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## **CHAPTER 5: NATURAL RESOURCE MANAGEMENT**

### **5.1 AGRICULTURAL RESOURCE AREAS - Farm-Related Development**

Given the limited availability of prime agricultural lands within the Township, it is the intent to preserve, protect and encourage the continued use of these areas for agricultural purposes.

#### **5.1.1 General Policies**

- 5.1.1.1 Agricultural Resource Areas are designated as shown on Map 4 of this Plan. The primary activities in this designation will be farming, mineral aggregate extraction and forestry.
- 5.1.1.2 Prime and Non-Prime Agricultural Areas are designated as shown on Map 4 of this Plan. Farming, small scale on-farm business activities and farm-related non-residential uses will be the primary activities permitted in Prime Agricultural Areas. Notwithstanding the above, the Agricultural Area designations will not apply to lands designated for non-farm uses in this Plan.
- 5.1.1.3 Non-farm-related development within the Rural Area will be subject to Section 2.8 of this Plan.
- 5.1.1.4 For the purpose of determining whether a new lot is being created through a development proposal, regard will be had to Policy 2.8.1.3 of this Plan.
- 5.1.1.5 The construction of new farm-related residential and new/expanded livestock barns or manure storage facilities will conform to the Minimum Distance Separation.

#### **5.1.2 Farm Parcel Creation/Alteration**

- 5.1.2.1 Where a new farm is proposed to be created, or where part of an adjoining farm is to be severed and merged in title with an existing farm, the development application will comply with the following:
- a) each resultant farm that is created must have a minimum area of 40 hectares; or,
  - b) resultant farms having less than a minimum of 40 hectares will:
    - i) be of a size appropriate for the type of agricultural use(s) proposed. Such development applications will be evaluated by the Ministry of Agriculture, Food and Rural Affairs, or other professional(s) knowledgeable in farm economics and management to determine if the proposed farm is of sufficient size and nature to be reasonably expected to sustain a commercially viable operation as an independent farm unit, and for flexible re-use for agricultural purposes in the event of business failure; and,
    - ii) be permitted by a site specific zoning by-law amendment.
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### **5.1.3 Farm-Related Uses**

5.1.3.1 Development applications for farm-related non-residential uses in the Agricultural Resource Area will comply with the following:

- a) will conform to the Zoning By-law;
- b) where feasible, not be located on Prime Agricultural Lands;
- c) be prohibited in a woodlot except where an exception from the Regional Tree Cutting By-law has been obtained;
- d) a lot size up to a maximum of 1.2 hectares may be considered, except where natural features or existing lot patterns justify the inclusion of additional lands;
- e) minimize impacts on Environmental Areas in accordance with policies in Chapter 6 of this Plan; and,
- f) compliance with the Ministry of Environment and Energy's Guidelines on Land Use Compatibility;

5.1.3.2 Notwithstanding Policy 5.1.3.1, lot creation for a farm-related non-residential use will only be permitted in Prime Agricultural Areas, where the use has been established.

### **5.1.4 On-farm Business Activities**

5.1.4.1 Where an on-farm business activity is proposed to be established, the development application will comply with the following:

- a) it must be demonstrated that the proposed on-farm business activity will remain secondary to the farm operation and that the cumulative effect of on-farm business activities does not undermine the agricultural nature of the area. Determination of whether a proposal activity is secondary to the farm operation must include an evaluation of the relationship between the existing agricultural operation and the proposed on-farm business. This will include the financial investment, the number of employees, the type of operation for both the agricultural operation and the proposed on-farm business and any other factors as may be deemed appropriate;
- b) be permitted by a site specific zoning by-law amendment which:
  - i) identifies the area of the operation including all buildings and storage areas;
  - ii) wherever feasible, the area of operation is to be part of the farm cluster; and,
  - iii) consideration is given to any impacts such as noise, dust, vibration, visibility to the adjacent agricultural operations. Mitigation of impacts may require screening or fencing, as determined by Council;

- c) the subject property will remain zoned for agricultural purposes;
- d) no new lot will be created;
- e) the proposed on-farm business activity will not be detrimental to the environment;
- f) shall not include any use which is or may become obnoxious, offensive or dangerous by reasons of the presence, emission or production in any manner of odour, dust, smoke, noise, fumes, vibration, refuse matter or water carried wastes;
- g) shall be limited to dry manufacturing and/or repair; with ancillary retail;
- h) shall not include retail, automotive sales and/or repair; and,
- i) the maximum area of operation that may be permitted for a farm will be determined as follows:
  - i) up to 100 square metres of area of operation for a farm between 10 hectares and 20 hectares;
  - ii) up to 200 square metres of area of operation for a farm between 20 hectares and 40 hectares; and,
  - iii) up to 300 squares metres of area of operation for a farm greater than 40 hectares.

## **5.1.5 Farm-Related Residential Development**

- 5.1.5.1 To accommodate full-time farm employees, including members of the farm household, or to aid retiring farmers, the construction of a second permanent or temporary farm-related residential unit, or the conversion of an existing farm-related residential unit, to create a second or third dwelling unit will be permitted on a farm. Consents will not be granted for any farm-related residential units created in accordance with this policy.

## **5.2 MINERAL AGGREGATE RESOURCE AREAS**

To provide for the orderly extraction and optimum utilization of mineral aggregate resources while minimizing undesirable short and long term impacts on the natural environment and the quality of life for existing and future residents.

### **5.2.1 Designation and Protection**

- 5.2.1.1 Mineral Aggregate Resource Areas are designated as shown on Map 5 of this Plan. Mineral Aggregate extraction is a permitted use both within and outside the Mineral Aggregate Resource Area, subject to the policies of this Plan.

- 5.2.1.2 The Township will protect Mineral Aggregate Resource Areas from land uses which are incompatible with future extraction except where it is shown that:
- a) extraction would not be feasible;
  - b) the proposed land use or development serves a greater long term interest of the general public than does extraction; or,
  - c) the proposed land use or development would not significantly preclude or hinder future extraction.
- 5.2.1.3 The Township will regulate uses associated with aggregate extraction through the Zoning By-law as follows:
- a) permit accessory uses associated with aggregate extraction operations and processing activities such as crushing, screening, washing, stockpiling, blending with recycled asphalt or concrete materials, storage, weigh scales, parking and office facilities;
  - b) require site specific zoning to permit ancillary land uses such as asphalt plants, concrete plants and aggregate transfer stations subject to:
    - i) the protection of adjoining lands from the negative effects of a reduced water supply, noise, dust, odour, lighting and outdoor storage;
    - ii) the protection of the environment from negative effects of dust, chemical spills, run-off, or contamination of surface or groundwater;
    - iii) access being obtained directly to a road capable of carrying the anticipated truck traffic; and
  - c) notwithstanding b) above, ancillary land uses will be prohibited in Sensitive Groundwater Areas.
- 5.2.1.4 The Township encourages the extraction of the mineral aggregate resource prior to, and during the development of land.
- 5.2.1.5 The Township recognizes all existing licensed pits and quarries as legal uses of land and will endeavour through the policies of this Plan to ensure their continued viability and use for extractive purposes in accordance with license requirements established under the Aggregate Resources Act. The Township will ensure that appropriate zoning is maintained to recognize licensed mineral aggregate extraction operations as a permitted use.
- 5.2.1.6 No new pits or quarries will be permitted in Environmental Preservation Areas or Environmentally Sensitive Policy Areas.
- 5.2.1.7 Any new aggregate operations and subsequent rehabilitation located between the top of bank plus the applicable regulatory setbacks and the Grand River, will only be permitted where it is demonstrated to the satisfaction of the Ministry of Natural Resources, the
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Region and the Grand River Conservation Authority that the extraction proposal and subsequent rehabilitation of the lands will result in a net environmental gain.

- 5.2.1.8 New mineral aggregate extraction below the water table will only be permitted in accordance with Regional Official Policies Plan Policies 5.3.8 and 5.3.10.
- 5.2.1.9 New mineral aggregate extraction on Prime Agricultural Lands may be permitted as an interim use provided that agricultural rehabilitation is maximized.
- 5.2.1.10 Notwithstanding Policy 5.2.1.9 new mineral aggregate extraction on Prime Agricultural Lands may be permitted without rehabilitation to an agricultural use subject to the provisions of Policy 5.3.12 of the Regional Official Policies Plan.
- 5.2.1.11 The Township will co-operate with the Ministry of Natural Resources and the Region to ensure that all appropriate conditions resulting from the review of the studies required in accordance with Policy 5.2.2.1 are imposed and enforced as:
- a) conditions on the license or notes on the site plan required under the Aggregate Resources Act; and/or,
  - b) conditions of development application approval under the Planning Act.
- 5.2.1.12 The Township will encourage and co-operate with the owners of licensed extractive operations to achieve orderly phased extraction of licensed areas based on practices that promote minimal active mining areas and progressive rehabilitation.
- 5.2.1.13 The Township will encourage the construction of intra-pit road systems and new roads intended for aggregate traffic so as to lessen the impact of aggregate traffic on local residents and sensitive land uses.

## **5.2.2 Special Studies**

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

## **5.2.3 New Mineral Aggregate Applications**

- 5.2.3.1 Where the approval of a development application is required prior to the establishment of a new aggregate extraction operation, the applicant shall erect a sign satisfactory to the Township on the subject lands advising of the nature of the application, including area of the application, facilities to be located on the site, and where additional information may be obtained.
- 5.2.3.2 Where the approval of a development application is required prior to the establishment of a new aggregate extraction operation or expansion to an existing operation, the Township will organize a pre-submission consultation meeting with the Region, the Grand River Conservation Authority, and the applicant to identify the study requirements necessary

for the appropriate evaluation of the application and the process to be followed. Acceptance of the zone change application will not occur until the applicant has submitted the identified studies.

5.2.3.3 Where the approval of a development application is required prior to the establishment of a new aggregate extraction operation or expansion to an existing operation, Township support for the zone change application will be subject to the following:

- a) the submission of a study approved by the Township indicating potential transportation impacts from the proposed extraction operation on the Township Road system;
- b) if required, the submission of an Environmental Impact Statement in accordance with Chapter 6 of this Plan;
- c) demonstration that the proposed rehabilitation is consistent with the policies of the Regional Official Policies Plan and this Plan; and,
- d) the submission of all reports required by the Ministry of Natural Resources in accordance with the Aggregate Resources Act, and the Region in accordance with the policies of the Regional Official Policies Plan;
- e) such other relevant matters as Council deems necessary; and,
- f) the Township being satisfied that the following conditions will be dealt with through the site plan approved under the Aggregates Act, or other appropriate means:
  - i) to ensure adequate buffers and/or screenings along road right-of-ways, or adjacent to any existing or proposed residences or as determined through the approval of required studies, adjacent to sensitive land uses to the satisfaction of the Township;
  - ii) that no new excavation or processing will take place until all required buffers and/or screenings have been constructed;
  - iii) that no water or washing or screening operations will be discharged into any water course;
  - iv) that the applicant in cooperation with the Township will establish all haul routes for truck traffic;
  - v) that required road improvements identified through the transportation study noted in a) above are in place s Township is satisfied that any road improvements are in place prior to the removal of aggregates from the site; and,
  - vi) that no new excavation or processing will take place until all required fencing and/or security measures have been put in place.

5.2.3.4 Where a development application is not required to permit a new aggregate extraction operation or expansion to an existing operation, the Township will ask the Ministry of Natural Resources to request the submission of the appropriate studies noted in Policy 5.2.3.3 as part of the aggregate license and site plan approval process.

#### **5.2.4 Wayside Pits**

5.2.4.1 New wayside pits will be permitted in all land use designations without amendment to the Zoning By-law, with the exception of those areas immediately adjacent to Ayr Urban Area, Rural Settlement Areas and Industrial/Commercial Settlement Areas or within Environmental Areas as described in Section 6.1 of this Plan.

5.2.4.2 Portable asphalt plants for the exclusive temporary use of a road authority operating under an approved wayside pit permit will be permitted in all land use designations, without amendment to the Zoning By-law, with the exception of Ayr Urban Area, Rural Settlement Areas or within Environmental Areas described in Section 6.1 of this Plan.

5.2.4.3 The Township will request the Ministry of Natural Resources to include a notification on wayside permits for lands adjacent to Locally Significant Natural Areas that the Township should be contacted prior to excavation to obtain information on how to mitigate impacts on the Locally Significant Natural Areas.

#### **5.2.5 Rehabilitation of Existing or Abandoned Aggregate Pits**

5.2.5.1 The Township will cooperate with land owners, the Region, pit operators, the Ministry of Natural Resources in efforts to rehabilitate existing and/or abandoned pits and quarries to reduce or eliminate dangerous or hazardous conditions and return the pit site to a suitable land use as determined by the Township in conformity with the policies of this Plan and policies 5.3.11 and 5.3.12 of the Regional Official Policies Plan.

### **5.3 WATER RESOURCE PROTECTION STRATEGY**

The Township will endeavour to protect water resources including sensitive groundwater recharge and discharge areas, headwaters and aquifers from development which would jeopardize the quality of water sources in the township.

5.3.1 The Township will participate with the Region, the Ministry of Natural Resources, the Ministry of Environment and Energy, the Ministry of Agriculture Food and Rural Affairs, and the Grand River Conservation Authority in implementing the Regional Water Resources Protection Strategy.

5.3.2 Implementation of the Regional Water Resources Protection Strategy will include:

- a) defining the location, nature and extent of water resources;
- b) identifying and evaluating potential threats to surface and groundwater quality;
- c) developing policies and programs to manage, reduce or eliminate these threats; and,

- d) informing and consulting with the community about water resource protection issues.

5.3.3 Amendments to this plan will be considered to establish policies and mapping as required to implement the recommendations of the Regional Water Resources Protection Strategy.

5.3.4 The Township, in consultation with the Region, the Ministry of Natural Resources, the Ministry of Environment and Energy, the Grand River Conservation Authority and affected landowners, will establish policies in this Plan to provide for the appropriate protection, conservation or enhancement of sensitive groundwater recharge and discharge areas; aquifers and headwaters, not fulfilling the criteria for designation as Sensitive Groundwater Areas in accordance with the provisions of Policy 4.1.6 and Section 5.2 of the Regional Official Policies Plan.

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