. Specific uses subject to site plan control shall be identified in the Town's Site Plan Control By-law passed under the provisions of the *Planning Act*.

Site Plan Control is an important means of implementing the policies of this Plan, including the functional and well-designed development, which support and advance the Community Design Policies of this Plan (Section D5). The Town shall require that Site Plan submissions show and describe in adequate detail the location, design, massing of buildings, structures and exterior open spaces, public access areas then layout of parking and service areas, site landscaping and their relationship to adjacent properties and the public realm.

The intent of a Site Plan Agreement is to ensure that any proposed *development* is designed to be *compatible* with adjacent *development*, appropriately serviced and accessed and otherwise in conformity with the goals and strategic objectives of this Plan. Any required site plan agreement shall deal with the following, as appropriate:

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

E1.6 PUBLIC PARTICIPATION

It is a policy of this Plan that public participation be an integral component of any land use planning process and the Town will encourage the involvement of residents, businesses, stakeholders and other levels of

government. On this basis, before making any planning decision, *Council* shall be satisfied that:

- a) adequate public notice in accordance with the *Planning Act* has been given;
- b) enough information to enable a person to reasonably understand the nature of the proposal and its impacts is available prior to any public meeting;
- c) all public and agency comments have been assessed and analyzed by the Town; and,
- d) their decision will appropriately balance the overall public interest against the private interest expressed in the application.

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

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

Council may eliminate notice to the public and a public meeting for a minor Official Plan Amendment that:

- a) changes the numbers of sections or the order of sections in the Plan, but does not add or delete sections;
- b) consolidates previously approved Official Plan Amendments in a new document without altering any approved policies or maps;
- c) corrects grammatical or typographical errors in the Plan that do not affect the intent of the policies or maps; and,
- d) rewords policies or re-illustrates mapping to clarify the intent and purpose of the Plan or make it easier to understand without affecting the intent or purpose of the policies or maps.

In all other instances, notification to the residents of the Town of public meetings held by *Council* shall be given in accordance with the procedures of the *Planning Act*.

E1.7 TOWN ENGINEERING STANDARDS

All development and works shall be in accordance with the Town of The Blue Mountains Engineering Standards, as amended from time to time.

E2 PHASING

E2.1 OBJECTIVES

It is the intent of this Plan to:

- a) ensure that *development* occurs in an orderly, well-planned manner;
- b) ensure that the provision of community services and facilities is coordinated with the *development* of new communities;
- c) give priority to the *development* of employment lands, infilling and completion of existing neighbourhoods and communities;
- d) maintain an acceptable balance between residential and non-residential assessment; and,
- e) ensure that detailed phasing plans that describes the sequencing of *development* and the timing of any *infrastructure* improvements are prepared in advance of major development.

E2.2 GENERAL PHASING CRITERIA

Development shall be phased in accordance with the following criteria:

- a) the proposal contributes to the protection and enhancement of natural heritage features and *ecological functions* and provides opportunities for public ownership of these lands;
- b) the proposal represents the logical completion or extension of the existing built-up area, roads and other *infrastructure* to avoid scattered *development* patterns;
- c) the proposal can be adequately and economically serviced by municipal water and wastewater services and storm drainage facilities;
- d) the proposal will provide neighbourhood amenities such as park sites, school sites and portions of a community-wide trail system;
- e) the proposal provides an opportunity for both employment and residential uses in order to encourage improved live/work relationships and to attract non-residential assessment;
- f) where appropriate, proposals for residential *development* provide a mix and range of housing to accommodate the Town's housing needs;

- g) the proposal can be accommodated within the financial capabilities of the Town to provide the necessary services without decreasing the level of service to existing *development*;
- h) the proposal participates in local or County servicing and financial agreements pursuant to the *Development Charges Act*;
- i) ensure that growth occurs in a staged and well planned manner and provides for the creation of a complete community; and,
- j) ensure utilities, transportation and servicing *infrastructure* and community facilities are provided concurrently with *development* in a fiscally responsible manner.

More detailed phasing strategies shall be included in Secondary Plans and where appropriate, Block Plans.

E3 SECONDARY PLANS AND MORE DETAILED PLANS

E3.1 SECONDARY PLANS

Secondary Plans will be prepared for specific areas of the Town where it is considered necessary to determine ultimate lands uses and to provide more detailed planning objectives and policies to direct and guide *development* or *redevelopment*. Areas which may warrant a Secondary Plan include, but are not limited to:

- a) large areas for *Greenfield development*;
- b) areas which are in transition or experiencing land use *compatibility* issues; and/or,
- c) areas which are experiencing pressure for land use conversion or *intensification*.

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

- a) establish clear and appropriate boundaries for the new community or the *redevelopment* of an existing community;
- b) establish population capacity and employment targets;
- c) establish the most appropriate mix of land uses that recognizes the location of the area and the goals and objectives of this Plan;

- d) ensure that the environmental and natural heritage objectives of this Plan are met, including policies for the protection and enhancement of natural heritage features and *ecological functions*;
- e) ensure that the community design objectives and policies of this Plan are met;
- f) ensure there are adequate transportation networks and that the transportation network is adequately supported by the proposed *development* pattern;
- g) ensure that adequate water and wastewater servicing is established to serve the anticipated *development* and that they can be phased in a way that is cost-effective and efficient;
- h) ensure that appropriate Secondary Plan policies, including phasing, servicing and financing policies, are in place to clearly and effectively guide future *development* within the Secondary Plan Area;
- i) incorporate appropriate policies pertaining to the provision and location of utilities;
- j) ensure community *connectivity* between existing and new *development* areas; and,
- k) ensure the compatibility of *development* relative to existing stable residential areas and the need to provide an appropriate transition between different land uses and densities.

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

New Secondary Plans shall be based on the following studies:

- a) a Subwatershed Study in accordance with the policies of this Plan;
- b) a Functional Servicing Report/Plan that demonstrates the means by which the new community will be appropriately serviced;
- c) Community-specific Design Guidelines in accordance with the policies of this Plan;

- d) A detailed Traffic Impact Study that determines the impact of the *development* on the surrounding road network and recommends necessary improvements to the transportation network consistent with the goals, objectives and policies of this Plan;
- e) A Fiscal Impact Study/Analysis that demonstrates *development* shall not negatively impact the Town's financial position; and,
- f) A Market Impact Assessment that determines the need for additional commercial floorspace, having regard for the planned function of existing commercial designations established by this Plan.

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

E3.2 BLOCK PLANS

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

- a) the various land uses and densities;
- b) the location, dimensions and intersection details of all existing and proposed roads;
- c) the location of existing and proposed water and wastewater servicing, stormwater management ponds and utilities;
- d) the location and the anticipated timing of any schools and community centres;
- e) location, dimensions and areas of lands to be conveyed to the Town for parks and open space purposes; and,
- f) the phasing of *development*.

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

E3.3 COMPREHENSIVE DEVELOPMENT PLANS

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

E3.4 MAINTENANCE AND OCCUPANCY BY-LAWS (PROPERTY STANDARDS)

E3.4.1 Minimum Standards

Council may update or enact a Property Standards By-law in accordance with the Building Code Act, 1992, regarding minimum standards for the following:

- a) the physical condition of buildings and structures;
- b) the physical condition of lands;
- c) the adequacy of sanitation;
- d) the fitness of buildings and structures for occupancy;
- e) maintenance and occupancy of property; and,
- f) require property that does not conform to be repaired and maintained to conform.

E3.5 COMMUNITY IMPROVEMENT

E3.5.1 Purpose

- a) Community Improvement within the Town is intended to provide for the maintenance, rehabilitation, *redevelopment* and revitalization of the existing built environment to improve the safety and quality of buildings, structures and facilities, maximize the efficient use of existing services and facilities, create attractive and safe pedestrian-oriented streetscapes and public spaces, and improve *infrastructure* where deficiencies or deteriorating conditions exist.

- b) The Community Improvement provisions of the *Planning Act* allow municipalities to prepare community improvement plans for designated community improvement project areas that require community improvement as the result of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic *development* reason. Once a community improvement plan has been adopted by a municipality and has come into effect, the municipality may offer grants and loans in conformity with the community improvement plan, to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs of the community improvement plan. The municipality may also undertake a wide range of actions for the purpose of carrying out the community improvement plan.

E3.5.2 Goals

The goals of community improvement are to:

- a) To preserve, rehabilitate and redevelop the existing built environment.
- b) To maximize the use of existing public *infrastructure*, facilities and amenities.
- c) To coordinate private and public community improvement activities.
- d) To promote *development* and *redevelopment* that is sustainable in nature.
- e) To guide the Town in setting priorities for municipal expenditure respecting community improvement projects.
- f) To participate, wherever possible, in Federal and/or Provincial programs to facilitate community improvement.
- g) To reconcile existing land use conflicts and minimize future land use conflicts.

E3.5.3 Objectives

Community Improvement Plans may be prepared and adopted by the Town to:

- a) Encourage the renovation, repair, rehabilitation, *redevelopment* or other improvement of lands and/or buildings, including

environmental remediation, *development*, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes, or for the provision of energy efficient uses, buildings, structures, works, improvements or facilities;

- b) Encourage the preservation, restoration, adaptive reuse and improvement of historical or architecturally *significant* buildings;
- c) Encourage the restoration, maintenance, improvement and protection of natural habitat, parks, open space, recreational and heritage facilities and amenities, and to establish new facilities where deficiencies exist to meet the needs of the citizens of the community;
- d) Encourage residential and other types of infill and *intensification* on lands which are already serviced with municipal services;
- e) Improve and maintain the transportation network to ensure an adequate traffic flow, pedestrian circulation and parking facilities;
- f) Maintain and improve municipal services including the water distribution system, the sanitary and storm sewer systems, roads, sidewalks, street lighting, and to provide a safe health standard for the citizens of the community;
- g) Improve and maintain the physical and aesthetic amenities of the streetscape, especially in the commercial core areas of Thornbury, Clarksburg and Craigeleith;
- h) Encourage the eventual elimination and/or relocation of incompatible land uses, and where this is not feasible, to encourage physical improvements to minimize the incompatibility;
- i) Encourage, support and co-ordinate both public and private investment opportunities in the rehabilitation and improvement of property and facilities which will result in stability in the community;
- j) Establish an atmosphere through revitalization and improvements within the commercial core areas of Thornbury, Clarksburg and Craigeleith that will encourage existing business and property owners to make improvements to their facilities and new business to locate in these areas;
- k) Encourage improvement activities which contribute to a strong economic base including commercial, industrial, recreational and tourism activity and job creation;
- l) Improve environmental conditions;

- m) Improve social conditions;
- n) Promote cultural and tourism *development*;
- o) Facilitate and promote community economic *development*; and,
- p) Improve community quality, safety and stability.

E3.5.4 Criteria for Selection of Community Improvement Project Areas

- a) The Town may designate by by-law one or more Community Improvement Project Area(s), the boundary of which may be part or all of the municipality.
- b) For an area to be identified as a Community Improvement Project Area, one or more of the following conditions must be present:
 - i) Buildings, building facades, and/or property, are in need of maintenance preservation, restoration, repair, rehabilitation, energy efficiency or renewable energy improvements, or redevelopment;
 - ii) Deficiencies in physical *infrastructure* including but not limited to the sanitary sewer system, storm sewer system, and/or watermain system, roadways, sidewalks, curbs, streetscapes and/or street lighting, and municipal parking facilities;
 - iii) Vacant lots and/or underutilized properties and buildings which have potential for infill, *redevelopment* or expansion to better utilize the land base;
 - iv) Commercial areas with high vacancy rates and/or poor overall visual quality of the built environment, including but not limited to, building facades, streetscapes, public *amenity areas* and community design;
 - v) Presence of buildings and/or lands of architectural or heritage significance;
 - vi) Known or suspected environmental contamination;
 - vii) Deterioration or deficiencies in the level of community and social services such as public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities;

- viii) Non-conforming, conflicting, encroaching or incompatible land uses or activities that threaten to disrupt the predominant land use and lifestyle of the citizens of the area;
 - ix) Demonstrated deficiency in the condition or provision of accessible parking;
 - x) Demonstrated problem or deficiency associated with the circulation and/or access of traffic;
 - xi) A shortage of land to accommodate widening of existing rights-of-way, building expansion, parking and/or loading facilities;
 - xii) Other *significant* barriers to the repair, rehabilitation or *redevelopment* of underutilized land and/or buildings; and,
 - xiii) Other *significant* environmental, social or community economic *development* reasons for community improvement.
- c) Priority for the designation of Community Improvement Project Areas and the preparation and adoption of Community Improvement Plans shall be given to:
- i) The Thornbury, Clarksburg and Craigleith commercial core areas;
 - ii) Existing built up areas;
 - iii) Those areas where the greatest number of criteria for selection of Community Improvement Project Areas are present;
 - iv) Those areas where one or more of the criteria for selection of Community Improvement Project Areas is particularly acute; and/or,
 - v) Those areas where one or more of the criteria for selection of Community Improvement Project Areas exists across the entire municipality or a large part of the municipality.
- d) Community improvement plans will be prepared and public comment sought in accordance with the provisions of the *Planning Act*.

E3.5.5 Phasing

The phasing of community improvements shall be prioritized to:

- a) Permit a logical sequence of improvements to occur without unnecessary hardship on area residents and the business community;
- b) Implement those improvements that will most substantially improve the aesthetic, environmental and service qualities of a community improvement project area;
- c) Reflect the financial capability of the Town to fund community improvement projects;
- d) Take advantage of available senior government programs that offer financial assistance for community improvement efforts; and,
- e) Coordinate the timing of related capital expenditures from various municipal departments with departmental priorities.

E3.5.6 Implementation

- a) In order to implement a Community Improvement Plan in effect within a designated Community Improvement Project Area, the Town may undertake a range of actions, including:
 - i) Municipal acquisition of land and/or buildings, and the subsequent;
 - ii) Clearance, grading, or environmental remediation of these properties;
 - iii) Repair, rehabilitation, construction or improvement of these properties;
 - iv) Sale, lease, or other disposition of these properties to any person or governmental authority; and,
 - v) Other preparation of land or buildings for community improvement.
- b) Provision of public funds such as grants and loans to owners of land and their assignees;
- c) Programs and measures to promote energy efficient *development, redevelopment* and retrofit projects;
- d) Application for financial assistance from and participation in senior level government programs that provide assistance to municipalities and/or private landowners for the purposes of community improvement;

- e) Coordination of public and private *redevelopment* and rehabilitation by providing administrative and liaison assistance;
- f) Support of heritage conservation and improvement through means available under the *Ontario Heritage Act*;
- g) Provision of information on municipal initiatives, financial assistance programs, and other government assistance programs;
- h) Continued support of existing Business Improvement Areas, and the encouragement of the establishment of new Business Improvement Areas and the expansion of existing Business Improvement Areas in an effort to maintain strong and vital commercial areas;
- i) Continued enforcement of the Town's Zoning By-law, Property Standards By-law and Sign By-law, and other related municipal by-laws and policies;
- j) Preparation of Design Plans for commercial core areas that include streetscape improvements, parkettes, public parking areas, lookouts and trail *development*; and,
- k) Coordinate streetscaping improvements with the installation/upgrading of municipal services, e.g., sewer installation, road and sidewalk reconstruction.
- l) *Council* shall be satisfied that its participation in community improvement activities will be within the financial capabilities of the Town.

E4 SETTLEMENT AREAS – NEW AND EXPANSIONS

The establishment of new settlement areas and settlement area expansions may only be permitted at the time of a comprehensive review.

A comprehensive review shall also be required for the re-designation of *employment lands* to non-employment land uses.

Expansion of a settlement area on *partial services* is not permitted.

E5 NON-CONFORMING USES

E5.1 INTENT OF OFFICIAL PLAN

As a general rule, existing uses that do not conform with the policies of this Plan should gradually be phased out so that the affected land use

may change to a use, which is in conformity with the goals of the Official Plan and the intent of the implementing Zoning By-law. In some instances, it may be necessary and practical to allow the replacement, extension or enlargement of non-conforming uses through the granting of a minor variance or by placing the use in an appropriate zone in the implementing Zoning By-law. In such instances, *Council* shall have regard for the following principles:

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

E5.2 ROLE OF THE COMMITTEE OF ADJUSTMENT

If the property cannot be acquired or a building relocated, the Committee of Adjustment may, without an amendment to this Plan, allow extensions to a non-conforming use. Prior to such approval, the Committee shall consider the following:

- a) The size of the extension in relation to the existing operation;
- b) Whether the proposed extension is *compatible* with the *character* of the surrounding area;
- c) The characteristics of the existing use in relation to noise, vibration, fumes, dust, smoke, odours, lighting and traffic generation and the degree to which any of these factors may be increased or decreased by the extension; and,
- d) The possibilities of reducing these nuisances through buffering, building setbacks, landscaping, Site Plan Control and other means to improve the existing situation, as well as minimize the problems from extension.

E5.3 ROLE OF THE IMPLEMENTING ZONING BY-LAW

Existing uses which do not conform with the policies of this Official Plan may be zoned in the implementing Zoning By-law in accordance with their present use, provided that:

- a) the zoning will not permit any change of use or performance standard that may negatively impact adjoining uses;
- b) the uses do not constitute a danger to surrounding land uses, humans or animals by virtue of their hazardous nature;

- c) the uses do not interfere with the appropriate *development* of the surrounding lands; and,
- d) when the use is discontinued, re-zoning may only take place in accordance with the policies and intent of this Plan.

E6 NON-COMPLYING BUILDINGS, STRUCTURES OR LOTS

A non-complying building, structure or lot is such that it does not comply with the regulations of the implementing Zoning By-law.

A non-complying building or structure may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:

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

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

E7 AMENDMENTS TO THE PLAN

- a) It is the intent of this Plan to serve as the basis for managing change in the Town. As a result, this Plan identifies enough land for residential, commercial and *industrial uses* to last until the year 2026.
- b) It is the intent of this Plan that this Plan should only be amended when the policies of this Plan have been found not to address issues or alternatively, issues have been raised with *respect to site-specific* proposals that must be addressed in a comprehensive manner. However, where Amendments are contemplated by this Plan, they shall be considered by *Council*.

- c) In addition to the relevant amendment policies of any land use designations, the following shall be considered for any Plan amendment:
- i) the rationale or the basis for the change;
 - ii) the direction provided by the Provincial Policy Statement;
 - iii) the direction provided by the goals and objectives to this Plan;
 - iv) the desirability and appropriateness of changing the plan to accommodate the proposed use or action;
 - v) the impacts the proposed change will have on the character of the area;
 - vi) conformity with the direction provided by the upper tier plan; and,
 - vii) that sufficient documentation has been provided to support the proposed amendment including information related to the physical growth of the Town, impacts on the economy, the environment, agriculture and social well being of the community.
- d) An application to amend this plan shall be supported by the prescribed information required by the Planning Act as well as such other information as *Council* may request in order to address other policy issues within this plan. The information may include:
- i) an Environmental Impact Study;
 - ii) studies or information dealing with noise, vibration or other impacts that may result from *development*;
 - iii) an agricultural impact statement in areas designated Agricultural and Specialty Agricultural indicating the potential effect any new uses may have upon the continuation of *agricultural uses* in the general area;
 - iv) studies or information to determine the potential impacts on the growth or fiscal position of the Town;
 - v) studies or information to indicate the impact of new or intensified traffic that may impact the existing and proposed road network; and,
 - vi) studies or information to assess the impact on water,

sanitary and storm systems

vii) a Planning Justification Report.

E8 INTERPRETATION

E8.1 GENERAL

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

E8.2 INTERPRETATION OF LAND USE DESIGNATION BOUNDARIES

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

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

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

E9 OFFICIAL PLAN REVIEW PROCESS

In accordance with Section 26 of the Planning Act, the assumptions, objectives and policies of this Plan shall be reviewed at least once every five years at a meeting of *Council*, which shall be advertised in accordance with the Planning Act, as amended.

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

- a) the effectiveness of the Plan in protecting water quality, heritage resources, natural resources and habitat and the general environment within the Town;
- b) the continuing relevance of the vision that forms the basis of all policies found in this Plan;
- c) the degree to which the objectives of this Plan have been met;
- d) the amount and location of lands available for urban *development*;
- e) whether the Town has realized a desirable balance of commercial and industrial assessment in relation to residential assessment;
- f) the Town's role within the County and its relationship with other municipalities;
- g) *development* trends in the County and their effect on *development* in the Town; and,
- h) the nature of any Province-wide planning initiatives and their implications on the Town.

E10 COMPLETE APPLICATION REQUIREMENTS

- a) Official Plan and Zoning By-law Amendments

In order for an application for an Amendment to the Official Plan or Zoning By-law to be considered complete in accordance with the *Planning Act*, *Council* may require the submission of any number of the reports or studies listed in subsection (d). In order to adequately inform the public and to obtain their views prior to consideration of an amendment to either the Official Plan and/or the Zoning By-law, *Council* shall have the option of requiring that an open house be advertised and held. The open house shall be held a minimum of 7 days prior to the public meeting.

- b) Plans of Subdivision/Condominium

Where an application is submitted to the *County*, for approval of a Plan of Subdivision/Condominium in accordance with Section 51 of the *Planning Act*, or Section 9 of the *Condominium Act*, 1998, any number of the reports or studies listed in subsection (d) of this Plan, or as required by the *County* of Grey Official Plan, may be required. Consultation with the *County* of Grey and the Town of The Blue Mountains will determine which studies may be necessary. Where accompanying Official Plan or Zoning By-law

Amendments are required, efforts will be made to streamline the study requirements between the *County* and the Town.

c) Consents

In order for an application for approval of a consent to be considered complete in accordance with Section 53 of the *Planning Act Council* may require the submission of any number of the reports or studies listed in subsection (d).

d) Pre-submission consultation/Additional Information and Material

Prior to submission of an application for an Official Plan Amendment, a Zoning By-law Amendment, a Site Plan Control application and/or an application for Subdivision/Condominium approval, the person or public body requesting the amendment or approval shall submit a pre-submission consultation package for review by the municipality. Pre-submission consultation may also be required prior to the submission of an application for consent.

Information to be provided or presented as part of the pre-submission consultation package shall include, but is not limited, to the following:

1. Brief overview of the proposal (sketch, drawing, illustration, if applicable).
2. Key Map/Aerial Photo
3. Relevant project data (lot area, lot size, number of units proposed if applicable)
4. General commentary on the nature of relief or action sought.
5. Overview of public agency/government consultation completed to-date.
6. Basic servicing scheme (if applicable).
7. Project timelines.

During the pre-submission consultation process the nature and scope of studies to be prepared in support of the application shall be identified. The studies required may include, but are not limited to, any of the following:

1. Active Transportation Report

2. Affordable/Attainable Housing Report/Rental Housing Conversion Study
3. Air Quality Study
4. Archeological Impact Assessment/Review
5. Built Heritage & Cultural Heritage Landscape: Heritage Impact Assessments
6. Commercial Market Study (Commercial Impacts)
7. Comprehensive Review
8. Cultural Heritage Impact Statements
9. Contamination Management Plan
10. Cross-section Drawings/Profiles
11. D4 Study (Landfills and Dumps)
12. Decommissioning Report
13. Endangered and *Threatened Species* Habitat Studies / Other *Wildlife habitat* Studies
14. Electrical Economic Evaluation Plan
15. Employment Lands Study
16. Environmental Impact/Natural Heritage Study
17. Environmental Implementation Report
18. Environmental Site Assessment
19. Financial Impact Study/Analysis
20. Fish Habitat/Impact Study
21. Floodplain Assessment
22. Functional Servicing Report/Plan
23. Geotechnical /Soil Stability Report
24. Grading, Drainage and Stormwater Management Report
25. Growth Management Report

26. Health Impact Assessment
27. Heritage Impact Assessment/Review
28. Hydrogeological/Hydrology Study/Review
29. Illumination Study Lighting/Photometric Plan
30. Lake Carrying Capacity Study
31. Marina or Coastal Engineering Study
32. Market Impact Assessment
33. Master Block Plan
34. Master Environmental Servicing Plan
35. Mineral Aggregate Resources Studies (to identify potential reserves, feasibility of resource use or impact assessment re: proposed adjacent potentially incompatible uses)
36. Minimum Distance Separation (MDS) Calculation Report
37. Natural Hazards Studies
38. Noise and/or Vibration Impact Study
39. Odour and Dust Study
40. Parking Report/Analysis
41. Planning Needs/Justification Report
42. Prime Agricultural Area Identification Study
43. Public Transit Compatibility Assessment
44. Road Assessment
45. Sewage System Development Report
46. Settlement Area Capability Study/Settlement Area Comprehensive Review
47. Shadow Analysis
48. Site Plan Layout
49. Slope Stability Report

50. Spray Analysis - Golf Courses
51. Source Water Protection Area - Risk Assessment Report
52. Sustainability Analysis
53. Traffic Impact Study
54. Traffic Management Plan
55. Tree Inventory and Preservation Plan
56. Community Design Report including Architecture and Streetscape Design
57. View and Vista Renderings
58. Visual Impact Assessment
59. Water Resource Management Report
60. Water Supply
61. Well Water Records
62. *Wetland* Evaluation Studies

In addition the Town may require further or other reports, which it determines, are necessary to address such circumstances. The costs associated with all required studies shall be borne by the applicant. Costs incurred by the municipality in engaging peer review consultants in order to evaluate the proposal and supporting submissions shall also be borne by the applicant.

Applications submitted to the Town after pre-submission consultation must be done so as a complete application on the appropriate forms, as provided by the Town, and must be accurate. Payment of applicable fees must be submitted at the time of filing applications.

E11 GLOSSARY

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

Accessory Apartment

Means a self-contained apartment within a single, semi-detached or townhouse dwelling unit, or within a detached accessory building to any of the permitted residential unit types.

Accessory Building or Structure

Means a detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to the principal use or building, and located on the same lot. An accessory building or structure shall not be used for human habitation except in the case of a permitted accessory apartment under Section B2.7.

Accessory Use

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

Active transportation

Means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

Adjacent Lands

Means:

- a) those lands, contiguous to a specific Natural Heritage Feature or area where it is likely that *development* or *site alteration* would have a negative impact on the feature or area; or,
- b) those lands contiguous to a *Protected Heritage Property*.

Adult Entertainment Establishment

Means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or *services or entertainment* appealing to or designed to appeal to erotic or sexual appetites or inclinations. *Adult Entertainment Establishment* includes an *adult entertainment parlour*, adult video store, *adult specialty store* and *body rub parlour*.

For the purposes of the definition of *adult entertainment establishment*, the following definitions also apply:

“goods” includes books, magazines, pictures, slides, film, disks, phonograph records, prerecorded magnetic tape and any other viewing or listening matter, clothing and accessories;

“services or entertainment” includes activities, facilities, performances, exhibitions, viewings and encounters but does not include the exhibition of film approved under the *Theatres Act*,

“*services or entertainment* which are designed to appeal to erotic or sexual appetites or inclinations” and includes,

- i) *services or entertainment* of which a principal feature or characteristic is the nudity or partial nudity of any person, including, but not limited to the nudity or partial nudity of specified body areas; and,
- ii) *services or entertainment* in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy”, or any other word or any other picture, symbol or representation having like meaning or implication, is used in any advertisement.

Adult Entertainment Parlour

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

For the purposes of the definition *adult entertainment parlour*, the following definitions also apply:

“services” includes activities, facilities, performances, exhibitions, viewings and encounters but does not include the exhibition of film approved under the *Theatres Act*,

“services designed to appeal to erotic or sexual appetites or inclinations” includes,

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

Adult Specialty Store

Means a retail establishment specializing in the sale of a variety of goods and materials made or designed to appeal to erotic or sexual appetites, but does not include a retail store or convenience retail store.

Adult Video Store

Means an establishment where pre-recorded video tape, video discs, films and/or slides made or designed to appeal to erotic or sexual appetites or depicting sexual acts are offered for rent or sale where the proportion of adult videotapes to non-adult videotapes offered is equal to or exceeds the ratio of 10:100 (adult videotape to non-adult videotape). An *adult video store* shall not include facilities for the screening or viewing of such products.

Adverse Effects:

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

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

Agricultural Uses

Means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; *agro-forestry*; maple syrup production; and associated on-farm buildings and structures, including but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

Agriculture-related Uses

Means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture,

benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Agri-tourism Uses

Means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

Amenity Area

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

Ancillary Uses

Means small-scale retail and commercial uses that primarily serve the business functions on employment lands. *Major retail* is not considered an ancillary use.

Animal Kennel

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

Archaeological Resource

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

Areas of Archaeological Potential

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

Area of Natural and Scientific Interest

Means an area of land and water containing natural landscapes or features that has been identified as having earth or life science values related to protection, scientific study or education.

Assisted Housing

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

Automotive Commercial

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

Bed and Breakfast Establishments

Means the use of a single detached residential dwelling for the rental of not more than three (3) guest rooms to the traveling public for overnight accommodation on a temporary basis.

Body Rub

Means the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario

Body Rub Parlour

Means and includes any premises or part thereof where a *body rub* is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the *body rub* is performed, offered or solicited are for the purpose of

medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.

Brownfield Sites

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

Built Heritage Resource

Means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been

designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers.

Character

Means the aggregate of the distinct features that work together to identify a particular area or neighbourhood. The distinct features may include the built and natural elements of an area.

Compatible

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

Comprehensive Rehabilitation

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

Comprehensive Review

For the purposes of settlement area boundary expansion or employment area re-designation, means an official plan review which is initiated by the *County* or *Town*, or an official plan amendment which is initiated or adopted by the *County* or *Town*, which:

- a) is based on a review of population and employment projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth or development; and determines how best to accommodate the development while protecting provincial interests;
- b) utilizes opportunities to accommodate projected growth or development through *intensification* and redevelopment and considers physical constraints to accommodating the proposed development within existing settlement area boundaries;
- c) is integrated with planning for *infrastructure* and *public service facilities*, and considers financial viability over the life cycle of these assets, which may be demonstrated through asset management planning;
- d) confirms sufficient water quality, quantity and assimilative capacity of receiving water are available to accommodate the proposed development;

- e) confirms that sewage and water services can be provided; and,
- f) considers cross-jurisdictional issues

Connectivity

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

Conservation Authority

Means the Grey Sauble Conservation Authority or the Nottawasaga Valley Conservation Authority.

Conservation Use

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

Conserved

Means the identification, protection, management and use of *built heritage resources, cultural heritage landscapes and archaeological resources* in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

Contaminated Sites

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

Council

Means the Municipal Council of the Corporation of the Town of The Blue Mountains.

County

Means the Corporation of the County of Grey unless otherwise specified. The *County* is a municipality for the purposes of provincial legislation.

Cultural Heritage Landscape

Means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

Cultural Heritage Resources

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

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

D-4 Study

Means a study required to determine the potential for *negative impacts* in compliance with the Province's D-4 Guideline including, but not limited to, ground and surface water (hydrogeology and hydrology), noise, odour, and dust, methane gas migration, traffic impact, land use compatibility, and other studies considered appropriate.

Day Nursery

Means a building or structure or part thereof where more than 5 children are provided with temporary care and/or guidance for a continuous

period, not exceeding twenty-four hours and are licensed in accordance with the *Day Nurseries Act*.

Dark Sky Compliant

Dark Sky Compliant means outdoor lighting fixtures that direct sufficient light downward and minimize light pollution and glare.

Department Store

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

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

Designated and Available

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

Development

Means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include:

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

Drive-through Service Facility

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

Ecological Features

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

Ecological Functions

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

Ecological Integrity

Means the condition of *ecosystems* in which:

- a) the structure, composition and function of the *ecosystems* are unimpaired by stresses from human activity;
- b) natural ecological processes are intact and self-sustaining; and,
- c) the *ecosystems* evolve naturally.

Ecosystem

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

Emergency Housing

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

Employment Lands

Means those areas designated in the *County* or Town official plans for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Endangered Species

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

Enhance

Means, as applied to the natural heritage/environmental policies of this Plan, strengthening the components of a natural area through

management measures to increase stability, biodiversity and long-term viability.

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

Environmentally Sensitive Areas (ESAs)

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

Erosion Hazard

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

Escarpment Brow

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

Essential

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

Fisheries Management

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

Fish Habitat

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

Flooding Hazard

Means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) Along the shorelines of Nottawasaga Bay the *flooding hazard* limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- b) Along river, stream and small inland lake systems, the *flooding hazard* limit is the greater of:
 - i. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 - ii. the one hundred year flood; and
 - iii. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources.

except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard.

Floodplain

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

Forest Management or Forestry

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

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

Garden Suite

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

Gateway

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

Greenfields

Means lands within designated settlement areas, which are designated for growth over the planning horizon, but which have not yet been fully developed.

Gross Hectare

Means the total area of land in a development or plan of subdivision measured in hectares utilized for buildings, lots, public roads and widening, public parks, open space blocks, school sites and other public lands. The measurement of gross density shall not include any land designated Hazard Lands, Wetlands or Escarpment.

Groundwater Discharge

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

Groundwater Recharge

Means the replenishment of subsurface water:

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

Groundwater Resources

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

Group Home Type 1

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

Group Home Type 2 (Correctional)

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

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

Habitat of Endangered Species and Threatened Species

Means

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

Hazard Lands

Means property or lands that could be unsafe for *development* due to naturally occurring processes. Along the shorelines of the Nottawasaga Bay, this means the land, including that covered by water, where applicable, and the furthest landward limit of the flooding hazard, *erosion hazard* or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits.

Hazardous Sites

Means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils, steep slopes, or unstable bedrock (karst topography).

Heritage Attributes

Means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*).

Heritage Conservation District

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

Home Industry

Means a *small-scale industrial use*, such as a carpentry shop, a metal working shop, a welding shop or an electrical shop that provides services or wares to the rural farming community and which is an *accessory use* to an agricultural use or a single detached dwelling. For the purpose of this Official Plan, the repairing of motor vehicles or paint shop, mobile homes and/or trailers is not a *home industry*.

Home Occupation

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

Home/Rural Occupations

Means those uses located within part of a residence or within an *accessory building* to a residence, operated by the resident or residents and is secondary to the principal permitted use of the property. The Town's Zoning By-law shall include a more detailed definition for Home/Rural Occupations.

Hydrological Functions

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

Industrial Use

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

Infrastructure

Means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems communications/ telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Intensification

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

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

Institutional Use

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

Landfill Site

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

Lock-off Unit

Means a commercial resort unit which has a private, separate access to a common hallway and an access door in the common, shared wall with an adjacent commercial resort unit.

Long-term Care Facility

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

Major Retail

Means retail big box stores, retail warehouses and shopping centres serving the community. For the purposes of this definition, a shopping centre is not a collection of *ancillary uses* that primarily serve the business functions on employment lands.

Medical Office

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

Mineral Aggregate Resources

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

Mineral Aggregate Operation

Means:

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

Minimum Distance Separation (MDS)

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

Motor Vehicle Body Shop

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

Motor Vehicle Repair Establishment

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

Natural Heritage Features and Areas

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

Natural Heritage System

Means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or

have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative Impacts

Means that it must be demonstrated that there is no loss of a natural feature or ecological function for which an area is identified. The manner in which this will be achieved will be through the undertaking of an Environmental Impact Study. *Negative impacts* are defined to mean:

- a) in regard to water and water resources, means degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive *development* or *site alteration* activities; or
- b) in regard to *fish habitat*, the harmful alteration, disruption or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity; or
- c) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities..

Normal Farm Practices

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

On-farm Diversified Uses

Means uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products.

Outdoor Storage

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

Partial Services

Means

- a) municipal sewage services or private communal sewage services and individual on-site water services; or
- b) municipal water services or private communal water services and individual on-site sewage services.

Place of Entertainment

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

Place of Worship

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

Portable Asphalt Plant

Means a temporary facility, to be dismantled at the end of a construction project, where,

- a) Equipment is used to heat and dry mineral aggregate and to mix it with bituminous asphalt to produce asphalt paving material; and,
- b) Bulk materials used in the process described in clause (a) are kept.

Portable Concrete Plant

Means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and

- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime Agricultural Area

Means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A *prime agricultural area* may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime Agricultural Land

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

Private Home Daycare

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

Protected Heritage Property

Means property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

Provincially Significant Wetland

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

Public or Quasi-public uses

Means:

- a) uses carried out by Federal or Provincial ministries or companies subject to Federal and Provincial control;
- b) uses carried out by the *County* and the Town of The Blue Mountains;
- c) public roads and railway lines;
- d) water supply, sewage and storm water management facilities; and,
- e) gas, telephone and cable transmission lines.

Quality and Quantity of Water

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

Recreation

Means leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

Redevelopment

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

Residential Care Facilities

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

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

Resource Based Recreational Uses

Means those recreational uses where the prime reason for location by their very nature, require certain natural attributes for their location including the availability of large lots or land areas. Uses permitted may include passive and active recreational facilities and associated commercial and residential uses. Such uses shall be defined to include golf courses, water based recreation, campgrounds, lodges/resorts and skiing/snowboarding facilities.

Retail Use

Means a use conducted in a building or structure or part thereof in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the general public but does not include a *Supermarket*, a *Department store*, a *Specialty Food Store*, an *Automotive Commercial Use*, an *Adult Specialty Store* or an *Adult Video Store*.

Retirement Home

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

Rural Areas

Means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

Rural Lands

Means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

School, Commercial

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

School, Private

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

Second Level Lodging Home

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

Selected Bedrock Resource Area

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

Selected Sand and Gravel Resource Area

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

Seniors Housing

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

Sensitive Land Use

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

Service Use

Means a building or structure or part thereof where clerical, business, professional and administrative services such as banking, accounting, insurance, investment and financial planning, land use planning, engineering or architectural services or the services of other consultants

are provided and may include personal service uses such as florists, dry cleaning, tailors, travel agents, hair salons, diet centres, day spas, tanning parlours, shoe repair and video stores, but shall not include any Adult Entertainment Use.

Services or Entertainment

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

Settlement Area

Means those areas, in the Town of The Blue Mountains, designated in the County Official Plan as Primary Settlement Area, Tertiary Settlement Area or Recreational Resort Area.

Shopping Centre

Means a commercial *development*, designed and functioning as a unit with common parking facilities and access points. The predominant use shall be retail, including *department stores*, specialty food stores and *supermarkets* where permitted by the policies of this Plan, and service commercial within one building unit, however, free standing buildings may also be developed in conjunction with the centre, provided that they are *compatible* with the design and accessibility of the centre itself.

Short Term Accommodation

Means a building or structure or any part thereof that operates or offers a place of temporary residence, lodging or occupancy by way of concession, permit, lease, license, rental agreement or similar commercial arrangement for any period less than thirty (30) consecutive calendar days, throughout all or any part of a calendar year. *Short term accommodation* shall not mean or include a motel, hotel, bed and breakfast establishment, tourist cabin or cottage, hospital, commercial resort unit, village commercial resort unit or similar commercial or *institutional use*.

Significant

Means:

- a) in regard to *wetlands* and areas of natural and scientific interest, an area identified as provincially *significant* by the Ontario Ministry of Natural Resources using evaluation procedures established by

the Province, as amended from time to time;

- b) in regard to other features and areas identified in Section B1.3.2 of this Plan, excluding woodlands, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*. Criteria for determining significance may be recommended by the Province, but municipal approaches that achieve the same objective may also be used;
- c) in regard to cultural heritage, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people; and,
- d) in regard to other matters, important in terms of amount, content, representation or effect.

Site Alteration

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

Small-scale

Means, on parcels 20 hectares or greater in the Agricultural, Special Agricultural or Rural designation small scale when used in the context of commercial or *industrial uses* means those uses which exceed the provisions of a Home/Rural Occupation, but do not exceed the following:

- occupies combined building(s) not exceeding 750 m²;
- outside storage and display is limited to an area not greater than 500 m²;
- if the building(s) is less than 750 m² the outside storage/display area may be increased to a maximum combined outside storage/display area and building area that does not exceed 1250 m²; and
- the passing of an implementing Zoning By-law Amendment.

On parcels less than 20 hectares in the Special Agricultural or Rural designations, a maximum combined building area of 250 m² and a maximum *outdoor storage*/display area of 750 m² will be permitted.

On parcels less than 20 hectares in the Agricultural designation no *small-scale* commercial or industrial operations will be permitted.

Special Agricultural

Means areas designated using evaluation procedures established by the province, as amended from time to time, where specialty crops such as tender fruits (apples, pears, etc.), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or
- b) combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops.

Special Needs Housing

Means any housing, including dedicated facilities, that is designed to accommodate individuals with specific needs beyond economic needs and includes: long term care facilities and retirement homes, where varying degrees of support services are provided including meal preparation, laundry, housekeeping, respite care and attendant services; emergency housing; and residential care facilities.

Stacking Lane

Means an area of land that is used exclusively for motor vehicles whose occupants are waiting to be provided with goods, materials or services.

Supermarket

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

Theatre

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

Threatened Species

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

Transport Terminal

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

Treatment Centre

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

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

Waste Disposal Site

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

Watercourse

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

Wayside Pit or Quarry

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

Wetland

Means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of *wetlands* are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit *wetland* characteristics are not considered to be *wetlands* for the purposes of this definition.

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

Wildlife Habitat

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

Wildlife Management

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

Woodlands

Means land that is one hectare or more in area with at least:

- a) 1000 trees, of any size, per hectare;
- b) 750 trees, measuring over five (5) centimetres/1.96 inches in Diameter at DBH, per hectare;
- c) 500 trees, measuring over twelve (12) centimetres/4.72 inches, in Diameter at DBH, per hectare; or
- d) 250 trees, measuring over twenty (20) centimetres/7.87 inches in Diameter at DBH, per hectare;

but does not include a cultivated fruit or nut orchard or a plantation established for the purpose of producing Christmas trees.