1.0 INTRODUCTION *D9

This part of the Plan presents the principles, objectives and policies for the land use designations identified on the Settlement Pattern and the Comprehensive Land Use Plan for the Rural Planning Area. The principles, objectives and policies for each land use designation should be read in conjunction with the principles, objectives and policies in other parts of the Plan, where applicable.

2.0 RURAL LANDS *D53

The lands identified as "Rural Lands" on Schedule A, Settlement Pattern comprise the majority of the Rural Planning Area of the City of Burlington. To provide for the long-term preservation of natural features and the protection of the rural community as an agricultural area, seven categories of land use have been identified on Schedule C, Comprehensive Land Use Plan - Rural Planning Area for "Rural Lands": The Agricultural Rural Area and Greenlands (Non-Escarpment Plan Area) designations are found on lands outside the Niagara Escarpment Plan Area. The Greenlands (Escarpment Plan Area), Escarpment Protection Area, Escarpment Rural Area and Escarpment Urban Area designations are found on lands within the Niagara Escarpment Plan Area. Mineral Resource Extraction Areas are found both within and outside of the Niagara Escarpment Plan Area. Each of these designations are based on the range of uses, the scale and intensity of the development allowed, and the degree of preservation of natural features and resources.

The following principles, objectives and policies provide a framework that will guide future development and conservation decisions for the "Rural Lands".

2.1 General *D53

2.1.1 Principles

| Rural Area character | a) Rural Lands have a distinct character consisting of productive farmlands and other resource industries, characterized by limited residential settlement and natural areas including the Niagara Escarpment and Bronte Creek. |
| Priority to farming | b) The present and future use of productive agricultural lands in the Rural Planning Area for farming shall be given priority through the policies of the Plan. |
| Self-sustaining development | c) Development on Rural Lands shall be self-sustaining in terms of well water supply and sewage disposal. *D22, D23 |
| Protect and preserve | d) Significant natural and cultural heritage features and landscapes shall be preserved and protected. |
### Part IV - Land Use Policies - Rural Planning Area

<table>
<thead>
<tr>
<th>Restrictions</th>
<th>e)</th>
<th>The importance of wetland areas shall be recognized, with policies that restrict the alteration of the physical and/or biological features present.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential to Urban Area</td>
<td>f)</td>
<td>New residential development shall be directed to the Urban Planning Area, except in those Rural Settlement Areas where limited residential growth can be accommodated. *D22, D23</td>
</tr>
<tr>
<td>Protect agricultural lands</td>
<td>g)</td>
<td>Agricultural lands shall be protected. *D22, D23</td>
</tr>
<tr>
<td>Provide for Mineral Resource Extraction</td>
<td>h)</td>
<td>The designation of new Mineral Resource Extraction areas or a new licence under The Aggregate Resources Act shall be provided for, where they can be accommodated in accordance with the policies of this Plan and by amendment to the Niagara Escarpment Plan, Regional Official Plan and this Plan.</td>
</tr>
</tbody>
</table>

#### 2.1.2 Objectives

<table>
<thead>
<tr>
<th>Objectives</th>
<th>a)</th>
<th>To encourage the use and protection of prime agricultural areas for farming purposes. *D22, D23</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-agricultural development</td>
<td>b)</td>
<td>To direct non-agriculture related development in the Rural Planning Area to Rural Settlement Areas or to the Urban Planning Area, except uses directly related to agriculture that need to be close to the agricultural community. *D22, D23</td>
</tr>
<tr>
<td>ESAs and Greenlands</td>
<td>c)</td>
<td>To recognize Environmentally Sensitive Areas (ESAs) and Greenlands as identified by the Region of Halton and restrict the alteration of physical and/or biological features.</td>
</tr>
<tr>
<td>New lots</td>
<td>d)</td>
<td>To restrict lot creation for residential purposes outside of Rural Settlement Areas. *D22, D23</td>
</tr>
<tr>
<td>Recreation uses</td>
<td>e)</td>
<td>To allow only passive recreational uses that are compatible with rural land uses and the preservation of natural features and prime agricultural areas. *D22, D23</td>
</tr>
<tr>
<td>Pits and quarries</td>
<td>f)</td>
<td>To recognize existing pits and quarries that are licensed under the applicable legislation, and to provide for the designation of new Mineral Resource Extraction Areas or a new licence under The Aggregate Resources Act, which can be accommodated in accordance with the policies of this Plan.</td>
</tr>
<tr>
<td>Self-sustaining</td>
<td>g)</td>
<td>To require new development to be self-sustaining in terms of well water supply and sewage disposal.</td>
</tr>
</tbody>
</table>
### 2.1.3 Policies

<table>
<thead>
<tr>
<th>Category</th>
<th>Policy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Self-sustaining development</td>
<td>All development, unless specifically identified, shall be based on self-sustaining well water supply and sewage disposal.</td>
</tr>
<tr>
<td>Servicing requirements</td>
<td>All development shall be required to meet the servicing requirements of the Region of Halton and the Ministry of the Environment.</td>
</tr>
<tr>
<td>Settlement Area development</td>
<td>Residential development in the Rural Planning Area shall be directed towards the Rural Settlement Areas of Kilbri, Lowville and Mount Nemo. *D22, D23</td>
</tr>
<tr>
<td>Agricultural operations</td>
<td>Existing agricultural operation is a permitted use in all land use designations outside of the Urban Planning Area.</td>
</tr>
<tr>
<td>Evaluation criteria</td>
<td>Land use development proposals shall be evaluated using the following criteria, as well as all other applicable policies in Parts II, IV and VI of this Plan:</td>
</tr>
</tbody>
</table>

(i) all development within the Niagara Escarpment Plan Area shall be subject to *The Niagara Escarpment Planning and Development Act*, the Niagara Escarpment Plan, and the policies of the Region of Halton and City of Burlington Official Plans. In the event of conflicts between policies, the more restrictive shall apply; |

(ii) all development within the Provincial Greenbelt Plan shall be subject to *The Greenbelt Act*, the policies of the Greenbelt Plan, and the policies of the Region of Halton and City of Burlington Official Plans. In the event of conflicts between policies, the more restrictive shall apply; |

(iii) all development within the Parkway Belt West Planning Area shall be subject to *The Parkway Belt Planning and Development Act*, applicable Provincial Land Use Regulations, the Parkway Belt West Plan, and the policies of the Region of Halton and City of Burlington Official Plans. In the event of conflicts between policies, the more restrictive shall apply; |

(iv) the site is not hazardous to life or property in terms of soil contamination, unstable ground or soil, or possible flooding; |

(v) the proposed development meets all Federal, Provincial, Regional and City requirements; |

(vi) the site supports the use with minimal adverse affects on water quality, natural vegetation, soil, and wildlife population of the site;
(vii) all development is to be designed and located having regard for the preservation of the natural and visual features of the area;

(viii) all development within areas regulated by Conservation Halton will be subject to the Development, Interference with Wetlands and Alterations to Watercourses and Shorelines Regulation, where applicable;

(ix) any new roads, road improvements or service corridors should be determined with consideration of environmental features;

(x) the groundwater impacts of the development are evaluated; and

(xi) development and re-development will result in minimum damage to significant trees, wooded areas, and hedgerows, as identified by an Environmental Evaluation. Development will also be designed so as to preserve the existing open-space setting of the Niagara Escarpment face, as well as all creek and stream valleys in the area.

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The provision of home occupations and cottage industries shall be based on the following:

(i) in the Greenlands-Escarpment Plan Area designation, home occupations and cottage industries shall be confined to the single dwelling or an addition to the dwelling;

(ii) in the other Rural land use designations, home occupations and cottage industries as a first option shall be encouraged to locate in the single dwelling or in an addition to the dwelling, but may be conducted in an accessory building where the need for the use of a separate building can be justified. The justification for a separate building shall demonstrate the following:

i. why the home occupation or cottage industry cannot be established within the existing single dwelling or in an addition to the dwelling;

ii. that the home occupation or cottage industry will not result in applications for severance;

iii. that the building size and design will result in minimal visual impact and not alter the rural character of the property;

iv. that wells and septic systems can accommodate the use with minimal impact;

OPA 55
v. that any access and parking requirements can meet engineering and safety standards;

vi. that municipal transportation networks will not be unreasonably affected;

vii. that the home occupation or cottage industry will retain the existing rural and agricultural character of the area and remain incidental and secondary to the principal residential or farm use on the property;

viii. why the home occupation or cottage industry cannot be appropriately located in a designated Rural Settlement Area.

(iii) home occupations or cottage industries shall be limited to one home occupation or cottage industry per lot;

(iv) where the home occupation or cottage industry is located within the single dwelling or in an addition to the dwelling, not more than 25 per cent of the total floor area including any addition to the dwelling shall be devoted to the use to a maximum of 100 sq. m.;

(v) where the home occupation or cottage industry is located within an accessory building, not more than 100 sq. m. of the building shall be devoted to the use;

(vi) where the home occupation or cottage industry is located in an accessory building, the following shall apply:

i. the building shall be sited in the residential cluster which shall generally mean a distance of not more than 30 m from the single dwelling;

ii. the use of a common driveway;

iii. the use of shared residential services where possible (e.g. septic system for domestic waste only, well, parking);

(vii) the home occupation or cottage industry shall be operated by residents of the household on the lot;

(viii) goods or products offered as part of a home occupation or cottage industry must be produced on the lot and not be imported to the property;

(ix) where goods or services are offered, only limited public retail sales from the property shall be permitted;

(x) the production, storage or disposal of waste, toxic or hazardous materials is prohibited;
(xi) outdoor storage or display of goods, materials or products shall be prohibited;

(xii) the home occupation or cottage industry shall not interfere with television and radio reception; and

(xiii) only one unlit sign having a maximum size of 0.4 sq. m. identifying the home occupation or cottage industry shall be permitted on the lot.

An amendment to the Plan shall be required to allow a new or expanded mineral resource extraction use under The Aggregate Resources Act. Applications for new or expanded mineral resource extraction uses shall be subject to the policies of Part II, Section 2.12 of this Plan.

Transportation and utility facilities shall be permitted subject to an assessment of the potential effects on existing and future surrounding land uses; other existing and potential future City transportation and utility facilities; identified areas of environmental significance, including Escarpment features, stream valleys, hazard land areas, environmentally sensitive areas and wetlands; and surrounding agricultural lands and operations. In the Greenlands (Niagara Escarpment Plan Area) designation, only essential transportation and utility facilities are permitted. Waste disposal and landfill sites are prohibited in the Niagara Escarpment Plan Area.

Notwithstanding the general policies of the Plan, and subject to all applicable municipal by-laws, policies and site plan requirements and development criteria of the Niagara Escarpment Plan, the following are permitted:

(i) the operation of a seasonal campground with a maximum of 150 campsites on lands located in the northerly half of Lot 24, Concession 2, N.D.S;

(ii) the operation of a seasonal campground with a maximum of 59 seasonal cottages and one permanent single-detached dwelling in addition to related recreational facilities at "Camp Sidrabene", located on Appleby Line at the Bronte Creek;

(iii) the operation of a private, self-sustaining development with a maximum of 12 year-round residences and 82 seasonal cottages at the Cedar Springs Community located on Cedar Springs Road. The conversion of seasonal residential dwellings to permanent residences within the Cedar Springs Community shall not be permitted;

(iv) the operation of an institutional campground by the Boy Scouts of Canada on lands located at 4284 No. 2 Side Road;
(v) the operation of an existing airport located on lands at Bell School Line;

(vi) the development of the Beaufort Heights area mainly for single-detached dwellings with urban services; and

(vii) the operation of an 18-hole golf course at 6621 Guelph Line, including accessory facilities related to the golf course use and accessory land uses existing as of October 1, 2006.

2.2 Agricultural Rural Area Designation *D22, D23, R9

2.2.1 Objectives

Agriculture primary activity

a) To recognize agriculture as the primary activity and land use in the Agricultural Rural Area designation.

Long-term preservation

b) To ensure the long-term preservation of agricultural use of land as well as the open space character of land in a rural area.

Preserve and maintain

c) To preserve productive agricultural soils and maintain these lands for existing and future farm use.

Environmental degradation

d) To ensure that rural lands and waters can sustain permitted uses without environmental degradation.

Rural living

e) To encourage rural living that is sensitive to the ecological balance, the protection of farmland and the farming community.

Prohibit ribbon development

f) To prohibit further ribbon development along all roads outside the Urban Planning Area.

Mineral Resource Extraction

g) To provide for the designation of new Mineral Resource Extraction Areas, which can be accommodated in accordance with the policies of this Plan and by amendment to this Plan.

2.2.2 Policies *D22, D23

Basis for designation

a) Lands designated Agricultural Rural Area include areas having rural open space landscape character, and containing agricultural lands.

Permitted uses

b) The following uses may be permitted within the Agricultural Rural Area:

(i) agricultural operations including accessory buildings, structures, facilities and dwellings;

(ii) existing uses;
(iii) single-detached dwellings on existing lots created under The Planning Act;

(iv) dwellings accessory to an agricultural operation provided: the farm is operated by a commercial farmer; the accessory dwelling is required to house farm help or a retiring farmer; and the accessory dwelling is sited as part of the cluster of existing farm buildings. The accessory dwelling may be a mobile or portable home.

(v) forest, wildlife and fisheries management;

(vi) archaeological activities;

(vii) transportation and utility facilities;

(viii) accessory buildings, structures and facilities (e.g., a garage or farm pond) and site modifications to accommodate them;

(ix) incidental uses (e.g., swimming pools, tennis courts and ponds) and site modifications to accommodate them, provided the impact on the natural environment is minimal;

(x) wayside pits and quarries and portable asphalt plants for the purposes of public road construction;

(xi) businesses that may not be related to agriculture, provided that:

i. their scale is minor and does not change the appearance of the farming operation;

ii. their impact such as noise, odour and traffic on surrounding land uses is minimal and will not hinder surrounding agricultural uses;

iii. they meet all Regional criteria as stated in the On-Farm Business Guidelines adopted by Regional Council;

(xii) home occupations and cottage industries with a gross floor area not exceeding 100 sq. m. or 25 per cent of the residential living area, whichever is lesser;

(xiii) home industries with a gross floor area not exceeding 200 sq. m; and located on a commercial farm and secondary to the farming operation;
(xiv) retail uses with a gross floor area not exceeding 500 sq. m. if located on a commercial farm and secondary to the farming operation, and the majority of the commodities for sale, measured by monetary value, produced or manufactured on the farm;

(xv) agricultural-related tourism uses with a gross floor area not exceeding 250 sq. m. and if located on a commercial farm and secondary to the farming operation;

(xvi) bed and breakfast uses with 3 or less guest bedrooms;

(xvii) veterinary clinics serving the agricultural community;

(xviii) animal kennels in conjunction with a single-detached dwelling;

(xix) small-scale recycling depots for paper, glass and cans, etc., serving the local community;

(xx) the Bruce Trail;

(xxi) watershed management and flood and erosion control projects carried out or supervised by a public agency.

Prohibit subdivisions

(c) Residential plans of subdivision or condominium shall not be permitted.

Prohibit recreational uses

d) Recreation uses, except for the Bruce Trail, shall not be permitted.

Accessory dwellings

e) Notwithstanding the other policies of this Plan, the maximum number of dwelling units on a farm shall be three.

2.3 Escarpment Rural Area Designation *D22, D23

2.3.1 Objectives

Basis for designation

a) The objectives for this designation include those found in Part IV, Subsection 2.2.1 and the following:

(i) to maintain the scenic values of lands in the vicinity of the Escarpment;

(ii) to maintain the open landscape character by encouraging the conservation of the traditional cultural landscape and cultural heritage features;
PART IV - LAND USE POLICIES - RURAL PLANNING AREA

(iii) to encourage agriculture and forestry and to provide for compatible rural land uses;

(iv) to provide a buffer for the more ecologically sensitive areas of the Escarpment; and

(v) to provide for the designation of new Mineral Resource Extraction Areas which can be accommodated by an amendment to the Niagara Escarpment Plan.

2.3.2 Policies

a) The lands designated Escarpment Rural Area include minor Escarpment slopes and landforms and/or lands in the vicinity of the Escarpment necessary to provide an open landscape, and/or are of ecologic importance to the environment of the Escarpment.

b) The policies for this designation include those found in Part IV, Subsection 2.2.2 with the exception of 2.2.2 b) (iv), (vii), (x), (xii), (xiv), (xv), and (xix), and the following:

c) Additional uses permitted in the Escarpment Rural Area include:

(i) mobile or portable dwellings accessory to an agricultural operation subject to the development criteria of the Niagara Escarpment Plan;

(ii) wayside pits and quarries for the purposes of public road construction; and

(iii) linear transportation and utility facilities;

(iv) a second single dwelling on an existing lot of record where there is an existing dwelling designated and an easement agreement registered under The Ontario Heritage Act for a dwelling of local cultural heritage value or interest or where the dwelling is considered to be of provincial or national heritage value or interest and, in the opinion of City Council the allowance of the second single dwelling is the only viable way to preserve the local, provincial or national heritage value or interest of the existing single dwelling on the lot, and where there is no conflict with all other provisions of this Plan;

(v) retail uses with a gross floor area not exceeding 500 sq. m., if located on a commercial farm and secondary to the farming operation, and provided the majority of the commodities for sale, measured by monetary value, are produced or manufactured on the farm.
2.4 Greenlands (Non-Escarpment Plan Area) Designation *R9, D53

2.4.1 Objectives

| Long-term preservation and protection | a) To ensure the long-term preservation of lands that form a permanent natural resource base consisting of ecologically sensitive natural areas and open space areas. These lands include most non-Escarpment related natural features, stream valleys, hazard land areas, significant woodlots, *environmentally sensitive areas*, *wetlands*, related significant natural areas and associated *cultural heritage features*. |
| Compatible land uses | b) To maintain and enhance the landscape qualities of non-Escarpment related natural features, stream valleys, hazard land areas, woodlots, *environmentally sensitive areas*, *wetlands*, related significant natural areas and associated *cultural heritage features*. |
| Recreation & conservation | c) To allow only passive recreation and conservation activities which are *compatible* with the Greenlands (Non-Escarpment Plan Area) designation as well as *agricultural* activity. *D23* |
| Regional Greenlands | d) To identify lands that comprise the Greenlands System of interconnected open space and natural areas as identified in the Region of Halton's Official Plan. |
| Protect private lands | e) To protect private lands from public trespass by requiring clear identification of public lands where public access shall be *encouraged*. |
| Restrict access | f) To indicate that the Greenlands (Non-Escarpment Plan Area) designation does not imply or authorize that there should be public access or use of private lands. |

2.4.2 Policies

| Basis for designation | a) Lands designated as Greenlands (Non-Escarpment Plan Area) shall meet one or more of the following criteria: |
| | (i) *Areas of Natural and Scientific Interest*; |
| | (ii) significant stream valleys, *wetlands*, woodlots, hazard lands and areas of *wildlife habitat* which are identified as significant based on specific research and studies; |
| | (iii) *Environmentally Sensitive Areas*; and |
| | (iv) *Provincially and Regionally Significant wetlands*. |
| Permitted uses | b) Uses permitted in the Greenlands (Non-Escarpment Plan Area) designation may include: |
(i) existing agricultural operations within the Greenlands (Non-Escarpment Plan Area) designation will be recognized and can continue. In interpreting the extent of existing agricultural operations, the history of such operations will be taken into consideration as well as any role the Greenlands features or functions may play in complementing the farming activity. The intent of the Greenlands (Non-Escarpment Plan Area) designation on an active farm is not meant to restrict the operation nor to reduce the economic viability of the operation. If requested by the owner, the City will, in consultation with the Region of Halton and the appropriate public agencies as necessary, undertake a site specific evaluation of the effective boundaries of the Greenlands (Non-Escarpment Plan Area) on the property as they apply to the existing agricultural operation;

(ii) existing uses;

(iii) single-detached dwellings on existing lots created under The Planning Act;

(iv) non-intensive recreation uses such as nature viewing and trail activities except motorized vehicle trails or the use of motorized trail vehicles;

(v) forest, wildlife and fisheries management;

(vi) archaeological activities;

(vii) essential transportation and utility facilities;

(viii) accessory buildings, structures and facilities (e.g., a garage or farm pond) and site modifications to accommodate them;

(ix) incidental uses (e.g., swimming pools, tennis courts) and site modifications to accommodate them, provided the effects on the natural environment are minimal;

(x) home occupations and cottage industries with a gross floor area not exceeding 100 sq. m or 25 per cent of the residential living area, whichever is lesser;

(xi) the Bruce Trail; and

(xii) essential watershed management and flood and erosion control projects carried out or supervised by a public authority.
| Recreation use | c) Non-intensive recreation uses shall be permitted only when natural features are preserved to the maximum possible degree; all proposed buildings and structures are minor in scale; there are no or minimal parking areas required; and adverse effects on adjacent agricultural operations are minimized. |
| Prohibit subdivisions | d) Residential plans of subdivision or condominium shall not be permitted. |
| Building area | e) Property owners shall be encouraged to locate development outside of the portions of their lands designated as Greenlands (Non-Escarpment Plan Area). |
| Wetlands and floodplains | f) Notwithstanding Part IV, Subsection 2.4.2 b), no development shall be allowed within the portions of the Greenlands (Non-Escarpment Plan Area) designation containing Provincially Significant Wetlands as identified through the Ministry of Natural Resources in accordance with Provincial policy, regulatory floodplains as identified by Conservation Halton, and areas regulated by Conservation Halton, unless permission has been received by Conservation Halton. |
| Environmental Evaluations | g) The proponent of a development may be required to prepare an Environmental Evaluation Report for lands in the Greenlands (Non-Escarpment Plan Area) subject to the policies of Part II, Section 2.5 of this Plan, if the development would adversely affect the environment. Single-detached dwellings and agricultural related uses such as barns and sheds would be exempt from this policy. |
| Environmentally Sensitive Areas | h) Environmentally Sensitive Areas (ESAs) are identified as an overlay on Schedule C, Comprehensive Land Use Plan: Rural Planning Area. The precise boundaries of these areas shall be determined by the Region of Halton. Specific policies for ESAs are: |
| | (i) the alteration of physical and/or biological features shall be restricted; |
| | (ii) subject to the requirements of Part IV, Subsection 2.4.2 g) the proponent of any development, including public works, inside of or within 60 m of an ESA must carry out an Environmental Evaluation; and |
| | (iii) the alteration of any condition or land use that may affect the ESA shall be subject to approval of the appropriate authority, based on site plans submitted by, and agreements entered into with the developer. |
| Agreements with property owners | i) Property owners and Government and other agencies are encouraged to enter into voluntary agreements regarding the protection of natural features. |
Identification of public lands j) The City shall request public agencies to provide clear identification of public lands where public access is to be encouraged. The protection of private lands from public trespass shall be promoted.

2.5 Greenlands (Escarpment Plan Area) Designation *D53

2.5.1 Objectives

Long-term preservation and protection a) To ensure the long-term preservation of lands that form a permanent natural resource base consisting of ecologically sensitive natural areas and open space areas. These lands include the most natural Escarpment features, stream valleys, hazard land areas, significant woodlots, environmentally sensitive areas, wetlands, related significant natural areas and associated cultural heritage features.

Compatible land uses b) To maintain and enhance the landscape qualities of Escarpment features, stream valleys, hazard land areas, woodlots, environmentally sensitive areas, wetlands, related significant natural areas and associated cultural heritage features.

Recreation and conservation c) To allow only passive recreation and conservation activities which are compatible with the Greenlands (Escarpment Plan Area) designation as well as agricultural activity.

Regional Greenlands d) To identify lands that comprise the Greenlands System of interconnected open space and natural areas as identified in the Region of Halton's Official Plan.

Protect private lands e) To protect private lands from public trespass by requiring clear identification of public lands where public access shall be encouraged.

Restrict access f) To indicate that the Greenlands (Escarpment Plan Area) designation does not imply or authorize that there should be public access or use of private lands.

2.5.2 Policies

Basis for designation a) Lands designated as Greenlands (Escarpment Plan Area) shall meet one or more of the following criteria:

(i) escarpment slopes and related landforms associated with the underlying bedrock which is in a relatively natural state;

(ii) where forest lands abut the Escarpment, lands extending 300 m back from the brow of the Escarpment slope;

(iii) Areas of Natural and Scientific Interest;
PART IV - LAND USE POLICIES - RURAL PLANNING AREA

(iv) significant stream valleys, wetlands, woodlots, hazard lands and areas of wildlife habitat which are identified as significant based on specific research and studies;

(v) Environmentally Sensitive Areas; and

(vi) Provincially and Regionally Significant wetlands.

Policies
b) The policies for this designation are found in Part IV, Subsection 2.4.2, except as follows. OPA 55

Niagara Escarpment Parks Plan
c) Uses permitted in Park or Open Space Master/Management Plans are also permitted, provided they are not in conflict with the Niagara Escarpment Plan. OPA 55 OPA 74

Second dwelling unit
d) Notwithstanding subsection a) above, a second single dwelling is permitted on an existing lot of record provided the following conditions are met:

(i) there is no other designation on the lot where the dwelling can be sited;

(ii) there is an existing dwelling designated and an easement agreement registered under The Ontario Heritage Act for a dwelling of local cultural heritage value or interest or where the dwelling is considered to be of provincial or national cultural heritage value or interest;

(iii) in the opinion of City Council, the allowance of the second single dwelling is the only viable way to preserve the local, provincial or national cultural heritage value or interest of the existing single dwelling on the lot;

(iv) there is no conflict with all other provisions of this Plan; and

(v) within areas regulated by Conservation Halton, permission has been received by Conservation Halton. OPA 55

More than one designation
e) Where a lot is located in more than one designation, development shall be located on that portion of the lot located in the least restrictive designation, except where it is evident that the impact of development on the Escarpment environment would be reduced by locating the development on a portion of the lot located in a more restrictive designation.
2.6 Escarpment Protection Area Designation *D23

2.6.1 Objectives

<table>
<thead>
<tr>
<th>Open landscape</th>
<th>a) To maintain and enhance the open landscape character of Escarpment features.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buffer Escarpment</td>
<td>b) To provide a buffer to prominent Escarpment features.</td>
</tr>
<tr>
<td>Maintain natural areas</td>
<td>c) To maintain natural and cultural heritage areas and features of local and regional significance.</td>
</tr>
<tr>
<td>Encourage uses</td>
<td>d) To encourage agriculture and forestry.</td>
</tr>
</tbody>
</table>

2.6.2 Policies

<table>
<thead>
<tr>
<th>Basis for designation</th>
<th>a) Lands designated as Escarpment Protection Area meet one or more of the following criteria:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(i) escarpment slopes and related landforms where existing land uses have significantly altered the natural environment (e.g., agricultural lands or residential development);</td>
</tr>
<tr>
<td></td>
<td>(ii) areas that are close to Escarpment slopes and related landforms which are visually part of the landscape; and</td>
</tr>
<tr>
<td></td>
<td>(iii) Regionally Significant Areas of Natural and Scientific Interest.</td>
</tr>
<tr>
<td>Permitted uses</td>
<td>b) The following uses may be permitted in the Escarpment Protection Area:</td>
</tr>
<tr>
<td></td>
<td>(i) agricultural operations including accessory buildings, structures, facilities;</td>
</tr>
<tr>
<td></td>
<td>(ii) existing uses;</td>
</tr>
<tr>
<td></td>
<td>(iii) single-detached dwellings on existing lots created under The Planning Act;</td>
</tr>
<tr>
<td></td>
<td>(iv) mobile or portable dwellings accessory to an agricultural operation will be subject to the development criteria of the Niagara Escarpment Plan;</td>
</tr>
<tr>
<td></td>
<td>(v) forest, wildlife and fisheries management;</td>
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<tr>
<td></td>
<td>(vi) archaeological activities;</td>
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<tr>
<td></td>
<td>(vii) transportation and utility facilities;</td>
</tr>
<tr>
<td></td>
<td>(viii) accessory buildings, structures and facilities (e.g., a garage or farm pond) and site modifications to accommodate them;</td>
</tr>
</tbody>
</table>
(ix) incidental uses (e.g., swimming pools, tennis courts and ponds) and site modifications to accommodate them, provided the impact on the natural environment is minimal; OPA 74

(x) uses permitted in Park or Open Space Master/Management Plans which are not in conflict with the Niagara Escarpment Plan; OPA 74

(xi) home occupations and cottage industries with a gross floor area not exceeding 100 sq. m. in a dwelling unit or in an addition to a dwelling unit, to a maximum of 25 per cent of the residential living area, whichever is the lesser, and 125 sq. m. if the use is located in an accessory building to the dwelling; OPA 55

(xii) home industries with a gross floor area not exceeding 200 sq. m. and located on a commercial farm; OPA 55

(xiii) veterinary clinics serving the agricultural community; OPA 55

(xiv) animal kennels in conjunction with a single-detached dwelling;

(xv) small-scale recycling depots for paper, glass and cans, etc., serving the local community;

(xvi) the Bruce Trail;

(xvii) commercial uses that meet all of the following criteria: the use is accessory to and located on a commercial farm and secondary to the farming operation; the retail component has a gross floor area not exceeding 250 sq. m; and the majority of the goods for sale, measured by monetary value, were produced or manufactured on the farm; and the buildings, structures and facilities are designed and located to minimize the impact on the agricultural use, adjacent land use and the rural open landscape character; OPA 55

(xviii) bed and breakfast uses with three or less guest bedrooms; OPA 7

(xix) a second single dwelling on an existing lot of record where there is an existing dwelling designated and an easement agreement registered under The Ontario Heritage Act for a dwelling of local cultural heritage value or interest or where the dwelling is considered to be of provincial or national cultural heritage value or interest and, in the opinion of City Council the allowance of the second single dwelling is the only viable way to preserve the local, provincial or national cultural heritage value or interest of the existing single dwelling on the lot, and where there is no conflict with all other provisions of this Plan; OPA 55

(xx) watershed management and flood and erosion control projects carried out or supervised by a public agency; OPA 55
(xxi) nature preserves owned and managed by an approved conservation agency;

(xxii) greenhouses, stockpiling and processing of soil, processing and sale of local farm products, sale of garden centre or landscaping products, sale and storage of bulk firewood and hay, cold storage and fruit packing operation, and incidental facilities necessary to support these uses on approximately 7.1 hectares of land described as Parts 1, 2 and 3, Plan 20R-15247 located on Part 18, Concession 1, North of Dundas Street.

Prohibit subdivisions c) Residential plans of subdivision or condominium shall not be allowed.

Accessory dwellings d) Notwithstanding the other policies of this Plan, the maximum number of dwelling units on a farm shall be three.

Comments on Park Plans e) The City of Burlington will provide comments to the Niagara Escarpment Commission and the appropriate management agency regarding permitted uses proposed in Park or Open Space Master or Management Plans for lands within the Niagara Escarpment Park and Open Space System.

2.7 Escarpment Urban Area Designation

2.7.1 Objective

a) To minimize the impact and further encroachment of urban growth on the Escarpment environment.

2.7.2 Policies

Residential policies a) The policies of Part III, Section 2.0, Residential Areas, of this Plan shall apply, as well as the following additional policies.

Development criteria b) Proposed uses and the creation of new lots may be permitted subject to conformity with Part 2, Development Criteria, of the Niagara Escarpment Plan.

Urban design c) All development should be of an urban design compatible with the visual and natural environment of the Escarpment. Where appropriate, provision for adequate setbacks and screening should be required to minimize the visual impact of urban development on the Escarpment landscape.

New development d) New development shall not encroach into the Greenlands (Escarpment Plan Area) or Escarpment Protection Areas.

New Lots e) New lots shall not be created to include the Greenlands (Escarpment Plan Area) or Escarpment Protection Areas.
New Lots  

f) New lots may include the Greenlands (Escarptment Plan Area) or Escarpment Protection Areas designation under the following circumstances:

(i) correcting conveyances;

(ii) where the land is in the Greenlands (Escarptment Plan Area) or Escarpment Protection Area has, or is to be, acquired by a public body or an approved conservation organization;

(iii) enlarging existing lots provided that no further fragmentation of the Greenlands (Escarptment Plan Area) or Escarpment Protection Area would result and provided there is sufficient area in the Escarpment Urban Area to accommodate the proposed development.

Public access  
g) Adequate public access to the Escarpment should be provided by such means as parking areas, walkways or pedestrian trails (e.g. the Bruce Trail).

Compatibility  
h) Development proposals should be compatible with and provide for the protection or restoration of historic features or areas, archaeological sites and structures of architectural significance in accordance with Part 2.12 of the Niagara Escarpment Plan.

Compatibility  
i) Growth should be compatible with and provide for the protection of unique ecologic areas, wildlife habitats, streams and water supplies and other environmentally sensitive areas both inside and adjacent to the Escarpment Urban Area.

2.8 Mineral Resource Extraction Area *D53

2.8.1 Objectives

Existing licensed areas  
a) To protect legally existing pits and quarries licensed under The Aggregate Resources Act from incompatible land uses.

Minimize impacts  
b) To minimize the potential for incompatibilities between impact of mineral resource extraction and the rural community.

Rehabilitation  
c) To ensure the progressive rehabilitation of pits and quarries to an appropriate after-use that is compatible with the applicable Plan designation, the surrounding environment and existing uses.

Escarpment environment  
d) To minimize the impact of mineral extraction operations on the Escarpment environment.

Open space and agricultural  
e) To encourage the rehabilitation of pits and quarries to an agricultural after-use if the lands are located in an agricultural area or to be integrated into the Niagara Escarpment Parks and Open Space System, where appropriate.
Non-permanent land use

f) To recognize that Aggregate Extraction is a non-permanent land use that will, in the long term, be replaced by another appropriate land use.

OPA 55

2.8.2 Policies

Permitted uses

a) The following uses may be permitted within the Mineral Resource Extraction Area:

(i) agricultural operations including accessory buildings, structures and facilities;

(ii) existing uses;

(iii) mineral aggregate extraction operations licensed under The Aggregate Resources Act;

(iv) forest, fisheries and wildlife management;

(v) archaeological activities;

(vi) recreation uses subject to the requirements of Part IV, Subsection 2.8.2 d);

(vii) essential utility and transportation facilities;

(viii) accessory buildings and facilities normally associated with the mineral resource extraction operation, such as small scale offices, or crushing and washing facilities, but excluding asphalt plants; concrete plants, brick manufacturing plants and other similar uses;

(ix) incidental uses and site modifications to accommodate them, provided the impact on the natural environment is minimal;

(x) uses permitted in a Park or Open Space Master or Management Plan which are not in conflict with the Niagara Escarpment Plan, if the land is located within the Niagara Escarpment Parks and Open Space System;

(xi) watershed management, and flood and erosion control projects carried out or supervised by a public authority;

(xii) notwithstanding the other policies of this Plan, a brick manufacturing plant provided: the greater part of the materials used come from the licensed area; and the lands are located outside of the Niagara Escarpment Plan Area or if the lands are located within the Niagara Escarpment Plan Area and an amendment has been made to the Niagara Escarpment Plan to permit the use; and

(xiii) the Bruce Trail.
PART IV - LAND USE POLICIES - RURAL PLANNING AREA

Hydrogeological studies  
b) The City shall support the undertaking of hydrogeological studies in accordance with Provincial legislation and policies of the Region of Halton and Conservation Halton to ensure that surface and ground water resources are protected from the adverse effects of mineral resource extraction.

Rehabilitation  
c) The City shall require the progressive rehabilitation of mineral resource extraction areas for an appropriate after-use.

Recreation use  
d) Recreation uses shall be permitted only when buildings and structures are minor in scale, and are located to preserve an open-space character in the area; landscaping and berms are provided to maintain an open-space character of the area; if the use involves significant taking of ground or surface waters, the proponent must demonstrate, through a detailed study and to the satisfaction to the City, that the water resources in the general area will not be adversely affected and the impact on adjacent agricultural operations is minimized, through the preparation of an Agricultural Impact Assessment to the satisfaction of the Region of Halton.

Natural ecosystem  
e) Where rehabilitation is being undertaken by reforestation, the after use shall aim to re-establish a functioning ecosystem similar in condition to the natural ecosystem in the region.

Agricultural after use  
f) Where rehabilitation is being undertaken to agriculture, substantially the same acreage and average soil capability for agriculture shall be restored.

3488 Tremaine Road  
g) Notwithstanding Part IV, Subsections 2.1.1 (c) and 2.1.2 (g), the use of lands located at Part of Lots 1 and 2, Concession 1, N.D.S., (3488 Tremaine Road) for mineral resource extraction shall be permitted based on the provision of a private communal water system approved by the Region of Halton to properties identified by the Region of Halton having potential for well water interference from operation of a shale quarry at this location.
3.0 RURAL SETTLEMENT AREAS

The lands identified as "Rural Settlement Area" on Schedule A, City Structure Land Use Plan have also been identified on Schedule C, Comprehensive Land Use Plan - Rural Planning Area. These lands comprise the areas of Kilbride, Lowville and Mount Nemo and represent locations in the Rural Planning Area where residential, commercial and institutional development shall be located. The population capacity for each of these Rural Settlement Areas is estimated to be approximately: Kilbride, 900 persons, Mount Nemo, 300 persons and Lowville, 325 persons.

The following principles, objectives and policies provide a framework that shall guide future development for Rural Settlement Areas:

3.1 Principles

- **Compatible with surroundings**
  a) Growth and development within Rural Settlement Areas shall be compatible with and provide protection for the natural environment and have regard for existing settlement patterns.

- **Areas for limited development**
  b) Rural Settlement Areas shall provide limited opportunities for rural, non-farm residences, commercial and institutional uses within the Rural Planning Area.

- **No expansion**
  c) Expansion of the Rural Settlement Areas shall not be permitted.

3.2 Objectives

- **Limited residential growth**
  a) To provide limited opportunities for rural, non-farm residences in certain rural communities where most future residential growth will take place.

- **Non-farm uses**
  b) To direct rural, non-farm uses, including small-scale commercial and industrial development servicing agriculture and the rural community, as well as small-scale public uses such as postal outlets, maintenance buildings, and small meeting halls, to Settlement Areas.

- **Groundwater impacts**
  c) To ensure the impacts on groundwater supplies of Rural Settlement Area development are evaluated and considered.

3.3 General Policies

- **Land Use Plans**
  a) Settlement Area lands are identified on Schedule G: Kilbride Settlement Area Land Use Plan; Schedule H: Lowville Settlement Area Land Use Plan; and Schedule I: Mount Nemo Settlement Area Land Use Plan. Lands within these areas are subject to policies of the Plan and the appropriate development criteria of The Niagara Escarpment Plan.

- **Self-sustaining development**
  b) All development shall be self-sustaining with individual well water supply and sewage disposal systems. The City shall encourage the use of water conservation measures towards ensuring contained sustainability of services.
Minimum lot size c) The minimum *lot size shall* be 0.8 ha or as determined by site-specific hydrogeological studies, whichever is the greater.

Minimum lot size-plan of subdivision d) The minimum *lot size* involving proposals for the creation of two or more *lots shall* be determined based on a site-specific hydrogeological study to be submitted by the proponent and conducted in accordance with the Halton Region Rural Servicing Guidelines. Applications for the creation of two or more *lots shall* require the submission of plan of subdivision or condominium.

Minimum lot size-consent e) The minimum *lot size* involving proposals for the creation of a lot by way of a land conveyance *shall* be determined based on detailed site analysis including a hydrogeological study which addresses the impacts of the new *lots* on ground and surface water resources.

Hydrogeological studies f) The minimum *lot size* findings of the Hydrogeological Investigations prepared by the Region of Halton for each Settlement Area *shall* be used as a guideline when considering *development* proposals.

Non-residential uses g) A non-residential use within a Settlement Area is not to exceed a gross floor area of 500 sq. m and *shall* need a hydrogeological study, if required by the Region of Halton.

Road standards h) The design, location and construction of public and condominium roads *shall* comply with City standards.

Storm water drainage i) Proposals for plans of subdivision or condominium are to be accompanied by a functional storm water drainage plan and report that addresses internal and external drainage limits as well as storm water drainage practices that are to be implemented. Where required by the City, the need for a functional storm water drainage plan and report *shall* also be requested in conjunction with applications for land conveyance.

Preserve natural features j) *Development* proposals *shall* ensure to the maximum possible degree the preservation of significant natural features including wooded areas, *watercourses*, *groundwater recharge areas*, *valley lands* and existing hedgerows.

Road construction k) Major rock cutting and blasting for road construction within Settlement Areas *shall* not be permitted. The regrading of the existing land for road construction *shall* be discouraged.

Kilbride storm water drainage l) Within the Kilbride Settlement Area, the western section of the Settlement Area is imperfectly drained due to a *shallow* depth of overburden to bedrock or the groundwater table, numerous rock outcrops and level terrain. For lands on the west side of McNiven Road, an adequate outlet for storm water drainage is not possible without rock cutting or blasting, which would risk the water supply of existing homes in this location. Further *development* in this area must be supported by technical studies.
Part IV - Land Use Policies - Rural Planning Area

Tree planting m) Tree planting is encouraged to reduce soil erosion and surface water runoff.

3.4 Residential Land Use Policies

Single-detached development a) Single-detached dwellings within plans of subdivision and condominium is the preferred form of development. The creation of new lots through land conveyances may be considered when a plan of subdivision or condominium is not in the public interest.

Dwelling size b) Maximum dwelling sizes may be determined by City Council based on hydrogeological concerns and consideration of land use compatibility and other factors.

Lot size and setbacks c) The minimum lot width is 60 m. The minimum front yard setback is 10 m. The minimum side yard setback shall be 5 m. For corner lots a yard abutting a street shall be at least of 10 m.

Setback from Mineral Extraction Areas d) Dwellings on lands next to a Mineral Resources Extraction Area shall be located no closer than 50 m from the Mineral Resources Extraction Area property. Dwellings on lands separated by an existing road from a Mineral Resources Extraction Area shall be located no closer than 15 m from the deemed road width.

Home Occupations and Cottage Industries e) Home occupations and cottage industries are permitted as an accessory use to a single-detached dwelling, provided the residential appearance of the property is maintained and subject to the policies of Part IV, Subsection 2.1.3 f).

Bed and Breakfast uses f) Bed and Breakfast homes shall be permitted.

3.5 Commercial Land Use Policies

Basis of designation a) The Commercial land use designation provides that only uses that serve the daily shopping and service commercial needs of the local community and the surrounding rural area are encouraged. A dwelling unit or a single-detached dwelling may also be permitted within this land use. Commercial uses serving the tourist trade are permitted, provided their scale and intensity is compatible with surrounding land uses. Service commercial uses requiring outside manufacturing or processing with the use of machinery or equipment are not permitted.

New commercial areas b) An amendment to the Plan shall be required to allow Commercial development at new locations.

Commercial locations c) New Commercial uses shall be encouraged to locate near existing Commercial uses.

Servicing requirements d) Only Commercial uses with a low level of water consumption and sewage generation as approved by the Region of Halton shall be permitted.
3.6 Institutional Land Use Policies

Basis of designation
a) The Institutional land use designation provides that only low-intensity public and private uses related to health, welfare, educational, religious and governmental activities are permitted. A dwelling unit or a single-detached dwelling may also be permitted within this land use.

New institutional uses
b) An amendment to the Plan is required to allow institutional development at new locations.

Institutional locations
c) New institutional uses are encouraged to locate near existing Institutional uses. An amendment may be required for the expansion of an existing institutional use.

Servicing requirements
d) Only institutional uses with a low level of water consumption and sewage generation as approved by the Region of Halton shall be permitted.

Off-street parking
e) Institutional uses are required to provide sufficient off-street parking for associated traffic.

Design requirements
f) Building design for institutional uses must complement nearby development and the rural character of the Settlement Area. Suitable setbacks and buffers shall be required to ensure compatibility with other existing or proposed uses.

3.7 Parks, Greenlands and Open Space Land Use Policies

Settlement Area and City Parks
a) Kilbride and Lowville Parks are intended to provide open space areas for residents in each Settlement Area as well as other City residents.

Kilbride Park
b) The expansion of Kilbride Park to include adjacent Bronte Creek lands shall be encouraged.

Additional open space
c) Additional open space areas within each Settlement Area shall be encouraged where natural features are found that would provide new open space areas.

Basis of designation
d) The Open Space designation applies to lands that are flood-susceptible, are within defined creek valleys, have rock outcrops or wooded areas, or are imperfectly drained due to shallow depth of overburden.
Basis of designation e) The Greenlands designation applies to lands that are designated “Escarpment Natural Area” in the Niagara Escarpment Plan. Expansions of existing uses in the Greenlands designation shall be subject to Part II, Development Criteria, Section 2.3, Existing Uses, of the Niagara Escarpment Plan.

Encroachment f) There shall be no encroachment of development or major landscape alteration on Open Space and Greenlands lands.

Public ownership g) Lands in the Open Space and Greenlands designations shall not necessarily be acquired in public ownership. Where new development is proposed, lands within this designation shall not normally be accepted as part of required parkland dedication for park purposes as permitted under The Planning Act.

Permitted uses h) Uses permitted in the Parks, Greenlands and Open Space designations shall be the same as uses permitted in Part IV, Section 2.5 of this Plan.
1.0 INTRODUCTION

To be read with other parts of the Plan

This part of the Plan presents the principles, objectives and policies for the land use designations identified on the City Structure Land Use Policy Plan and the Comprehensive Land Use Plan for the North Aldershot Planning Area. The principles, objectives and policies for each land use designation should be read in conjunction with the principles, objectives and policies in other parts of the Plan.

2.0 NORTH ALDERSHOT GENERAL

Location

The lands identified as “North Aldershot Planning Area” on Schedule A, Settlement Pattern.

North Aldershot is located north of Highway No. 403 and south of the City of Hamilton. The westerly limit is Highway No. 6 while the easterly limit is the Dundas-Burlington Ontario Hydro Transmission Line.

Lands located north of the Dundas – Burlington Transmission Line have been transferred from the Parkway Belt West Plan to the Niagara Escarpment Plan and are not subject to the policies in Part V, except as set out in Section 12.0.

Three Sectors

North Aldershot is comprised of three sectors: the East Sector, the Central Sector and the West Sector. Detailed planning was completed for the Central Sector in 1996, as approved by the Ontario Municipal Board, and is reproduced in this Section.

The East Sector is bounded on the south by Highway No. 403, on the west by Old Waterdown Road and the Sassafras Woods Environmentally Sensitive Area, on the north by the Dundas-Burlington Ontario Hydro Transmission Line, and on the east by the easterly boundary of the North Aldershot Planning District. The East Sector has an area of approximately 488 hectares.

The Central Sector is bounded on the south by Highway No. 403, on the west by the Grindstone Creek Valley, on the north by the boundary of the City of Burlington and the City of Hamilton, and on the east by Old Waterdown Road and the Sassafras Woods Environmentally Sensitive Area. The Central Sector has an area of approximately 304 hectares.

The West Sector is bounded on the south by Highway No. 403, on the west by Highway No. 6, on the north by the Dundas-Burlington Ontario Hydro Transmission Line and on the east by the Grindstone Creek Valley. The West Sector has an area of approximately 553 hectares.
PART V – NORTH ALDERSHOT PLANNING AREA

Purpose of Part V, Section 2.0

The purpose of this section is to establish goals, objectives and policies to guide further development of North Aldershot.

North Aldershot is a distinctive area - it contains natural features of high environmental significance, it separates two urban areas and it is a place where people enjoy a non-urban lifestyle. The two essential aspects of the area, its natural features and its human settlement, are not separate but co-exist in a finely integrated fashion. This Plan is based on a recognition of this character of the area and that any new development must fit into and build upon the special characteristics. Accordingly, the Plan:

(i) identifies and protects significant environmental areas;
(ii) ensures that these environmental areas are appropriately linked;
(iii) maintains the general open space setting;
(iv) ensures that existing roads retain their present character, and
(v) establishes policies to ensure that new development will be integrated with the existing topography and be compatible with the existing settlement character.

2.1 Principle

Further compatible development

a) To permit further development on the basis that the subject lands are outside of the City’s urban area and that the location and intensity of development shall be determined by compatibility with the existing character, landscape and environment.

2.2 Objectives

Urban Separator function

a) To maintain the urban separator function between the Waterdown urban area of the City of Hamilton and the urban area of Burlington, performed by North Aldershot.

Urban Boundary

b) To confirm the North Service Road as Burlington’s northern urban boundary in the west part of the City.

Distinct area

c) To retain North Aldershot as a distinct, identifiable area in the context of the City of Burlington and the surrounding built-up area to the north and south.

Retain special characteristics

d) To ensure that development and re-development in North Aldershot retains and, where possible, enhances the special characteristics of the area and to ensure the preservation and enhancement of existing significant environmental and physical features.
## Existing character

**To permit development and re-development which is compatible with the predominant characteristics of North Aldershot such that the scale and character of the existing community is respected and regard is had to the rural character of the existing roads.**

## Topography

**To respect the topographical character of the area so that slopes are protected from major cutting, major filling and erosion.**

## Cultural Heritage

**To recognize and reflect the cultural heritage of the area.**

## Roads

**To limit the construction of additional major roads and the upgrading of existing roads.**

## Wildlife

**To ensure that development and re-development have regard for wildlife corridors and linkages and minimize forest fragmentation.**

## Niagara Escarpment

**To preserve the brow of the Niagara Escarpment as well as its visual and natural open space character.**

## Escarpment views

**To preserve significant views of the Escarpment brow as well as from the Escarpment.**

## Other views

**To ensure that significant views of North Aldershot from outside the area reinforces its context as a distinct, identifiable area different from the surrounding urban area.**

## Costs of development

**To require that development pay for growth-related costs.**

### 2.3 General Policies

#### Background

A secondary planning study was completed for North Aldershot in 1994, known as the North Aldershot Inter-Agency Review. This study concluded further development potential exists in North Aldershot, provided the unique natural setting is preserved.

The Ontario Municipal Board approved land use policies for the Central Sector in 1996. These policies are reproduced in this Plan. Land use policies for the East and West Sectors are also found in the General Policies below. Lands identified as ‘North Aldershot Special Study Area’ require further study in order to determine more precise development potential.

#### Applicable areas

**The policies in this section of the Plan are applicable throughout North Aldershot regardless of land use designation, unless otherwise indicated.**

#### Permitted development

**Development or re-development shall be permitted in accordance with the land use designations shown on Schedules D and D-C1 to D-C11, the maps applicable to the location of development or re-development and the policies of this Plan.**
Permitted uses c) The following uses may be permitted in all designations in North Aldershot, subject to other policies of this Plan and applicable zoning by-laws:

(i) agricultural uses and a dwelling accessory to an agricultural operation on the same property;

(ii) legally existing uses;

(iii) single detached dwelling on an existing lot;

(iv) forest, wildlife and fisheries management;

(v) non-intensive recreational uses such as nature viewing and pedestrian trail activities, only if the lands are publicly owned;

(vi) archaeological activities;

(vii) transportation and utility facilities;

(viii) accessory buildings, structures and facilities and site modifications to accommodate them, provided the effects on the natural environment are minimal;

(ix) incidental uses and site modifications to accommodate them, provided the effects on the natural environment are minimal;

(x) small scale public uses;

(xi) home occupation and cottage industries with a gross floor area not exceeding 100 sq. m. or 25 per cent of the residential living area, whichever is less;

(xii) cottage industry establishment accessory to an existing dwelling or agricultural operation with a maximum of three guest bedrooms;

(xiii) veterinary clinics serving the agricultural community;

(xiv) animal kennels in conjunction with a single detached dwelling;

(xv) watershed management and flood erosion control projects carried out or supervised by a public agency;

(xvi) the following uses, only if located on a commercial farm and secondary to the farming operation:

i. home industry with a gross floor area not exceeding 200 sq. m.;
ii. retail uses with a gross floor area not exceeding 500 sq. m. and the majority of the commodities for sale, measured by monetary value, are produced or manufactured on the farm;

iii. agriculture-related tourism uses with a gross floor area not exceeding 250 sq. m.;

(xvii) on farm businesses that may not be related to agriculture provided:

i. their scale is minor and does not change the appearance of the farming operation;

ii. their impact such as noise, odour and traffic on surrounding land uses is minimal and will not hinder surrounding land uses;

iii. they meet all Regional criteria as stated in the On-Farm Business Guidelines adopted by Regional Council.

Designations

Schedule D indicates the various land use designations in North Aldershot. The land use policies in this section should be read in conjunction with the general policies and with the design and development criteria contained elsewhere in this Plan.

Land use - intensity

Density and location of development will be determined by such considerations as: the size and extent of the developable land, existing topography, cultural heritage features, existing adjacent uses, visual impact, and the ability of the site to sustain the proposed development. Maximum land use intensity is subject to meeting all applicable policies and may not be attained in all circumstances.

Impervious area definition

Zoning provisions will be calculated on a developable area that excludes the Environmental Protection Area designation with the exception that the calculation of the maximum impervious surface for any Sub-Area shall include the buffer areas that are immediately adjacent to that Sub-Area in Schedules D-C1 to D-C11. The allocation of this impervious area on individual lots or blocks shall be approved by the Director of Engineering prior to the registration of any plan of subdivision in which the lots and blocks are located.
### Impervious surface

| g) | Impervious area *shall* mean an impermeable surface such as pavement or rooftop which prevents the infiltration of water into the soil, but excludes the wetted surface area of ponds or pools or those impermeable surfaces which are less than 10 sq. m. in area and separated hydraulically from any adjacent impermeable surfaces or drains by at least 3 m. |

### Utilities

| h) | Development proposals *shall* provide such mitigative measures as required by utility agencies. |

### Subdivision control

| i) | North Aldershot is subject to subdivision control and part-lot control. |

### Servicing

| j) | North Aldershot – Central Sector *shall* develop on full municipal services. The West and East Sectors *shall* develop on private services (wells and septic systems), with the exception of the Bridgeview Community at Plains Road and Highway 6. |

### Institutional uses

| k) | Institutional uses in the North Aldershot Planning Area are defined in Part II, Subsection 4.3 a) of this Plan and are subject to the following policies: |

1. a private medical clinic or *group home* is not defined as an institutional use; |

2. impervious cover *shall* be minimized; |

3. maximum impervious surface is not to exceed 40 per cent of the net developable area (lands within the site excluding Environmental Protection Areas and public roads); |

4. notwithstanding the foregoing, any elementary school site located in sub area 2B, Schedule D-C2b, is permitted a maximum impervious surface of 60 per cent. If an elementary school is not constructed, the 40 per cent maximum impervious provision *shall* apply for all other building forms except for detached dwellings where the 20 per cent maximum impervious provision *shall* apply; |

5. maximum building height *shall* not exceed three storeys and *shall* not extend above the tree canopy; |

6. *massing* and roof-line of buildings *shall* be *encouraged* to be *compatible* with the existing settlement pattern; |

7. the visual impact of internal roads and driveways *shall* be minimized by integrating their horizontal and vertical alignment with the existing topography; |

8. parking areas *should* be screened with dense, hardy native plant material that creates an effective visual barrier. Within the parking lot, *buffer islands* *shall* be employed to screen more than four rows of cars; |
(ix) all plant material shall be protected and retained to the maximum extent possible;

(x) landscape buffers along the perimeter of the property boundary and within the grounds shall be employed to screen the visual impact of facilities from adjacent residences. The landscape buffers shall create a visual screen and be compatible with the natural landscape setting;

(xi) new planting in restoration areas shall be encouraged to be native plant species and be consistent with surrounding natural landscape character. Invasive non-native plant species shall be discouraged;

(xii) the extent of mowed turf grass shall be minimized;

(xiii) cemeteries and associated uses and structures shall be screened from residential areas; and

(xiv) site lighting shall be low intensity, energy efficient fixtures. The illumination pattern shall not shine beyond the lot line, onto neighbouring properties or public roads.

2.4 Design Policies

Significant trees a) Consistent with the permissions granted by the land use designations on Schedules D and D-C1 to D-C11 and the policies of this Plan, encourage all development proposals, to preserve existing significant trees, wooded areas and hedgerows, and plant additional trees in accordance with good forestry management practices.

Building design and location b) Buildings and structures shall be designed and located so as to maximize their compatibility with the existing natural landscape, minimize their effect on the open-space character of the area and maintain to the maximum possible degree an uninterrupted sight line between Highway 403 and the Niagara Escarpment consistent with the permissions granted by the land use designations on Schedules D and DC-1 to DC-11 and the policies of this Plan.

Building and road location c) Regard shall be had for the visual and physical harmony of the location of buildings and the design and location of roads with the existing natural features.

Setting d) Site design shall be compatible with and enhance the special setting provided by the Niagara Escarpment, Grindstone Creek and Sassafras Woods.

Key viewsheds e) Site layout shall preserve key viewsheds from existing roads, such as views to the brow of the Niagara Escarpment, Burlington Bay, Hamilton, and Lake Ontario.
Views of open landscape setting f) Views generally to the open landscape setting, including creek and stream valleys and associated vegetation, shall be provided.

Views between buildings g) Site design and location of buildings shall permit views between buildings.

Infill views h) Infill along existing roads shall permit views into the open landscape setting.

Cultural Heritage features i) Site planning shall encourage and support the preservation, restoration and enhancement of existing cultural heritage resources such as identified homesteads and their associated landscapes.

Compatible adjacent development j) In the North Aldershot Planning Area, the massing and location of adjacent development should be compatible with cultural heritage buildings and structures in order to establish a sense of visual continuity and compatible building scale.

Compatible design k) Site design shall be compatible with both the open space character and the predominant settlement characteristics of the area.

Lot size and shape l) Lots should not be uniform in size and shape across North Aldershot.

Setbacks m) To ensure that valleys are protected, adjacent development shall be located in such a manner as to have adequate setbacks from the lot line.

Rehabilitation n) Existing degraded drainage channels, declining plantations and remnant vegetation areas are encouraged where possible to be rehabilitated.

Passive storm water design o) To ensure that passive storm water drainage techniques can be applied, the number of housing units that have lot lines bordering existing drainage channels, creeks and valleys shall be maximized.

Compatible development p) The density, massing, form, setback and layout of the new development shall be compatible with the surrounding structures.

Topography q) Building location shall integrate with the existing topography.

Building materials r) Building materials shall blend and harmonize with the natural landscape setting. Where practical, earth tones and natural materials such as stone, wood siding and clay brick shall be encouraged.

Reverse lot frontages s) Except for cultural heritage resources pursuant to Part V, Subsection 2.4 i), and infill houses pursuant to Part V, Subsection 3.1, buildings shall face the road. Reverse frontage lotting patterns and the use of acoustical walls and fences shall not be permitted except when no other feasible alternative is available to meet Ministry of the Environment requirements for mitigating noise impacts from Highway 403.

Buffering t) Buffering measures such as vegetation shall be employed to screen non-residential development adjacent to residential uses.
### Visual Impact
- **u)** The visual impact of site servicing, loading, air handling equipment and waste disposal shall not be visible from roadways or adjacent properties.

### Physically Challenged
- **v)** The needs of the physically challenged shall be considered in each development.

### Signage
- **w)** Site signs shall be at ground level and integrated with the landscape. Hanging or projecting signs will not be permitted.

### Significant Vegetation
- **x)** Significant trees, wooded areas and hedgerows shall be retained wherever possible.

### Native Plant Species
- **y)** New planting in restoration areas shall be encouraged to be native plant species and be consistent with surrounding natural landscape character. Invasive non-native plant species shall be discouraged.

### Steep Slopes
- **z)** Consistent with the permissions granted by the land use designations on Schedules D and D-C1 to D-C11 and the policies of this Plan, site design and development shall integrate with the existing topography to maximize the preservation of significant existing trees, steep slopes (greater than 15 per cent), and existing drainage patterns.

### 2.5 Growth Management Policies

#### Additional Development
- **a)** Additional development of all forms and densities and/or any redevelopment proposal which exceeds the provisions of this Plan shall be considered as an amendment to this plan and shall be undertaken as a comprehensive process characterized by the following:
  1. **(i)** a clear definition of the undertaking;
  2. **(ii)** an effective public consultation program involving the general public and all stakeholders throughout the review process;
  3. **(iii)** the selection of criteria prior to the development of alternatives that are to be applied consistently throughout the review process to evaluate the alternatives;
  4. **(iv)** a comprehensive assessment of the natural and human environment and the capacity of these environments to sustain development; and
  5. **(v)** a comprehensive servicing assessment.

#### Official Plan Amendments
- **b)** Consideration of an application for amendment to this Plan must take into account the need for the proposed use, the policies of the Parkway Belt West Plan, implications on infrastructure, community services, and the natural and social environment, as well as fiscal impact.
PART V – NORTH ALDERSHOT PLANNING AREA

3.0 RESIDENTIAL AREAS

3.1 Infill Residential

Permitted use

a) A single detached dwelling on a new lot, in association with existing settlement, subject to the following:

(i) the existing and proposed lots front on an existing public road;

(ii) the proponent of new lots proposed within the vicinity of lands designated “Mineral Resource Extraction Area” shall be required to demonstrate compatibility with existing and proposed extraction and processing activities in terms of noise, vibration, odour and dust, in accordance with Provincial guidelines.

Density

b) (i) New lots with municipal water and sanitary services, as identified in the Region of Halton Official Plan, shall have a minimum lot area of 0.3 ha, except within the urban serviced area of the Bridgeview Community in the vicinity of Plains Road West and Highway 6, where smaller lot sizes may be considered where they are in character with existing development.

(ii) The minimum lot size for the creation of a new lot without municipal water and sanitary services, as identified in the Region of Halton Official Plan, shall be determined based on a detailed site analysis submitted by the proponent, including a hydrogeological study conducted in accordance with the Halton Region Rural Servicing Guidelines and which addresses the impacts of the new lot on ground and surface water resources. The minimum lot size shall be 0.8 ha or as determined by site-specific hydrogeological studies, whichever is the greater.

Built Form

c) New buildings shall be required to be compatible with surrounding houses in terms of characteristics such as height, massing and roof lines.

Building Additions

d) Additions to existing buildings shall be compatible with the existing homes.

Siting

e) Front yard and side yard setbacks and lot coverage shall be generally compatible with that of the adjacent settled area.

Rear yards

f) Rear yards of infill lots shall not abut a public road.

Parking

g) Garages shall be permitted only at the side or rear of the house.

Regrading

h) Site regrading shall be limited to the immediate building area where feasible. Regrading shall be prohibited within 3 m of the rear property boundary.
i) Residential development on Gloucester Drive shall proceed on full municipal services and shall not exceed a maximum of 6 units.

### 3.2 Detached Residential

**Permitted Uses**

- a) Detached dwelling

**Built form**

- b) New buildings shall be encouraged to be compatible with the surrounding settlement pattern in terms of formal characteristics such as height, massing, and roof lines.

**Siting**

- c) Principal buildings shall be oriented towards the street. Where possible, garage doors shall be encouraged to be oriented to the side yards. If oriented towards the front yard, they shall be recessed from the front wall of the building.

**Lotting pattern**

- d) The lotting pattern shall provide a diversity of lot sizes and configuration across North Aldershot.

**Regrading**

- e) Regrading will be prohibited within 3 m of the rear property boundary.

### 3.3 Cluster Residential

**Permitted uses**

- a) In addition to the uses permitted in the Detached Residential designation, this designation permits cluster residential development which is defined as a group of dwelling units which may be free-standing or attached to other dwelling units to a maximum of six attached units in any one building. The intent is to provide siting flexibility to maximize areas of open space and to take advantage of site conditions such as natural topography and existing vegetation, as well as to minimize obstruction of landscape views from public roads.

**Additional policies**

- b) Cluster residential development shall be subject to the policies in Part V, Sections 2.3, 2.4 and 3.2, where applicable, of this Plan.

**Built form**

- c) New buildings shall be encouraged to be compatible with the surrounding settlement pattern in terms of the visual impact to the open landscape setting.

**Siting**

- d) To the maximum extent possible, garage doors oriented toward the front of the house shall have the same setback as the front wall of the building.

**Landscape buffers**

- e) Landscape buffers shall be maintained and enhanced to screen the visual impact from existing settled areas.

**Parking**

- f) Outdoor parking shall be screened with landscape buffers.

**Regrading**

- g) Regrading shall be prohibited within 3 m of the rear property boundary.
### Roads

**h)** The visual impact of internal roads and driveways *shall* be minimized by integrating their horizontal and vertical alignment with the existing topography.

### Servicing

**i)** Site lighting *shall* be low intensity, energy efficient fixtures. The illumination pattern *shall* not shine beyond the *lot* line, onto neighbouring properties or public roads.

## 4.0 North Aldershot Office

**Permitted uses**

**a)** Permitted uses *shall* be offices and ancillary uses to offices.

**Built form**

**b)** Maximum impervious surface is not to exceed 60 per cent of gross developable area, excluding Environmental Protection Areas and public roads, and subject to Part V, Subsection 2.3 f) of this Plan.  

**Building height**

**c)** Maximum building height *shall* not exceed three storeys and *shall* not extend above the tree canopy.

**Massing and roof line**

**d)** Massing and roof line of buildings *shall* be *encouraged* to be *compatible* with the existing settlement pattern and maximize views to Sassafras Woods.

**Outside storage**

**e)** No outside storage of goods or materials is permitted.

**Siting**

**f)** The setback along Waterdown Road *shall* be *compatible* with the existing settlement pattern.

**Roads**

**g)** The visual impact of internal roads and driveways *shall* be minimized by integrating their horizontal and vertical alignment with the existing topography.

**Parking**

**h)** Parking areas *should* be screened with dense, hardy native plant material that creates an effective visual barrier from existing homes and generally from Waterdown Road and the North Service Road. Within the parking lot, buffer islands *shall* be employed to screen more than four rows of cars.

**Servicing**

**i)** Site lighting *shall* be low intensity, energy efficient fixtures. The illumination pattern *shall* not shine beyond the *lot* line, onto neighbouring properties or public roads.
5.0 ENVIRONMENTAL PROTECTION AREA

Definition

a) Lands designated on Schedule D as Environmental Protection Area shall meet one or more of the following criteria:

(i) *Environmentally Sensitive Areas*;

(ii) significant creeks and streams and their associated valleys including areas regulated by Conservation Halton pursuant to the Development, Interference with Wetlands and Alterations to Watercourses and Shorelines Regulation identified by Conservation Halton, woodlots, hazard lands and areas of *wildlife habitat* which are identified as significant based on specific research and studies;

(iii) natural Escarpment features;

(iv) *Areas of Natural and Scientific Interest*;

(v) *Provincially and Regionally Significant wetlands*;

(vi) land below the staked top of bank or in ill-defined areas, as agreed to with the City and Conservation Halton;

(vii) land that is publicly owned and used for open space and/or conservation purposes;

(viii) buffer areas of 7.5 meters and ESA buffers; and

(ix) other areas of important natural and landscape interest.

Permitted uses

b) The following uses *may* be permitted in the Environmental Protection designation:
(i) existing agricultural operations within the Environmental Protection designation shall be recognized and can continue. In interpreting the extent of existing agricultural operations, the history of such operations will be taken into consideration as well as any role the Environmental Protection features or functions may play in complementing the farming activity. The intent of the Environmental Protection designation on an active farm is not meant to restrict the operation nor to reduce the economic viability of the operation. If requested by the owner, the City shall, in consultation with the Region of Halton and the appropriate public agencies as necessary, undertake a site specific evaluation of the effective boundaries of the Environmental Protection designation on the property as they apply to the existing agricultural operation;

(ii) legally existing uses;

(iii) single detached dwellings on existing lots created in accordance with the provisions of Section 50 of The Planning Act;

(iv) non-intensive recreational uses such as nature viewing and pedestrian trails, only on publicly owned land;

(v) forest, wildlife and fisheries management;

(vi) archaeological activities;

(vii) essential transportation and utility facilities;

(viii) accessory buildings, structures and facilities and site modifications to accommodate them, provided the effects on the natural environment are minimal;

(ix) incidental uses and site modifications to accommodate them, provided the effects on the natural environment are minimal;

(x) ancillary uses associated with an elementary school;

(xi) essential watershed management and flood control projects carried out or supervised by a public authority; and

(xii) non-intensive recreation uses shall be permitted only when natural features are preserved to the maximum possible degree; building and structures are minor in scale; and there is no or minimal parking provided on site.
### Provincially Significant Wetlands

**c)** Notwithstanding the provisions of Part V, Subsection 5.0 b), no development shall be allowed within the portions of the Environmental Protection designation containing *Provincially Significant Wetlands* as identified through the Ministry of Natural Resources in accordance with Provincial policy, or areas regulated by Conservation Halton, unless permission has been received by Conservation Halton.

### Environmental Evaluation

**d)** The proponent of any development of lands within the Environmental Protection designation may be required to prepare an *Environmental Evaluation* Report subject to the *Environmental Evaluation* policies of this Plan, if the development would adversely affect the environment. Detached dwellings proposed for existing vacant lots and agricultural related uses such as barns and sheds would be exempt from this policy, although they may still be subject to the Development, Interference with Wetlands and Alterations to Watercourses and Shorelines Regulation of Conservation Halton. An Evaluation is required for large-scale agricultural related uses such as secondary processing facilities.

### Environmentally Sensitive Areas

**e)** The precise boundaries of *Environmentally Sensitive Areas (ESAs)* shall be determined in conjunction with Regional Official Plan policies. Specific policies for *Environmentally Sensitive Areas* are:

- (i) the alteration of the physical and/or biological features shall be restricted;
- (ii) with the exception of a detached dwelling or agricultural use, the proponent of any development, including public works, inside or within 60 m of an Environmentally Sensitive Area must prepare an Environmental Evaluation Report; and
- (iii) the alteration of any condition or land use that may affect the Environmentally Sensitive Area shall be subject to approval of the appropriate authority, based on site plans submitted by, and agreements entered into with the developer.

### Stewardship

**f)** Property owners and Government and other agencies are encouraged to enter into voluntary agreements regarding the protection of natural features.

### Private Ownership

**g)** The retention in private ownership of lands designated in Environmental Protection Areas which are not defined as creeks, associated valleys, *Environmentally Sensitive Areas* and required buffers and which contain significant natural features shall be encouraged rather than the dedication of such lands to the City or the purchase of lands by the City.
### Dedication

**h)** Where retention by private landowners is not feasible or desirable, the dedication of natural features to the municipality shall be encouraged. The dedication of these lands shall not be considered as a fulfilment of parkland dedication requirements unless they provide needed passive or trail recreational activities.

### Purchase

**i)** The purchase of lands with significant natural features shall only take place in limited circumstances.

### Storm water management

**j)** The policies of this section are to be read in conjunction with the storm water management principles, objectives and policies contained in Part II, Section 2.11 of this Plan.

### Private development on creek lands

**k)** Private development on creek lands shall be prohibited except in accordance with the policies **l)** to **u)** below and only as approved by Conservation Halton.

### Permitted uses on creek lands

**l)** Uses permitted on creek lands and associated valleys may include: non-intensive outdoor recreation uses; essential public utilities and services, flood and erosion control facilities; and watershed management works.

### Limits of creek lands

**m)** The precise limits of creeks, associated valleys and buffers shall be determined by the City, in conjunction with Conservation Halton.

### Development setback

**n)** New development adjacent to creeks, associated valleys and buffers shall be subject to a setback from these features.

### Fill & grading

**o)** The placement of fill and grading of lands in creeks and associated valleys shall be subject to the Development, Interference with Wetlands and Alterations to Watercourses regulations administered by Conservation Halton.

### Dedication

**p)** As part of the development approval process, the dedication of creeks, associated valleylands and 15 or 7.5 metre buffers to the City or Conservation Halton shall be required. Such dedication shall not be considered part of the parkland dedication requirements.

### Environmental management plan

**q)** In order to ensure sustainable environmental management, the City and/or Conservation Halton, in consultation with private landowners, shall develop a management plan for lands designated Environmental Protection Area with particular emphasis on the enhancement and restoration of degraded areas.

### ESA buffer

**r)** A buffer area adjacent to the Grindstone Creek Valley ESA and Sassafras Woods ESA shall be established through Environmental Impact Assessments. For those lands adjacent to an ESA for which an Environmental Impact Assessment has not been completed, a minimum buffer area of 15 m shall apply.
### PART V – NORTH ALDERSHOT PLANNING AREA

<table>
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<tr>
<th>Section</th>
<th>Description</th>
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<tr>
<td>s)</td>
<td>Dedication of ESA buffer&lt;br&gt;The ESA buffer shall be dedicated to the City or Conservation Halton or else suitable arrangements shall be made for land stewardship under private ownership through a formal arrangement with an accredited agency. Precise buffer widths shall be established through the completion of an Environmental Impact Assessment.</td>
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<td>t)</td>
<td>Creek buffer&lt;br&gt;A minimum buffer width of 15 or 7.5 m shall be dedicated to the City or Conservation Halton adjacent to staked tops of bank or in ill-defined areas, as agreed to with the City and Conservation Halton.</td>
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<tr>
<td>u)</td>
<td>Environmental Implementation Report&lt;br&gt;A detailed Environmental Implementation Report to the satisfaction of the City, the Region of Halton, the Ministry of Natural Resources and Conservation Halton, shall be submitted prior to any tree removal, grading or construction and prior to the final approval of any development application in the North Aldershot Central Sector. The Environmental Implementation Report must include the following components:&lt;br&gt;(i) a tree survey and preservation plan;&lt;br&gt;(ii) mitigation and restoration measures; and&lt;br&gt;(iii) overall grading plan and lot grading plans.</td>
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#### 6.0 NORTH ALDERSHOT COMMERCIAL

<table>
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<th>Section</th>
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<tr>
<td>a)</td>
<td>Permitted uses&lt;br&gt;Permitted uses shall consist of smaller scale retail, service commercial and personal uses; financial institutions and services; offices; standard restaurants, recreation, entertainment and community facilities such as libraries and day care centres. Residential use is not permitted.</td>
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<td>b)</td>
<td>Zoning By-law regulations&lt;br&gt;Zoning By-law regulations shall be based on the following factors:&lt;br&gt;(i) the maximum floor area ratio of development at any site shall be 0.3;&lt;br&gt;(ii) the maximum height of permanent structures shall be two storeys, and 8 m, to ensure views into North Aldershot are not obstructed;&lt;br&gt;(iii) the zoning of individual sites may not allow for the full range of permitted uses or the full extent of development intensity at every location based on, but not restricted to, site specific factors that may include traffic, land use compatibility, market impact, environmental and other factors.</td>
</tr>
<tr>
<td>c)</td>
<td>Built form&lt;br&gt;Building design shall provide a gateway appearance into North Aldershot that conveys an open space, lower density appearance.</td>
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## PART V – NORTH ALDERSHOT PLANNING AREA

### Siting
d) Building setback along Plains Road *shall* be *compatible* with the existing settlement pattern and front building elevations *shall* be oriented toward the street.

### Massing and roof line
e) *Massing* and building roof lines *shall* be *compatible* with the existing settlement pattern and maximize views to the Niagara Escarpment.

### Parking
f) Parking areas *shall* contain dense, hardy native plant material along *lot* lines to create an effective visual barrier.

### Servicing
g) Site lighting *shall* be low intensity, energy efficient fixtures. The illumination pattern *shall* not shine beyond the *lot* line, onto neighbouring properties or public roads.

### Access points
h) The number and location of access points to Plains Road *shall* be limited to minimize disruption to traffic flows.

### Screening
i) Off-street parking areas, loading areas and service areas *shall* be screened and landscaped.

### Loading areas
j) Loading and service areas *shall* be located to avoid conflict between pedestrian and vehicular traffic and away from adjacent residential areas.

### Outdoor storage
k) Outdoor storage areas *shall* be fenced and/or screened.

### Urban Services
l) Commercial *development* in the Bridgeview Community *shall* occur on full urban services, as such services are determined by the Region of Halton Official Plan.

### West side of Plains Road West, opposite Oakdale Avenue
m) Notwithstanding Part V, Section 6.0 b), subclause (i), for the properties located on the west side of Plains Road West opposite Oakdale Avenue, specifically the properties municipally known as 1410 to 1424 Plains Road West, a maximum *floor area ratio* of 0.45:1 *may* be permitted.

*OPA 83*  
*OPA 75*
7.0 PARKWAY BELT WEST *D9

Applicable policy
a) These lands are subject to the provisions of the Parkway Belt West Plan, 1978.

Future utility corridor
b) The Parkway Belt West Plan designates the Grindstone Creek Valley, two Electric Power Facilities and two Utility Corridors as Public Use Area within North Aldershot. The purpose of the linear utility corridors is to provide for existing and future inter-regional linear facilities. One Utility Corridor, of approximately 30 m in width, is located south of Flatt Road and adjacent and north of the Hydro Electric corridor (Mount Hope Transmission Line). The type of future utilities and the timing of their installation have not been determined. Until the Province makes a final determination of the use of this corridor, the policies of the Parkway Belt West Plan shall be used to guide land use activity in the area. No use of the corridor shall be permitted without the approval of the Ministry of Municipal Affairs and Housing or other authorized approving agencies.

c) Lands in the East and West Sector, south of the transmission line, remain subject to the Land Use Regulations of The Parkway Belt Planning and Development Act. Lands in the Central Sector, south of the transmission line, with the exception of those lands described in Part V, Subsection 7.0 b) above, are subject to municipal zoning brought into effect in 1995.

8.0 MINERAL RESOURCE EXTRACTION

8.1 Objectives

Licensed areas
a) To protect legally existing pits and quarries and new or expanded licensed aggregate operations from incompatible land uses.

Minimize impacts
b) To minimize the impact of mineral resource extraction and abutting land uses.

Rehabilitation
c) To ensure the progressive rehabilitation of pits and quarries to an appropriate after-use within the time frame of the license.

8.2 Policies

Permitted uses
a) The following uses may be permitted:

(i) agricultural operations including accessory buildings, structures and facilities;

(ii) legally existing uses;

(iii) mineral aggregate extraction operations licensed pursuant to and in compliance with The Aggregate Resources Act;
(iv) forest, fisheries and wildlife management;
(v) archaeological activities;
(vi) non-intensive recreation uses such as nature viewing and pedestrian trail activities;
(vii) essential utility and transportation facilities;
(viii) accessory buildings and facilities normally associated with the mineral resource extraction operation, such as small scale offices, or crushing and washing facilities, but excluding asphalt plants; concrete plants, brick manufacturing plants and other similar uses;
(ix) incidental uses and site modifications to accommodate them, provided the impact on the natural environment is minimal;
(x) notwithstanding the other policies of this Plan, a brick manufacturing plant, provided the greater part of the materials used come from the licensed area.

Land Use impacts

b) In conjunction with the Provincial and Regional regulations, the City shall regulate the operation of pits or quarries to minimize adverse impact on surrounding land uses and the Escarpment environment.

Environmental impacts
c) In conjunction with the Provincial and Regional regulations, the City shall regulate pits and quarries and accessory operations to ensure that environmental pollution is minimized, consistent with standards laid down in pertinent legislation and municipal regulations.

Hydrogeological studies
d) The City shall support the undertaking of hydrogeological studies in accordance with Provincial legislation and policies of the Region of Halton and Conservation Halton to ensure that surface and ground water resources are protected from the adverse effects of mineral resource extraction.

Rehabilitation
e) The City shall consider mineral resource extraction areas as a non–permanent use and require their progressive rehabilitation for an appropriate after-use.

Natural ecosystem
f) Where rehabilitation is being undertaken by reforestation, the after use shall aim to re-establish a functioning ecosystem similar in condition to the natural ecosystem in the region.

9.0 RECREATION/OPEN SPACE

Definition

a) The following uses may be permitted in the Recreation/Open Space designation:

   (i) parks & open space;
(ii) low intensity outdoor recreational uses; and

(iii) golf courses and associated buildings and structures;

(iv) notwithstanding Part II, Subsection 4.3 a), clause (vi), and the other policies of this Plan, a crematory is recognized as a permitted use on the property at 1756 Snake Road, with a minimum setback of 10 m from the easterly lot line.

Buildings and structures  b) Buildings and structures associated with recreational use shall be minor in scale and located in a manner that will secure the open space character of the surrounding area.

Natural features  c) Major natural features such as streams, valleys, tree stands, hedgerows, and orchards shall be preserved.

Adjacent agriculture  d) The impact of recreational uses on adjacent agricultural shall be kept to a minimum, through the preparation by the proponent of an Agricultural Impact Assessment to the satisfaction of the Region of Halton.

Water taking  e) Only private water and waste water systems are allowed for any recreational use unless the site is within the area designated as “Eligible for Urban Services” in the Regional Official Plan. If a proposed recreational use involves significant taking of ground or surface water, the proponent must demonstrate, through a detailed study and to the satisfaction of the Region of Halton in accordance with the approved Regional Servicing Guidelines, the Ministry of the Environment, Conservation Halton and the Department of Fisheries and Oceans where appropriate, that the water resource in the general area will not be adversely affected; and

Golf courses  f) Proposed new golf courses shall also be subject to the policies of Part II, Section 2.13.

10.0 NORTH ALDERSHOT SPECIAL STUDY AREA

Purpose  a) To define land that shall remain undeveloped until necessary studies and other municipal requirements are met.

Requirements for development  b) Development of North Aldershot Special Study areas shall not occur until the following steps have been completed:

(i) the following technical studies, as identified in the North Aldershot Inter-Agency Review Secondary Plan 1994, shall be completed for the area affected by the development proposal:

i. Environmental Evaluation;

ii. Sub-watershed Management Plan;
iii.  *Financial Impact Analysis*;

iv.   Private Water & Wastewater Serving Plan;

v.    Transportation Study;

vi.   Community Services and Facilities Needs Assessment; and

vii.  *Cultural Heritage Conservation Study*.

(ii) the proposed *development shall* be screened against the Planning Principles and Evaluation Criteria outlined in the North Aldershot Inter-Agency Review Secondary Plan 1994;

(iii) based on the outcomes of the technical studies, and evaluation in (i) and (ii) above, Sub-Area maps and policies *shall* be developed for the affected North Aldershot Special Study Area land. These maps and policies *shall*:

i.   refine the boundaries of the Sub-Area;

ii.  identify landscape features, slopes, remnant vegetation, and significant views to be *preserved*;

iii. describe the existing *development and land form character of the Sub-Area*;

iv.  specify the form and intensity of new *development to be permitted*; and

v.   identify areas of site plan or building envelope control.

(iv) the new Sub-Area policies and mapping *shall* be incorporated within the Official Plan via an Official Plan Amendment;

(v) residential, institutional or *recreational uses may be considered as future uses within areas designated North Aldershot Special Study Area, subject to adherence to the above policies and the policies contained in each designation*;

(vi) the affected area shall be re-designated and zoned to the appropriate North Aldershot residential, open space or recreational Official Plan designation and zoning. *Cemeteries* may include related facilities and structures, however, *crematoria* are permitted only if they are located in accordance with Provincial Land Use Compatibility Guidelines.

Interim uses   c) Notwithstanding Part V, Subsection 2.3 c) of this Plan, the following *interim uses may* be permitted in the North Aldershot Special Study Area designation:
(i) all existing uses, buildings or structures;

(ii) a home occupation in an existing single-detached dwelling; or

(iii) an agricultural or farming use.

Servicing d) All land designated North Aldershot Special Study Area shall develop on private services (wells and septic systems), as specified in Part VI, Section 2.10 of this Plan.

Mineral Resource Extraction Area e) the proponent of development proposed within the vicinity (as determined in consultation with the Ministry of the Environment D-6 guidelines) of lands designated “Mineral Resource Extraction Area” shall be required to undertake an analysis demonstrating compatibility with existing and proposed extraction and processing activities by undertaking the appropriate studies in accordance with Provincial guidelines, as identified by the City and the Region. The conclusions of this analysis shall be incorporated into the Sub-Area maps and policies identified in Part V, Subsection 10 b) (iii) above.

11.0 SUB-AREA POLICIES

11.1 AREA POLICIES – CENTRAL SECTOR

The purpose of this section is to establish goals, objectives and policies to guide further development of the Central Sector of North Aldershot.

The Central Sector is characterized by a rolling topography which slopes southerly from the Niagara Escarpment. The land is bisected by a number of valleys and associated streams which flow from north-west to south-east from the Escarpment to Burlington Bay. The largest of these watercourses is the Grindstone Creek located on the western edge of the subject lands. The creek occupies a valley which in some locations is up to 50 m deep. The valley lands contain a significant amount of natural vegetation. Most land not located in valleys has been cleared in the past and used at one time or another for agricultural purposes. Some lands are still used for this purpose.

With the exception of two small subdivisions, settlement has occurred on roads of long standing on an individual lot basis over many decades. The lot pattern is irregular and lot sizes vary from one half acre in size to many acres.

The goal of the policies for the Central Sector of North Aldershot is to permit further development on the basis that the subject lands are outside of the City’s urban area and that the location and intensity of development shall be determined by compatibility with the existing character, landscape and environment.
Various technical studies identified in the North Aldershot Inter-Agency Review were completed for the lands within the Central Sector. The studies confirmed the development potential for eleven areas within the Central Sector, which are described as Sub-Areas.

Schedule DC

a) The Sub-Areas are identified on Schedule DC which forms part of this Plan. Each map identifies the characteristics and features and proposed road locations which will influence the location, distribution and intensity of development or re-development on a particular Sub-Area. Each proposal for development and re-development shall integrate with the characteristics and features and proposed public and private road locations shown in the Sub-Area Maps and policies to the maximum extent possible. The following policies should be read in conjunction with Schedules D-C1 to D-C11, the Sub-Area maps. The natural features on Schedules D-C1 to D-C11 are shown for illustrative purposes only. The precise location, extent and significance of the natural features will be determined in accordance with Part V, Section 5.0.

Future utility corridor

b) Notwithstanding the above, road access from Flatt Road to Sub-Areas #9 and #10 is constrained by the Utility Corridor. Thus, the access and locations of roads within these Sub-Areas as shown on Schedule D-C9 and D-C10 are conceptual in nature. Prior to draft subdivision plan approval for any lands in these Sub-Areas, road access and locations southerly to Panin Road may be considered without amendments to this Plan. Such road proposals will provide an appropriate level of analysis to demonstrate that the policies of the Official Plan are met and that the roads will function in a safe and effective manner. Any use of the Utility Corridor is not permitted without the approval of the Ministry of Municipal Affairs and Housing or other authorized approving agencies. If any such approval is granted, it will not require an amendment to this Plan.

Maximum units per sub area
c) A maximum number of units in addition to existing dwelling units is indicated in those Sub-Areas which permit detached dwellings and/or cluster dwellings.

Maximum impervious surface
d) Maximum impervious surface for any residential Sub-Area cannot exceed 25 per cent.

Distribution
e) New development should not be evenly distributed across the Central Sector.

Integrate with topography
f) Site design and development shall integrate with the existing topography to maximize the preservation of significant existing trees, steep slopes (greater than 15 per cent) and existing drainage patterns.
11.1.1 Sub-Area #1 - Horning Road (Schedule D-C1)

Location
This Sub-Area, which includes Horning Road, abuts the mature forests of the Grindstone Creek Valley at the northern end of the Central Sector. The Valley forms the western boundary of the Sub-Area, the north and east boundaries are defined by existing residential development. The southern edge generally follows valley lands included in the environmental protection area. Access is from Horning Road. The Sub-Area can be considered in two sections: north and south.

Description: Northern Section
The northern section includes the existing Horning Road, a short residential street that branches off Waterdown Road. Horning Road is lined with modest single family homes on large lots. The homes are generally one to one and a half storeys in height, and are set in mature gardens under a canopy of trees. An historic homestead is nestled into the edge of the Grindstone Creek valley at the elbow of the road. From the north end of Horning Road and from the existing residences, there are prominent viewsheds to Hamilton and Burlington Bay.

Description: Southern Section
The south section of the Sub-Area is separated from the northern section by a wooded valley and cleared utility corridors. The south and east sides of this sub-area are bordered by a mature wooded valley system. An existing trail along the rim of the Grindstone Creek Valley links the north and south portions of the Sub-Area. The south section is undeveloped consisting of a relatively flat plateau, incised with drainage corridors. The plateau is contained by steep slopes and remnant vegetation that include a scotch pine plantation, fruit trees and successional areas. Because the general gradient of the land drops to the south-west, there are prominent views to Burlington Bay, the Burlington Skyway Bridge and Lake Ontario. Views to the north-east and the brow of the Niagara Escarpment are also present.

Permitted uses
a) Detached residential to a maximum of 44 units is permitted.

Servicing easement
b) A servicing easement for water and wastewater service may be extended north to Sub-Area #1 from Sub-Area #6. The nature of these services shall minimize the disturbance to existing vegetation, slopes and drainage channels.

c) Water and sewer service may be provided from Waterdown Road along the new Horning Road right-of-way.

Access
d) Road A on Schedule D-C1 shall extend southward and shall observe the ESA buffer area along the Grindstone Creek Valley. The construction of this road shall be contingent upon the prevention of negative impacts on the adjacent Environmental Protection Area.
Horning Road e) The existing road will remain in its current location to provide access and minimize disturbance to the existing homes.

Access to other sub-areas f) Vehicular access may not connect to other Sub-Areas.

Site planning g) Site design should be encouraged to minimize the visual impact of new development from surrounding residences.

Terrain & settlement pattern h) Remnant vegetation, including successional vegetation is encouraged to be protected to the maximum extent possible.

Rehabilitation i) The degraded valley feature between Sub-Areas 1 and 6 should be rehabilitated.

Building Envelope control j) Building Envelope Control shall be imposed on lots south of the TransCanada Pipeline Easement in order to facilitate key views and to provide some staggering of building setbacks to achieve an improved streetscape. Site Plan Control shall be imposed on two lots on the east side of this Sub-Area to protect the existing drainage feature.

11.1.2 Sub-Area #2a and 2b - Waterdown Road Corridor (North of Flatt Road) (Schedules D-C2a and D-C2b)

Location Sub-Area #2 includes the Waterdown Road corridor north of Flatt Road. The steep winding roadway is lined by rural residential homes in an open landscape setting. This relationship is the essential character of the Central Sector experienced by most people.

Description In the south eastern section of the Sub-Area, the houses lining Waterdown Road are modest brick and wood structures, one to one and a half storeys in height and set on relatively narrow lots with mature trees and gardens. The housing sites are located on a narrow plateau between the edge of the Sassafras Woods and Waterdown Road. Mature trees and gardens are associated with the homes and views penetrate between the buildings to natural landscape beyond. The valley behind the houses is deeply incised.

The northern and eastern edges of the Sub-Area are developed with detached homes in a gently rolling landscape. Small cul-de-sac streets branching from Waterdown Road provide access to these internal clusters of houses. The Sub-Area extends north to Mountain Brow Road, where the dramatic rise in topography leads to the brow of the Niagara Escarpment.
In the south-western section of the Sub-Area, the south-sloping gradient provides dramatic views from Waterdown Road of the Burlington Bay, Lake Ontario and the natural setting; including the gently rolling fields, wooded valley features, and discrete clusters of houses.

The western edge of this area is defined by a mature wooded valley feature. The Sub-Area ends at Flatt Road where Sassafras Woods is a dominant landscape feature.

**Permitted uses**

| a) | Infill residential and detached residential is permitted. Detached residential *shall* not exceed 42 units. |

**Access – Southern Portion**

| b) | On Schedule D-C2b, Road C intersects with Waterdown Road in the southern section of the Sub-Area. Road D on Schedule D-C2b intersects with Road C and provides access to the *development* area in the south-west corner of the Sub-Area. |

**Access – Northern Portion**

| c) | Road E on Schedule D-C2a permits access from Waterdown Road to Sub-area 3. Access to the *infill* property (south of Ireson Road) *shall* be from Waterdown Road along the current driveway alignment for that property. |

**Servicing easement**

| d) | Sub-Area #2 *shall* be fully serviced. A servicing easement *shall* link the Road D on Schedule D-C2b easement to Flatt Road. |

**Viewsheds**

| e) | Key viewsheds from Waterdown Road to Lake Ontario, Hamilton Harbour and the Brow of the Escarpment *shall* be *preserved*. |

**Reverse lot frontage**

| f) | *Infill* houses along Waterdown Road *shall* face Waterdown Road. |

**Terrain**

| g) | The row of vegetation associated with the old farm laneway south of Road C and the drainage corridor to the south of Road C and west of Road D *shall* be *encouraged* to be *preserved*. |

**Existing drainage**

| h) | The existing drainage feature east of Woodview School *shall* be *preserved* and the natural vegetation pattern restored. |

**Remnant vegetation**

| i) | Remnant vegetation, including existing mature trees is *encouraged* to be *preserved*. |

**Building Envelope control**

| j) | Building Envelope Control *shall* be imposed on *lots* west of Road D to protect views by ensuring that buildings are placed to accommodate a larger side yard on every other *lot*. |
Site Plan control k) Site Plan Control shall be imposed on lots at the intersection of Road D and Road C, and on the infill lots along Waterdown Road to the east of Road D to protect views of the ravine areas to the west and existing landscape features including vegetation.

11.1.3 Sub-Area #3 -East of Waterdown Road (Schedule D-C3)

Description This Sub-Area consists primarily of an open hay field, sloping gradually from north to south. Views from the north extend over open fields to the forested areas of the Sassafras Woods and Burlington Bay. From both Waterdown Road and Old Waterdown Road there are filtered views into the site.

Description The north-western portion of the site is adjacent to Waterdown Road. A tree-lined lane provides access from Waterdown Road to two existing houses at the north end of the property, they include a one and a half storey brick dwelling set in a mature garden and a traditional two storey brick dwelling sited prominently on a rise of land at the northern end. Views from this location are uninterrupted, extending south across Sassafras Woods to Burlington Bay.

A third single-storey home is located at the south-west end of the Sub-Area. The eastern edge of the Sub-Area is defined by a deeply incised valley feature that links with the Sassafras Woods. The western edge of the Sub-Area is defined by the existing settlement pattern associated with Waterdown Road: a variety of housing styles, graciously spaced, and set amongst scattered mature trees.

Permitted uses a) Detached residential to maximum of 20 units is permitted.

Access b) Road E from Waterdown Road shall follow the existing lane alignment; all houses within the Sub-Area shall be accessed by Road E on Schedule D-C3.

Servicing easement c) Sub-Area # 3 shall be fully serviced. A servicing easement may be required to link the Road E sewer to the Waterdown Road sewer.

Site planning d) New houses shall be located along the edge of the wooded area to mitigate visual impacts from Old Waterdown Road and Waterdown Road.

Integration of new homes e) House sites shall be sensitively integrated with existing settlement pattern.

Views f) The proposed house along Waterdown Road shall not impede the views from the north.

Remnant vegetation g) The remnant mature trees within the Sub-Area shall be protected and preserved, including the hedgerow adjacent to the entrance lane.
h) All of Sub-Area #3 shall be subject to Building Envelope Control to address views and streetscape issues.

11.1.4 Sub-Area #4 - Old Waterdown Road (Schedule D-C4)

The Sub-Area currently supports some ribbon development on the west side of Old Waterdown Road. The one and two storey wood and brick homes are discretely sited against the wooded valley edge. In the south end of the Sub-Area, Old Waterdown Road ends at Sassafras Woods. Views of the brow of the Niagara Escarpment and the houses on Rennick Road are visible from the north portion of Old Waterdown Road. Steep grades associated with a valley feature, and remnant vegetation, divide the Sub-Area in half. The east and south edges of the Sub-Area are defined by Sassafras Woods.

- **Permitted uses**
  a) Infill residential is permitted.

- **Access**
  b) The existing alignment of Old Waterdown Road shall provide access to all proposed houses.

- **Servicing**
  c) A decision regarding servicing is deferred pending a Local Improvement Area study by the Region of Halton.

- **Site planning**
  d) No new development shall be permitted west of Old Waterdown Road.

- **Development constraints**
  e) The proposed houses and driveways must be constructed on the non-constrained areas of the site.

- **Visual impact**
  f) Site design should be encouraged to minimize the visual impact of new development from surrounding residences.

- **Remnant vegetation**
  g) The existing remnant vegetation shall be preserved where possible.

- **Existing drainage**
  h) The existing drainage corridor shall be preserved and the natural vegetation patterns restored.

- **Slopes**
  i) The slopes associated with the adjacent valley features shall be preserved and naturalised.

- **Building Envelope control**
  j) Those portions of Sub-Area #4 east of Old Waterdown Road shall be subject to Building Envelope Control to protect existing vegetation and slopes.
11.1.5 Sub-Area #5 Flatt Road Extension (Schedule D-C5)

Location

This Sub-Area is generally located along Flatt Road Extension with its western edge along the Grindstone Creek Valley. It is characterized by the rolling topography associated with numerous drainage corridors, open fields and successional plant communities. Views within the Sub-Area penetrate into adjacent areas due to the degraded nature of the valleys and drainage channels. Panoramic views from Flatt Road Extension are important: north-east to the Niagara Escarpment and south to Hamilton and to the industry across the bay.

Description

Four distinct plateaux are located in the Sub-Area. The Flatt Road Extension plateau is defined on both the east and west sides of the road by degraded drainage features. Steep slopes and mature vegetation define the plateau. Flatt Road Extension has a rural cross-section, narrow pavement and is lined with hedgerows and bisects the plateau. Two existing homes face the road, both are modest, brick, one and a half and two storey dwellings. The south-west plateau is also narrow, defined by valleys on the east and west sides. An historic two storey red brick Georgian farmhouse with a garden dominates this area. The west plateau extends to the edge of the Grindstone Creek Valley. The plateau is scattered with remnant vegetation, linking it visually with the adjacent wooded areas to the north. The northern plateau contains a handsome well-preserved historic homestead, accessed by a tree-lined lane. Mature trees, a remnant pear orchard, extensive lawn area and small wetland comprise the garden setting.

Permitted uses

a) Detached residential to a maximum of 52 units, and cluster residential to a maximum of 36 units is permitted.

Servicing

b) Sub-Area #5 shall be fully serviced.

Road access

c) Flatt Road Extension shall provide access to the proposed houses in the central plateau area. Road F on Schedule D-C5 connects the west plateau area with Flatt Road Extension.

Existing laneway

d) The existing laneway accessing the Quinn farmstead shall provide access to the north plateau and the existing homestead.

Cultural Heritage structures

e) The historic houses and structures designated pursuant to The Ontario Heritage Act shall be protected in accordance with that Act.

Integration of new development

f) The proposed houses shall be sensitively integrated with the existing homestead buildings.

Remnant vegetation

g) The remnant vegetation in the west plateau shall be encouraged to be preserved, restored, and integrated with the proposed houses.

Existing drainage

h) The tributary and associated valley feature bisecting the Sub-Area shall be preserved and restored.
Significant trees i) The significant trees and wooded areas shall be encouraged to be preserved.

Building Envelope control j) New lots in the northern portion of the Sub-Area shall be subject to Building Envelope Control to protect existing vegetation. Lots north of Road F on Schedule D-C5 which front onto Road F shall be subject to Building Envelope Control to protect existing vegetation.

Site Plan control k) Cluster units south of Road F shall be subject to Site Plan Control. One lot south of Road F on Schedule D-C5 shall be subject to Site Plan Control to protect the existing drainage feature and facilitate compatible design with the existing heritage building.

11.1.6 Sub-Area #6 - Central Area (Schedule D-C6)

Location and description East of Flatt Road Extension, this Sub-Area is largely isolated from the existing settlement. Three of the four sides are defined by deeply incised wooded valley features. The valley on the west side has been degraded through agricultural activities. Views from Flatt Road Extension penetrate into this area. Most of the Sub-Area consists of a flat plateau. A mature hedgerow bisects the south portion of the Sub-Area and provides some screening of the plateau from the existing residences on Flatt Road Extension. The north section of the Sub-Area is characterized by small plateau areas bisected by steep slopes. Remnant vegetation dots the landscape. The north portion of the Sub-Area links the valley features to the east and west.

Permitted uses a) Cluster residential development to a maximum of 132 units is permitted.

Servicing b) Sub-Area #6 shall be fully serviced.

Access c) Access into the Sub-Area shall be from the Flatt Road Extension on Road F on Schedule D-C6. Road F shall cross the valley feature east of the Flatt Road Extension once.

Units per cluster d) Housing clusters shall consist of 2-6 units in accordance with the policies of Part V, Subsection 3.3 a).

Driveways e) Common driveways shall be used to reduce the extent of impermeable surfaces.

Landscape restoration f) For cluster residential, landscape restoration areas shall be established between multi-unit buildings to integrate the development with the surrounding natural areas.

Existing hedgerow g) The existing hedgerow, partially bisecting the Sub-Area in a north-south direction, shall be protected and enhanced.

Existing trees h) Mature trees north of Road F shall be encouraged to be protected and integrated with the proposed development.
### 11.1.7 Sub-Area #7 - Grindstone Creek Valley/Flatt Road (Schedule D-C7)

**Location**

This Sub-Area is located north of Flatt Road where it meets the Grindstone Creek Valley. The topography in this Sub-Area steadily falls from north to south. The Sub-Area is defined on the west side by the wooded edge of the valley, and on the east by a wooded ravine. An area of remnant vegetation adjacent to the east valley edge extends into the Sub-Area, providing a subtle spatial division within the Sub-Area.

**Description**

A prominent knoll at the north-west corner can be seen all the way from Waterdown Road and provides a promontory for views to Burlington Bay and the surrounding rural landscape. The top of the knoll is covered with remnant vegetation, linking it visually and physically to the Grindstone Creek Valley.

**Permitted uses**

- a) Detached residential to a maximum of 54 units is permitted.

**Access**

- b) The Sub-Area shall be accessed by Road H on Schedule D-C7 from Flatt Road. The access road shall wind through the centre of the Sub-Area avoiding steep slopes and remnant vegetation.

**Servicing**

- c) Sub-Area #7 shall be fully serviced.

**Steep slopes**

- d) Buildings and roads shall not be constructed on the steep slopes.

**Existing knoll**

- e) The knoll at the north-west corner of Sub-Area shall be preserved as a prominent landscape feature. Buildings shall be constructed on the lower portions of the knoll because of its visual prominence.

**Existing significant trees**

- f) Existing significant trees and wooded areas adjacent to the ESA buffer area shall be maintained and enhanced. Existing mature trees in the Sub-Area shall be retained.

**Remnant vegetation**

- g) The remnant vegetation on the top of the knoll shall be maintained. The remnant vegetation at the south-east corner of the Sub-Area shall be preserved.

**Site Plan control**

- h) Site Plan Control shall be imposed on the lot that includes the knoll to the west of Road H on Schedule D-C7 to protect the slope and existing vegetation. Site Plan Control shall also be imposed on the lots that include the remnant vegetation and drainage feature on the east side of Road H.

**Building Envelope control**

- i) Building Envelope Control shall be imposed on specified lots west of Road H on Schedule D-C7 to facilitate key views and to provide some staggering of building setbacks to achieve an improved streetscape.
11.1.8 Sub-Area #8 - Flatt Road/Flatt Road Extension Intersection (Schedule D-C8)

Location and description
This small enclosed Sub-Area forms an intimate gateway feature at the intersection of the Flatt Road Extension and Flatt Road. The topography within the Sub-Area slopes to the south-west. The Sub-Area is defined on all but the south side by wooded valley features. The south edge of the Sub-Area is defined by Flatt Road with the existing one and two storey residences on the south side plus the landscape nursery and associated works yard. Flatt Road Extension bisects the Sub-Area.

Permitted uses
a) Detached residential to a maximum of 15 units is permitted.

Access
b) All access within the Sub-Area shall be from the existing roads including the Flatt Road Extension and Flatt Road.

Servicing
c) Sub-Area #8 shall be fully serviced.

Building orientation
d) Proposed houses shall face Flatt Road Extension and Flatt Road and shall be compatible with the surrounding residential development. The orientation of the homes on the corner lots shall acknowledge both streets but must face Flatt Road.

Existing drainage and vegetation
e) Existing drainage patterns and vegetation shall where feasible be maintained to the maximum extent possible.

11.1.9 Sub-Area #9 - South of Flatt Road, West (Schedule D-C9)

Location and description
This Sub-Area is located south of Flatt Road, north of Panin Road, adjacent the forested edge of the Grindstone Creek Valley. The land has a gentle steady slope from north to south. The northern edge is defined by the hydro corridor and the existing houses along Flatt Road. Two historic homes on the south side of Flatt Road are of special interest. And a very large home is located just south of the hydro corridor. The active nursery use dominates the visual character of the area. A north/south valley feature running through the nursery property has been lost due to filling and regrading. On the adjoining property to the south, the undisturbed portion of this ravine and watercourse continues through to Panin Road. Two gently sloping plateaux flank either side of the former valley. A wooded ravine and creek valley also forms the east edge of the Sub-Area. To the south-east, the Christian and Missionary Alliance building is set into the landscape. At the very south are existing homes with access from Panin Road, including an historic building.

Permitted uses
a) Detached residential to a maximum of 48 units is permitted.
Access

b) Access shown on Schedule D-C9, Sub-Area 9 to the north or the south, is conceptual only. Access is to be determined, as described in the second paragraph of Part V, Subsection 11.1 b), prior to approval of any development applications in this Sub-Area.

Emergency access

c) Provision of access will include the consideration of emergency access to Panin Road.

Servicing

d) Sub-Area #9 shall be fully serviced.

Site planning

e) The proposed development must be sensitively integrated with the existing settlement pattern north of the Hydro corridor.

Restoration of existing drainage

f) The degraded central ravine feature bisecting the Sub-Area, north south, shall be restored, the creek unearthed and the banks re-vegetated. The degraded zone in the valley to the east shall be restored.

Road crossing

g) One road crossing of the degraded central ravine shall be permitted.

11.1.10 Sub-Area #10 - South of Flatt Road, East (Schedule D-C10)

Location and description

The land in this Sub-Area slopes gradually and evenly from north to south. A small cluster of modest one and two storey wood and brick homes line Flatt Road. From the hydro corridor, south to the existing hedgerow, views are limited and the land is scattered with remnant pear trees. The Sub-Area is divided by a small wetland feature and forested edge between the Taylor and Castiglione properties. The east and west edges of the Sub-Area are defined by wooded valleys. There are views in from Sub-Area 11. Existing vegetation provides a natural buffer between Highway 403/Panin Road and the development area in the south portion of the pod.

Permitted uses

a) Detached residential to a maximum of 62 units is permitted.

Northern access

b) The northern section of the Sub-Area is accessed from Flatt Road.

Southern access

c) Road access from Panin Road must be located to minimize regrading and disruption to the vegetation.

Servicing

d) Sub-Area #10 shall be fully serviced.

Natural buffer

e) A natural buffer exists between Highway 403, Panin Road and the development area in the south section of the Sub-Area. A visual separation shall be provided between the development and the transportation corridor.

Infill development

f) One infill property shall be permitted in the northern section of the Sub-Area.
Drainage easement  

| g) | The Environmental Protection Area designation affecting the lot containing the existing home to the south of Flatt Road shall be taken as an easement for drainage purposes rather than a dedication. |

Remnant vegetation  

| h) | Regard shall be given to the existing remnant hedgerow in the northern section of the Sub-Area and Site Plan Control shall be imposed on lots containing this hedgerow. The remnant pear trees shall be incorporated into the new development wherever possible. |

Existing trees  

| i) | The wooded area feature separating the north and south sections of the Sub-Area, shall be preserved and restored wherever possible. |

Building Envelope control  

| j) | Building Envelope Control shall be imposed on lots fronting on the south side of Road L on Schedule D-C10 in order to protect existing vegetation. |

11.1.11 Sub-Area #11 - Waterdown Road/North Service Road Intersection (Schedule D-C11)  

Location and description  

| Sub-Area #11 includes the Waterdown Road corridor south of Flatt Road. The Sub-Area is characterized by detached homes on moderate and large lots accessed directly or on short cul-de-sacs from Waterdown Road. The roads are lined with mature trees and landscape gardens. The eastern edge of the Sub-Area is enclosed by Sassafras Woods, views of which dominate the corner of the North Service Road and Waterdown Road, especially for people northbound from urban Burlington. The Sub-Area slopes toward the south. The western edge of the Sub-Area is defined by a wooded creek valley feature. The North Service Road and Highway 403 form the southern edge of the Sub-Area. Long views are possible south to Burlington Bay from Waterdown Road. Views of Sub-Area 10 are possible from Nevarc Drive. |

Permitted uses  

| a) | Infill residential use on the west side of Waterdown Road and North Aldershot Office use on the east side of Waterdown Road is permitted. |

Highway 403 interchange  

| b) | In the area of the proposed Panin Road / Waterdown Road interchange, provisions shall be made to accommodate a new Waterdown Road / Highway 403 interchange. |

Servicing  

| c) | Sub-Area #11 shall be fully serviced. |

Reverse lot frontages  

| d) | Infill houses on realigned Panin Road or Nevarc Road must face the road. |

Compatibility with existing homes  

| e) | New houses must be compatible in character with the adjacent residences. |

Visual impact of office use  

| f) | The prestige office area shall incorporate areas of landscape restoration to screen parking and to reduce the visual impact on Waterdown Road and Panin Road. |
Site Plan control  
g) Site Plan Control shall apply to the office development.

Valley setback  
h) The proposed office buildings shall be located adjacent to the existing valley edge; a 10 metre setback from the buffer edge shall be incorporated.

Visual assessment  
i) A detailed visual assessment will be required for the prestige office development to determine the maximum geodetic elevations to protect views of the Escarpment brow and Sassafras Woods.

Landscape buffer  
j) The parking shall be screened from adjacent residences by a vegetated landscape buffer.

Sassafras Woods  
k) The visual prominence of Sassafras Woods feature at the corner of the North Service Road and Waterdown Road shall be preserved as a gateway feature.

Existing drainage  
l) The degraded valley feature along the west edge of the Sub-Area shall be restored.

11.2 SUB-AREA POLICIES – EAST SECTOR

Purpose  
The purpose of this section is to establish goals, objectives and policies to guide further development of the East Sector of North Aldershot.

Sub-areas  
Various technical studies identified in the North Aldershot Inter-Agency Review must be completed for the lands within the East Sector. The studies must confirm the development potential for the East Sector and should identify possible areas for development within the East Sector, which are described as Sub-Areas. These Sub-Areas will be incorporated into this Plan by future amendment.

11.3 SUB-AREA POLICIES – WEST SECTOR

Purpose  
The purpose of this section is to establish goals, objectives and policies to guide further development of the West Sector of North Aldershot.

Sub-areas  
Various technical studies identified in the North Aldershot Inter-Agency Review must be completed for the lands within the West Sector. The studies must confirm the development potential for the West Sector and should identify possible areas for development within the West Sector, which are described as Sub-Areas. These Sub-Areas will be incorporated into this Plan by future amendment.
12.0 NIAGARA ESCARPMENT PLAN

North Aldershot Policy Area  
a) Within the area identified as the North Aldershot Policy Area on Schedule D, the lands are subject to the policies governing the North Aldershot Policy Area in the Niagara Escarpment Plan. These lands are subject to Niagara Escarpment Development Control.

Niagara Escarpment Plan – new lots  
b) Subject to the Permitted Uses and the Development Criteria of the Niagara Escarpment Plan, and the policies governing the North Aldershot Policy Area in the Niagara Escarpment Plan, new lots may be created in accordance with Sub-Area Policies 11.1, 11.1.1 and 11.1.2 to the extent that these policies do not conflict with the Provincial Plans.

12.1 Greenlands (Escarpment Plan Area)

12.1.1 Objectives  
a) The objectives for this designation are found in Part IV, Subsection 2.5.1.

12.1.2 Policies  
a) The policies for this designation are found in Part IV, Subsection 2.5.2.

12.2 Escarpment Protection Area

12.2.1 Objectives  
a) The objectives for this designation are found in Part IV, Subsection 2.6.1.

12.2.2 Policies  
a) The policies for this designation are found in Part IV, Subsection 2.6.2.


1.0 IMPLEMENTATION TOOLS

1.1 Principle

Efficient and effective implementation

- Efficient and effective regulatory and decision-making procedures shall be used to guide the development and management of the City's physical environment to achieve the community vision outlined in Part I - Policy Framework and the principles, objectives and policies of the Plan.

1.2 General Objectives

Full range

- To provide for the use of a full range of regulatory mechanisms for the purpose of implementing the principles, objectives and policies of the Official Plan.

Capital works

- To coordinate the City's capital works to maximize benefits to the City's physical, economic and social environment.

1.3 General Policies

Implementation

- The Plan shall be implemented by both public and private development in accordance with policies of this Plan and other regulatory mechanisms. All applicable municipal by-laws and capital works programs shall implement the Plan.

Land acquisition

- Land may be acquired and/or held by the City for the purposes of implementing any part of the Plan.

Conformity to Plan

- City Council shall ensure that development and agreements regarding subdivision, condominiums, site plans and building conform with the Plan.

Secondary/Tertiary Plans

- City Council may undertake secondary or tertiary/neighbourhood planning studies for specific areas or to address a specific planning issue. These planning studies shall be approved by resolution of City Council and shall be incorporated by way of an amendment to the Plan.

Pre-consultation

- City Council shall require that adequate pre-consultation with the City occurs prior to the submission of an application for development, and shall encourage pre-consultation with other affected agencies such as the Region of Halton and Conservation Halton, where appropriate. Within areas subject to the Niagara Escarpment Plan and within areas of Development Control, proponents shall be encouraged to contact the Niagara Escarpment Commission to discuss permitted uses and development criteria. OPA 55

*OPA 55

*D40

O P A  5 5
f) For an application for Official Plan Amendment, Zoning By-law Amendment, plan of subdivision, or consent (other than those consent applications made for the purposes outlined in Part VI, Subsection 4.4 c) of this Plan), City Council may require the provision of additional supporting information or material required to allow full consideration of the application. The scope of the information or material required for each application shall be determined by the City and Region of Halton as part of the pre-consultation process. This information may include, but shall not be limited to, the following:

(i) Planning justification report for Official Plan Amendment and rezoning applications only (including a Land Use or Major Policy change rationale for Official Plan Amendment applications);

(ii) conceptual site plan layout;

(iii) storm water/Functional Drainage Report or storm services plan and flood plain delineation;

(iv) water & waste water service report;

(v) tree inventory and preservation study;

(vi) traffic/transportation impact and/or parking study;

(vii) hydrogeology study/ water budget & hydrology study;

(viii) agricultural impact assessment report;

(ix) market impact study;

(x) financial impact study;

(xi) top-of-bank demarcation/geotechnical report to identify the stable top of bank;

(xii) environmental evaluation report;

(xiii) noise and vibration study;

(xiv) shadow analysis plan;

(xv) park concept plan;

(xvi) Phase I Environmental Assessment;

(xvii) Phase II Environmental Assessment/Record of Site Condition;
### Qualified Persons and Peer Reviews

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#### g) All required reports and technical studies shall be carried out by Qualified Persons retained by and at the expense of the applicant. The City may require a peer review of any report or study by an appropriate public agency or a professional consultant retained by the City at the applicant’s expense. In addition to City requirements, the applicant shall ensure that all additional requirements as set out in the Region of Halton Official Plan are addressed.

#### h) An application for an Official Plan Amendment, Zoning By-law amendment, plan of subdivision or consent will be considered complete under The Planning Act only when the items as determined by the City and Region, as listed in clause f), have been provided, and when the required notice sign referenced in Part VI, Section 7.2 of this Plan has been erected on the property. *D40, D53

#### i) In the absence of pre-submission consultation between an applicant and the City, and the submission of adequate supporting information or material with an application, City Council may deem an application incomplete and may refuse the application. *D40
2.0 LAND USE CONTROLS AND IMPLEMENTATION TOOLS

2.1. Zoning By-Law

2.1.1 Objectives

| Permitted Uses regulations | a) To define the uses permitted in specific locations within the City and the specific development regulations relating to those uses. |
| Non-Development zone       | b) To define a non-development zone where the ultimate use of lands is undetermined. |

2.1.2 Policies

| Zoning By-law Review       | a) City Council shall undertake a comprehensive review of the City’s Zoning By-laws, following the adoption of the Plan. The existing Zoning By-laws shall remain in effect during the review period. Any amendments to the by-laws during the review period shall be required to conform with the Plan. |
| Lands not in conformity    | b) Where there are land uses that do not conform to the Plan, Council may amend the zoning to permit either the existing uses or new uses that represent a shift or transition in use toward the use designated in the Plan. |
| Detailed maps and regulations | c) The Zoning By-laws may include detailed maps that define the location, size and shape of the land, the location and dimensions of areas occupied by buildings or structures, the yard, parking and loading areas, the access to the land and other similar siting arrangements. |
| Government lands           | d) The Zoning By-law shall designate lands other than school sites and hospitals that are the responsibility of Federal, Provincial or municipal government or agencies and are used for transportation, utility, communication or other purposes. |
| Development zones          | e) Some areas designated for urban uses shall remain undeveloped until municipal services become available and other municipal requirements are met. During this interim period, these undeveloped areas shall be zoned for agriculture or open space uses to preserve them for their designated urban uses. These zones shall be referred to as Development Zones. |
| Conditions of Zoning By-laws | f) City Council may, in conjunction with a zoning by-law passed pursuant to Section 34 of The Planning Act, impose one or more prescribed conditions on the use, erection or location of buildings or structures and may require an owner of land to which the by-law applies to enter into an agreement with the City relating to the condition(s). This agreement may be registered against the lands to which it applies and the City may enforce the agreement against the owner and any and all subsequent owners of the land. |
2.2 Holding Zones

2.2.1 Objective

Identify future use

a) To identify the uses that are ultimately intended for specific lands, but to delay their actual development until a future date when certain conditions are met.

2.2.2 Policies

Holding "H" zones

a) City Council may designate a holding zone with the prefix "H", and specify the future uses of these lands that, at the present time, are considered premature or inappropriate for development for any one or more of the following reasons:

(i) community services and facilities such as sanitary sewers, storm water management facilities, water supply, and parks are insufficient to serve the proposed development;

(ii) transportation facilities are inadequate or inappropriate based on anticipated traffic;

(iii) the number and location of access points to the site are inadequate and incapable of functioning safely and efficiently;

(iv) where development relies upon other matters occurring first, such as the consolidation of land ownership to ensure the orderly development of the project and to secure funding for infrastructure, services or outstanding application processing costs;

(v) supporting studies are required on matters related to traffic, soils, protection of any site features, environmental constraints, design features or market impact analysis prior to development approval; and

(vi) the presence of known site contamination.

"H" Removal

b) Removal of the "H" prefix shall depend on meeting the specific City conditions identified by the Holding Zone By-law.

No new buildings

c) Where a holding zone is in effect, no building or structure may be built on the site, unless permitted by City Council, or until the holding zone designation is removed.

Permitted uses

d) The Zoning By-law shall identify lands subject to holding provisions and specify the land uses permitted and any regulations applying in the interim. The following uses may be permitted:

(i) all existing uses, buildings or structures;

(ii) a home occupation in an existing single-detached dwelling;
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North Aldershot Planning Area

e) In the North Aldershot Planning Area, removal of the "H" prefix shall depend on meeting the following:

(i) approval by Council of a subdivision or condominium plan in accordance with this Plan;

(ii) completion of a signed Site Plan Agreement if necessary;

(iii) signing of any other agreements with public agencies;

(iv) payment of any outstanding costs to public agencies;

(v) approval for access;

(vi) provision of adequate services to the satisfaction of the City and the Region; and

(vii) completion of a signed Residential Development Agreement for cluster development.

2.3 Community Benefits Provisions

2.3.1 Objective

To permit increases in height and density in return for the provision of facilities, services or other matters as indicated in the Plan.

2.3.2 Policies

Community Benefits provisions pursuant to Section 37 of The Planning Act may be used by the City in the Zoning By-law to allow increases in height and density of development beyond those permitted by the Zoning By-law in exchange for facilities, services, or matters of public benefit as are set out in the Community Benefits section of the implementing Zoning By-law. The City may encourage the use of community benefits provisions with regard to the following matters:

(i) provision of a wide range of housing types including special needs, assisted or other low-income housing;

(ii) provision of parkland dedication beyond the requirements of the Plan;

(iii) protection of natural features such as woodlots, beyond the parkland dedication requirements of the Plan;
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(iv) improved access to public transit or implementation of a *Travel Demand Management* Plan;

(v) provision of public areas, crosswalks and walkways and connections to external public walkways/trail systems;

(vi) provision of public parking;

(vii) provision of community and open space facilities such as small parks, day care centres, schools, community centres and recreational facilities, cultural facilities, and other municipal facilities such as firehalls and libraries;

(viii) conservation of *cultural heritage features*;

(ix) protection or enhancement of significant views;

(x) provision of *affordable housing*, beyond the basic Provincial requirements;

(xi) provision of public art;

(xii) provision of green technology and sustainable architecture, such as ‘green roofs’;

(xiii) provision of *streetscape* improvements in accordance with Council approved *design guidelines*; and

(xiv) other local improvements identified in community design plans, *community improvement plans*, capital budgets or other implementing plans or studies.

Conforms to Official Plan

b) Community benefits provisions *shall* be considered where the increased density and height conforms with the intent of the Plan and the increase in height and density is *compatible* with adjacent existing or proposed *development*.

Agreement

c) An agreement *shall* be required between the landowner and the City relating to the community benefits provisions.

2.4 Interim Control By-laws

2.4.1 Objective

a) To prohibit the use of lands, buildings or structures except for certain defined purposes until a review or study is undertaken in respect of land use planning policies in the area defined by the interim control by-law.
2.4.2 Policies

**Enactment of Interim Control By-law**
a) Where City Council has directed that a review or study be undertaken in respect of land use planning policies in the City or in any defined area of the City, Council may pass an interim control by-law to be in effect for a time period which shall not exceed one year from the date of passing. This by-law shall prohibit the use of land, buildings or structures within the City or within the defined area except for such purposes as set out in the by-law.

**Extension of By-law**
b) City Council may amend the interim control by-law to extend the period of time during which it will be in effect, provided the total period of time does not exceed two years from the date of the passing of the interim control by-law.

**Prohibition of further By-laws**
c) Where an interim control by-law ceases to be in effect, City Council may not for a period of three years pass a further interim control by-law that applies to any lands to which the original interim control by-law applied.

2.5 Site Plan Control

2.5.1 Objective

**Site Plan Control**
a) To ensure safe, functional and orderly development having high standards of design and efficiency of land use and servicing particularly with respect to site function.

2.5.2 Policies

**Area affected**
a) The entire area within the City of Burlington is designated as a Site Plan Control Area. A Site Plan Control By-law may be enacted by City Council and may affect all or part of the Site Plan Control Area.

**Exemptions**
b) City Council may deem certain types of development exempt from Site Plan Control.

**Plans and drawings**
c) An application for Site Plan Control approval shall include the submission of plans and drawings showing the location of all buildings and structures to be built and all facilities to be provided as part of the proposed development, as well as matters relating to exterior design, including without limitation, the character, scale, appearance and design features of buildings, and their sustainable design, as well as matters relating to:

(i) exterior design, including, without limitation, the character, scale, appearance and design features of buildings, and their sustainable design;
(ii) the sustainable design elements on any adjoining highway under the City or Region’s jurisdiction, including, without limitation, trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities;

(iii) facilities designed to have regard for accessibility for persons with disabilities.

Site Plan considerations

d) Where an application for Site Plan Control approval is made, City Council shall review the submission based on the provisions for Site Plan Control in The Planning Act and the Site Plan Control By-law and include such criteria as:

(i) compatibility with adjacent uses;

(ii) urban design standards;

(iii) function and efficiency;

(iv) safety and access;

(v) adequacy of servicing;

(vi) grading and drainage; and

(vii) landscaping and lighting.

Less than 25 dwelling units
e) In situations of a residential building of less than twenty-five (25) units, unless otherwise exempted from Site Plan Control and specifically defined in the Site Plan Control By-law, City Council may require the applicant to submit drawings showing plan elevations and cross-sectional views, in order to assess the appropriateness of the proposal. These drawings will be required for such development in the North Aldershot Planning Area as specified in subdivision agreements.

Agreement

f) City Council may require the fulfillment of conditions and an agreement for site plans, based on the provisions for Site Plan Control as specified in The Planning Act.

North Aldershot Planning Area
g) In the North Aldershot Planning Area, the following additional policies shall apply:

(i) The City shall require site plan approval for development and re-development in accordance with City policy, and in addition on specified lands including detached dwelling development on individual lots in accordance with Section 41 of The Planning Act, and any other applicable legislation;
(ii) Site plan control will be used to protect landscape features, slopes, remnant vegetation or significant views. Lands affected by such site plan control are shown on Schedules D-C1 to D-C11. The lots and blocks subject to site plan control as generally indicated on the aforementioned maps will be identified at the time of draft approval. Council shall use the policies of this plan in assessing proposals for development and re-development;

(iii) The City shall require Building Envelope Control for development and re-development on specified lands. Lots subject to Building Envelope Control are identified in Schedules D-C1 to D-C11. Proposals for development or re-development on lots subject to building envelope control will be circulated to the Conservation Halton for comment; and

(iv) On those lots subject to Building Envelope Control, the building envelope and driveways will be located so as to avoid steep slopes and vegetation features identified in the Environmental Implementation Report, and/or to provide view access and/or reduce visual impact of dwelling units on the streetscape. The specific use of Building Envelope Control will be as described in the Official Plan Sub-Area policies outlined in Part V, Section 11.0 of this Plan. Building Envelope Control does not exempt lots or buildings from conforming to the Zoning by-Law.

2.6 Maintenance and Occupancy Standards

2.6.1 Objective

a) To administer a comprehensive program for standards for maintenance and occupancy within the City.

2.6.2 Policies

Maintenance and Occupancy Program

a) City Council shall administer a program regarding standards for maintenance and occupancy for all or any part of the City. The program shall contain requirements for the maintenance of both residential and non-residential buildings, yards and accessory buildings, adequacy of sewage and drainage facilities, and the maintenance of walks, passages, fences and garbage disposal facilities.

By-Law

b) Standards of maintenance and occupancy shall be implemented by City Council through the Property Maintenance and Occupancy Standards By-law(s) applicable to all or any part of the City. City Council shall ensure that the by-law(s) complies with the Plan provisions regarding property maintenance and occupancy standards.

All properties to conform

c) City Council shall require that all properties affected by by-law(s) conform to the Property Maintenance and Occupancy Standards.
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Property Standards Officer
d) By-laws and amendments respecting standards for maintenance and occupancy of property shall be administered and enforced by Property Standards Officer(s).

Property Standards Committee
e) Appeals and reviews of orders issued under the by-laws respecting standards for the maintenance and occupancy of property shall be the responsibility of the Property Standards Committee.

Further studies
f) City Council shall undertake further studies with respect to conditions of residential, non-residential and vacant lots ensuring City-wide application of the program.

Official Plan conformity
g) City Council shall ensure that all elements of the property standards program conform to the Plan.

2.7 Parkland Dedication

2.7.1 Objective

Acquire parkland
a) To acquire lands for park purposes that are beneficial to the entire community.

2.7.2 Policies

Condition of development
a) Parkland dedication from residential development shall be required as a condition of development. The amount of land or the amount of money paid in lieu of land, shall be determined on the following basis:

Residential-Low Density
(i) for low density residential development, with a proposed density of less than 15 units per net hectare, parkland shall be dedicated at the rate of 5 per cent of the land area;

Residential-Low and Medium Density
(ii) for low or medium density residential development, with a proposed density of 15 to 50 units per net hectare, parkland shall be dedicated at the rate of 1 hectare per 300 units; and

Residential-High Density
(iii) for high density residential development, with a proposed density greater than 50 units per net hectare, parkland shall be dedicated at the rate of 1 hectare per 300 units.

Commercial, industrial and institutional
b) Parkland dedication from new commercial, industrial and office development and certain institutional development defined by by-law, shall be based on a rate of 2 per cent of the land area.

Mixed use
c) Parkland dedication from mixed use development shall be determined as follows: for the residential component of the development, park dedication shall be on the basis of Part VI, Subsection 2.7.2 a); for the commercial, industrial and institutional component of the development, parkland dedication shall be 2 per cent of the land area for the percentage of the total floor area used for non-residential uses.

Cash-in-lieu
d) The payment of money equal to the value of the land otherwise required to be conveyed for parks may be required.

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Flood, valley lands  
e) Lands required for drainage and shoreline protection purposes, lands susceptible to flooding, steep valley slopes, hazard lands and other lands unsuitable for development, shall not be accepted as parkland conveyance.

Waterfront Trail  
f) Dedication of waterfront lands for park purposes shall also be subject to the policies of Part II, Subsection 9.4.2.

2.8 Niagara Escarpment Plan Area

2.8.1 Objectives

Development Control  
a) To ensure new development within the Niagara Escarpment Plan Area complies with the Niagara Escarpment Plan, Niagara Escarpment Planning and Development Act and the development control requirements of the City of Burlington, as applicable.

Policies  
b) To permit land uses subject to the policies of the Plan, and where applicable, the appropriate policies and detailed development criteria of the Niagara Escarpment Plan.

2.8.2 Policies

Development Permit  
a) All development within the Niagara Escarpment Plan Area must meet the development criteria of the Niagara Escarpment Plan. In addition, a development permit must be obtained prior to any development occurring or any other permit being issued, unless the development is exempt through the Development Control regulation.

Zoning and Holding By-laws  
b) If the use of a Zoning By-Law or Holding Zone is proposed within the Niagara Escarpment Plan Area, the related permitted uses must conform to this Plan and the Niagara Escarpment Plan.

2.9 Master Servicing Agreement

2.9.1 Objective

a) To ensure the costs of new infrastructure and servicing are shared equitably among the benefiting parties.

2.9.2 Policies

Master Servicing Agreement  
a) A Master Servicing Agreement, signed by the benefiting major parties involved in development may be required to be submitted and approved by the City as a condition of zoning and or subdivision approval. Such an agreement shall be based on the findings of the Site Servicing Master Plan, the Comprehensive Storm Water Management Plan and any other studies deemed necessary by the City. Such agreement will ensure that the necessary approvals and the required contributions of funds and lands and commitments for services will be in place and operative prior to or, coincident with, occupancy and use of land, for the following services:
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(i) open spaces;
(ii) water;
(iii) sanitary sewers;
(iv) storm water management;
(v) road infrastructure and widenings; and
(vi) other utilities.

Execution of Agreement

b) If difficulties or undue delays are encountered with respect to the preparation and/or signature of Master Site Servicing and/or Master Storm Water Management Agreements described in Part VI, Subsection 2.9 a), the City may be requested to attempt to resolve such difficulties or delays. Where resolution of such problems is not deemed feasible by the City or is not possible even with the City's intervention, the City may approve alternative mechanisms to satisfy the intent of the applicable policy.

2.10 Servicing

North Aldershot Planning Area

a) In the North Aldershot Planning Area, servicing of any development shall be provided only in accordance with the Water and Wastewater Treatment policies of the Region of Halton and in particular those policies which prohibit private connections to existing and future trunk watermains, wastewater mains and water reservoirs situated outside the Urban Planning Area, except those which comply with relevant legislation or legally executed or binding agreements existing at the time of the adoption of the Region of Halton Official Plan.

b) In the North Aldershot Planning Area, the development pattern established in this Plan is based on the fact that the Region of Halton has determined that it is prudent and feasible to provide water and wastewater services to portions of the subject area as defined in the Regional Official Plan.

3.0 INTERPRETATION

3.1 Objective

a) To provide guidance in the interpretation of the principles, objectives, policies and schedules of the Plan.

3.2 Policies

Functional policies

a) The principles, objectives and policies presented in Part II of the Plan, unless otherwise specified, apply to all of the lands in the City of Burlington regardless of the land use designation shown on the City Structure and Land Use schedules.
## Land Use policies

**b)** The principles, objectives and policies presented in Parts III, IV and V of the Plan, unless otherwise specified, apply only to the lands so designated on the Settlement Pattern and the Comprehensive Land Use Plan schedules.

## Boundaries

**c)** The designations identified on Schedules A to I of the Plan are intended to show general use areas. The boundaries are flexible and are subject to interpretation at the time of implementation of the Plan, provided the intent of the Plan is maintained, except for those boundaries established by well defined features such as railways, highways and roads or where specifically defined in the Plan.

## Permitted uses

**d)** Where lists or examples of permitted uses are provided in Parts III, IV and V of the Plan, they are intended to indicate the possible range and type of uses that are to be considered. Specific uses that are not listed, but are considered by City Council to be similar to the listed uses and to conform to the general intent the applicable land use designation, may be recognized as a permitted use.

## Numerical requirements

**e)** Minor variations from numerical requirements in the Plan may be permitted without a Plan amendment, provided the general intent of the Plan is maintained.

## Certified true copy

**f)** For an accurate reference to the City of Burlington Official Plan and/or subsequent amendments thereto, the Certified True Copy lodged with the City Clerk should be consulted.

## Provincial and Regional Land Use Plans

**g)** In cases where there is a conflict between the Official Plan and the applicable Provincial Land Use Plan or Regional Official Plan, the Provincial Land Use Plan and Regional Official Plan prevail unless the Official Plan is more restrictive.

## Site specific and general policies

**h)** In cases where there is a conflict between site specific and general policies, the site specific policies shall prevail.

## One parcel two designations

**i)** Although the land use designations of this Plan are intended to be conceptual in nature, in cases where a parcel of land contains two separate land use designations, the policies of each designation shall apply only to the portion of the property so designated.

### 4.0 COMMITTEE OF ADJUSTMENT

#### 4.1 Objectives

**a)** To ensure that proposed development and specific uses of lands that involve adjustment(s) to by-laws, conform to the general intent and purpose of the Plan and Zoning By-law.

**b)** To ensure that the creation of new lots maintains the orderly development of lands.
4.2 Minor Variance Policies

Four Tests

a) The Committee of Adjustment, in granting an application for minor variance from the Zoning By-Law, shall be satisfied that the variance:

(i) is minor in nature;
(ii) is desirable for the appropriate development or use of land;
(iii) maintains the general intent and purpose of the Plan; and
(iv) maintains the general intent and purpose of the Zoning By-law.

Cumulative impact

b) In commenting to the Committee of Adjustment on a proposal requiring applications for multiple minor variances from the Zoning By-law, the City shall ensure that the cumulative impact of the proposed variances is considered, and if the cumulative impact of the proposed variances is not considered to be minor, it will be recommended that the proposal proceed by way of rezoning.

Neighbourhood Character Areas

c) For lands within Neighbourhood Character Areas, minor variance applications for development and re-development of a single detached dwelling shall be evaluated based on the following additional criteria:

(i) consistency with neighbourhood character;
(ii) on properties that are located at the end of a terminating street, dwellings should be designed and located to reinforce a framed focal point; and
(iii) dwellings located on corner lots should create a strong connection to both streetscapes through attractive facades and landscaping facing each street.

4.3 Legal Non-Conforming Use Policies

Extensions and enlargements

a) Legal non-conforming uses, buildings or structures throughout the City should eventually cease, so that the land affected shall revert to a use, building or structure that conforms with the intent of the Plan and the Zoning By-law. In special circumstances, however, it may be appropriate to consider the extension or enlargement of a non-conforming use, building or structure.

Considerations

b) The Committee of Adjustment, in granting an application for the extension or enlargement of non-conforming land, buildings or structures, or uses shall be satisfied that:

(i) the proposed extension or enlargement does not represent an unreasonable increase to the size and intensity of the legal non-conforming use;
(ii) adequate measures are provided to protect other uses through landscaping, buffering or screening; appropriate setbacks for buildings and structures are provided; and/or devices and measures for reducing nuisance(s) caused by matters such as outside storage, lighting and advertising;

(iii) the features of the existing non-conforming use and proposed extension and/or enlargement are considered to be compatible with adjacent uses;

(iv) there are or will be adequate municipal services to meet the additional needs resulting from the expansion or extension of use;

(v) there are adequate off-street parking areas, loading facilities and on-site screening;

(vi) traffic and parking conditions in the area shall not be adversely affected and traffic hazards shall be minimized by appropriate design of access points to and from the site, and improvement of site conditions, especially close to intersections; and

(vii) the intent of the Plan and standards established in the Zoning By-law are upheld.

4.4 Consent Policies *D22, D23

Orderly development

a) The plan of subdivision shall be considered as the main method of providing lots in the City. Consent for land conveyances shall only be granted where they will not compromise the orderly development of land or the general public interest.

Consent not appropriate

b) Development which proposes the creation of lots requiring the construction of a new public road, the execution of a development agreement, or which proposes the creation of more than two new lots, should not proceed by way of consent.

Restricted on Rural Lands

c) Subject to other policies of this Plan, new lots shall only be created by way of consent within the Rural Lands designated on Schedule A, Settlement Pattern, for the following purposes:

(i) to correct conveyances, enlarge existing lots or through acquisition by a public body or a non-profit entity for natural heritage conservation, provided no separate buildable lot is created; or

(ii) for the purpose of consolidating lots or re-configuring lot lines that would result in no new additional building lots. *D55

Rural Settlement Areas and Urban Planning Area

d) Subject to other policies of this Plan, new lots may be created by way of consent within the "Rural Settlement Areas" designation shown on Schedule A, Settlement Pattern and all designations shown on Schedule B, Comprehensive Land Use Plan - Urban Planning Area.
In commenting to the Committee of Adjustment, the City will ensure the following factors are considered:

(i) where applicable, the policies for *infill development* contained in Part III, Subsection 2.5.4 of this Plan;

(ii) the size, configuration and location of the proposed consent should be appropriate for the use proposed considering the municipal services available; or where municipal services are not available, the adequacy of potable water supply and the suitability of the soil for septic tanks;

(iii) the *lot* size and proposed use of the proposed consent should conform to the provisions of the Zoning By-Law, where applicable;

(iv) the *lot* should have a *compatible* width and area with *lots* in the immediate vicinity;

(v) any new *lots* intended for building must front on an existing public or common element road;

(vi) a traffic hazard *shall* not be created by access to a road with limited sight lines on curves or grades;

(vii) provision *shall* be made for future streets, and *lot* creation and development *shall* not preclude or inhibit the future development of surrounding lands, where applicable;

(viii) the proposed consent *should* not extend into areas susceptible to flooding or erosion, or adversely affect drainage patterns; and

(ix) the frontage of new *lots* intended for building *should* generally not be less than approximately 40 per cent of the *lot* depth.

(x) within *Neighbourhood Character Areas*, the proposed *development* *shall* achieve consistency with *neighbourhood character*; and

(xi) within *Neighbourhood Character Areas*, the minimum lot widths and areas of proposed new *lots* in *Neighbourhood Character Areas* *shall* meet or exceed the average lot width and lot area of single detached residential lots fronting on both sides of the same street within 120 m of the subject property.

In the North Aldershot Planning Area designated on Schedule D, subdivision of land *shall* generally take place by plan of subdivision. Consents *shall* be permitted:

(i) for technical or legal purposes; or,
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(ii) where the municipality is satisfied that the consent will not prejudice implementation of the Sub-Area plans outlined in Part V, Section 11.0 of this Plan and/or the ultimate subdivision of land; and

(iii) where the factors as set out in Part VI, Subsection 4.4 e) are met.

Niagara Escarpment Planning Area

5.0 SECONDARY and TERTIARY/NEIGHBOURHOOD PLANNING PROCESS

5.1 Objective

Orderly development

a) To undertake Secondary or Tertiary/Neighbourhood Plan studies to allow the orderly and planned development of areas, communities or neighbourhoods.

Other studies

b) To undertake other supporting studies that are required.

5.2 Secondary and Tertiary/Neighbourhood Planning Policies

Amendment to Plan

a) Secondary Plans and Tertiary/Neighbourhood Plans may be prepared by the City. Secondary Plans shall be adopted through amendments to the Plan, while Tertiary/Neighbourhood Plans may be adopted by Council as policy without requiring an amendment to the Plan. Following adoption by City Council of a Secondary Plan or Tertiary/Neighbourhood Plan and any implementing amendment, development shall be guided by both the Secondary and/or Tertiary/Neighbourhood Plan and the implementing amendment if applicable.

Matters to consider

b) Secondary and Tertiary/Neighbourhood Plans shall address issues at a level of detail sufficient to guide development within the area affected, and may include, but are not limited to the following:

(i) a statement of objectives for the physical development of the planning area that shall include environmental, social and economic matters;

(ii) policies for the provision of housing, employment, schools, institutional and commercial or other land use matters, including the location, form and intensity of development for such uses;

(iii) policies addressing the transportation network as it relates to the study area, the community's needs and overall transportation objectives;

(iv) policies for the maintenance, upgrading and rehabilitation of utility services;

For lands subject to the Niagara Escarpment Plan and Development Control, lot creation is also subject to the policies of the applicable designations of the Niagara Escarpment Plan.
(v) policies for local leisure needs;
(vi) policies for unique environmental areas and natural features;
(vii) direction regarding heritage conservation and area-specific urban design policies;
(viii) strategies for the implementation and monitoring of the above-noted matters; and
(ix) assessment of the phasing of development based on the City’s Development Phasing Strategy and financial capabilities of the City and Region to provide municipal services and infrastructure for the proposed development.

List of Secondary Plans

c) A list of approved Secondary Plans is included for reference in Appendix C of this Plan.

5.3 Other Studies Policies

Studies required

a) Support studies may be required as part of the secondary or tertiary/neighbourhood planning process to ensure the feasibility of conceptual plans. The support studies may include, but are not limited to Site Development Analysis, Sanitary and Storm Sewer Study, Storm Water Management Study, Transportation Study, Market Feasibility and Impact Study, Environmental Evaluations and Financial Impact Analysis.

Urban Design plans

b) Urban design plans shall be prepared in accordance with the policies of Part II, Section 6.0.

Technical studies

c) Technical studies are to be completed by the developer to the satisfaction of the City of Burlington.

6.0 MONITORING

6.1 Objectives

Effectiveness of Plan

a) To evaluate the effectiveness of the Plan's policies over time and ensure that its objectives respond to changing circumstances.

Monitoring

b) To provide an effective means of monitoring the policies and objectives of the Plan through quality of life indicators as well as other factors.

Housing

c) To establish and maintain a comprehensive monitoring program for housing to improve the City's ability to respond to housing issues and to assess the strengths and weaknesses of its existing policies.

Sustainable Development

d) To monitor progress in Sustainable Development within the City.
6.2 Policies

Consultation e) To provide consultation on the effectiveness of policies and the early identification of new issues. 


Five Year Review a) At least once every five years City Council shall evaluate the need to review the Plan, which shall include a public meeting required under The Planning Act. This review shall determine if:

   (i) the principles, objectives and policies of the Plan remain valid and realistic in view of changing circumstances; and

   (ii) the policies of the Plan are adequate to achieve the principles and objectives.

Number of Amendments b) Ongoing monitoring of the number of amendments that have been processed and/or the frequency of challenge faced in dealing with proposals to change the Plan shall be used to review its effectiveness.

Further research c) Policy components that may require further research and amendment may be considered, as required.

Property Standards d) Once each Council term, City Council shall review the Property Standards By-law(s) to ensure their effectiveness and identify buildings that require by-law enforcement.

Housing database e) A housing related database shall be maintained on an ongoing basis. The information collected shall be available to the public, private development industry, community groups and other interested parties on a regular basis.

Local housing market f) City Council shall annually monitor the local housing market and review the effectiveness of the City's housing policies in addressing local housing needs.

Monitoring of targets g) In conjunction with the Region of Halton, the City shall regularly monitor the attainment of population and employment targets contained in the Regional and City Official Plans by considering measures such as the current overall municipal employment-to-population ratio, amount of infill development, and prevailing residential and employment densities of developing areas as compared with those stated in the respective Secondary Plans.

Housing inventory h) An inventory of existing vacant and potential residential lands shall be maintained, including potential sites for affordable housing.
Assisted and Special Needs Housing

i) An inventory of potential assisted and special needs housing sites shall be maintained and forwarded to the Halton Community Housing Corporation and other providers of assisted housing.

6.3 Environmental Monitoring

Objective

In order to ensure the continuing effectiveness of policies for Sustainable Development and environmental protection as well as to meet Remedial Action Plan targets it is necessary to monitor the environment over an extended period of time.

State of Environment Report

a) Once each Council term, the City shall prepare a State of the Environment Report to serve as background information for the comprehensive review of the strategic plan and may utilize a citizens’ advisory committee for this purpose.

Indicators

b) The State of the Environment report may include, but is not necessarily limited to, Environment, Economy and Social indicators of Sustainable Development.

de-listing of Hamilton Harbour

c) The City will assist in the efforts to ensure that Hamilton Harbour is de-listed as an Area of Concern by 2015.

7.0 PUBLIC AND AGENCY PARTICIPATION/NOTIFICATION

7.1 Objectives

Seek Input

a) To actively seek input of individuals, community and special interest groups, and public boards, commissions and agencies on planning and related matters.

Public participation

b) To ensure that the community goals are reflected in plans for development by encouraging public participation in the planning and decision-making process.

7.2 Policies

a) City Council shall seek to inform and obtain public and agency input during:

All Planning Stages

(i) the review of the Plan, by-laws and land development approval processes;

Special studies

(ii) the preparation and/or review of Secondary Planning studies, Community Improvement Project Plans and other planning studies; and

Other issues

(iii) for any other planning or development situation where Council desires public involvement.
Committee to hold Public Meetings

b) City Council shall establish a Committee of Council to conduct public meetings pursuant to The Planning Act.

c) The procedure to inform and obtain public and agency input shall include the following steps:

Erect sign

(i) a sign shall be placed on the subject property by the applicant, indicating the basic details of the application for a site-specific amendment to the Official Plan or Zoning By-law and/or a plan of subdivision. A site-specific amendment may involve a map designation change and/or policy change which applies to a block of land. The wording, design and placement of the sign is to be approved by the City;

Preliminary notification

(ii) a preliminary notification of the application for amendment(s) to the Official Plan or Zoning By-law and/or a plan of subdivision, including basic details, may be given at least 30 days prior to the Council meeting to consider approval of the proposed amendment(s) and/or subdivision. For site specific amendments and subdivisions the preliminary notification shall be sent by prepaid first class mail or personal service to every owner of land within 120 m of the subject area, within the Urban Planning Area boundary as outlined on Schedule B, and within 300 m of the subject area within the Rural Planning Area boundary as outlined on Schedule C and the North Aldershot Planning Area as outlined on Schedule D, and may be sent to every tenant. For amendments that generally apply to the City, a notice shall be placed in a local newspaper approved by the City Clerk, that has a general circulation in the area;

Agency circulation

(iii) the details of the proposed amendment(s) to the Official Plan or Zoning By-law and/or a plan of subdivision shall be circulated for comments to all boards, commissions and agencies that are considered to have an interest in the matter and a reasonable period given for comments;

Notice of Public Meeting

(iv) notice of a public meeting to inform and obtain comments from the public shall be given at least 14 days prior to the date of the meeting, when a preliminary public notification has been given. When this preliminary public notification has not been given, notice of the public meeting shall be given at least 30 days prior to the date of the meeting. For an Official Plan or Zoning By-law amendment that applies generally to the City, notice of the public meeting shall be placed in the local newspaper.
For a site specific amendment or a plan of subdivision, notice of this public meeting shall be placed in a local newspaper and/or sent by mail or personal service to every owner of land within 120 m of the subject area, within the Urban Planning Area boundary as outlined on Schedule B, and within 300 m of the subject area within the Rural Planning Area boundary as outlined on Schedule C and the North Aldershot Planning Area as outlined on Schedule D, and may be sent to every tenant and to any parties who have requested notification of any meetings on this particular matter, provided the request is received before notices are issued.

Notice of a public meeting shall include, where applicable, information regarding the power of the Ontario Municipal Board to dismiss an appeal if an appellant has not provided Council with oral submissions at a public meeting or written submissions before a plan is adopted or a by-law is passed;

At least one Public Meeting (v) at least one public meeting shall be held by the Committee of Council to inform and obtain comments from the public. In the case of a Plan amendment, adequate time may be allowed after the public meeting for staff to analyze all public comments before the staff report and the proposed amendment is dealt with by Council, except in the case of a housekeeping amendment or an amendment for which there is no public interest. No public interest shall be interpreted when no written objections to the proposed amendment are received prior to the public meeting and no verbal objections to the proposed amendment are made at the public meeting. In the case of a Zoning By-law amendment and/or plan of subdivision, or where it is determined that adequate time has been provided for analysis of the comments on an Official Plan Amendment, a decision and recommendation to Council on the approval of the application may be made by the Committee at the meeting, if appropriate;

Information to City Council (vi) following a public meeting of the Committee, the recommendation of the Committee shall be presented to Council. Any person may also appear as a delegation before Council regarding a proposed amendment to the Plan or Zoning By-law and/or the plan of subdivision, providing he or she registers with the City Clerk prior to the Council meeting;

Notification of decision (vii) notification of the Council decision regarding the proposed amendment and/or the plan of subdivision shall be given to the applicant and persons who expressed an interest in the matter, by the City Clerk; and
Joint Public Meetings (viii) when applications for amendments to both the City and Regional Official Plans are made to permit development on the same property, City Council may hold a joint public meeting with the Region of Halton to consider both applications concurrently, in order to eliminate duplication of processing and to streamline and simplify public consultation.
8.0 LAND USE DESIGNATIONS TO BE DETERMINED

8.1 Objectives

| Identify areas | a) To indicate those lands for which the final land use designations and policies are awaiting the outcome of planning studies. |
| Long term policies | b) To conduct secondary planning and/or major planning studies that establish long term development policies for areas designated as "Land Use Designations To Be Determined" on Schedule A, Settlement Pattern and/or Schedule B, Comprehensive Land Use Plan - Urban Planning Area. |
| Interim development policies | c) To establish interim development policies for areas designated as "Land Use Designations To Be Determined" on Schedule A, Settlement Pattern and/or Schedule B, Comprehensive Land Use Plan - Urban Planning Area. |
| Study requirements | d) To identify the requirements for the secondary planning and major planning studies. |

8.2 General Policies

| Secondary Plans and Major Studies | a) Secondary planning studies or major planning studies shall be conducted for areas designated as "Land Use Designations To Be Determined" on Schedule A, Settlement Pattern, and/or Schedule B, Comprehensive Land Use Plan - Urban Planning Area. |
| Matters to consider | b) The studies referred to in Part VI, Subsection 8.2 a) shall be conducted in accordance with Part VI, Section 5.0. |
| Amendment to Plan | c) The findings of the studies referred to in Part VI, Subsection 8.2 a) shall be implemented through an amendment to this Plan. |

8.3 Alton Community Study Area *D9, *D32

| Location | a) The Alton Community is bounded on the north and west by Highway 407, the south by Dundas Street and the east by Bronte Creek. |
| Interim development | b) Until the remaining unapproved portions of the Alton Community Secondary Plan and Official Plan Amendment 3 are approved, the development of lands within these portions of the Alton Community shall be directed as follows: |

(i) existing uses, agricultural uses, uses permitted under the Zoning By-law and the Parkway Belt West Plan are permitted; and

(ii) the provisions of the Parkway Belt West Plan, where applicable.
8.4 Tremaine Road/Dundas Street Study Area  *D32

| Location | a) The Tremaine Road/ Dundas Street Study Area is bounded on the north by Highway 407, the south by Dundas Street, on the west by Bronte Creek and on the east by the municipal boundary between the City of Burlington and Town of Oakville. |
| Inter-Municipal Study | b) The overall development concept for the Tremaine Road/Dundas Street Study Area shall be established as part of a planning study to be completed by the City of Burlington, Town of Oakville and the Region of Halton. |
| Secondary Plan | c) Land use policies within the Tremaine/Dundas Street Study Area shall be directed by the findings of Secondary Plan study(ies) and the subsequent adoption of the Secondary Plan(s) and amendment to this Plan. The planning study referred to in Part VI, Subsection 8.4 b) shall be used as the basis for the Secondary Plan study(ies). |
| Matters to consider | d) The Secondary Plan study(ies) referred to in Part VI, Subsection 8.4 c) shall be conducted in accordance with Part VI, Section 5.0. |
| Interim development | e) Until the studies and amendments referred to in Part VI, Subsection 8.4 c) are completed and approved, the development of lands within the Tremaine Road/ Dundas Street Study Area will be directed as follows: |
| | (i) existing uses, agricultural uses, uses permitted under the Zoning By-law and the Parkway Belt West Plan are permitted; and |
| | (ii) the provisions of the Parkway Belt West Plan, where applicable. |