



## A. APPENDIX "A" - DEFINITIONS

### **Active Gravel or Quarry Operation:**

means licensed sites within that part of the Municipality designated under the *Aggregate Resources Act*, existing extraction areas the Municipality, and sites under Aggregate Permit on Crown Land in the Municipality.

### **Adjacent Lands:**

means lands contiguous to a specific feature or area designated or otherwise noted by this Plan, where development or site alteration could have a negative impact on the feature or area. The extent of adjacent lands relating to Natural Heritage Features are identified in policy in Section 4.2 of this Plan.

### **Adult Entertainment Uses:**

means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods, including books, magazines, pictures, slides, film, phonograph records, pre-recorded magnetic tape and any other reading, viewing or listening matter, or services including activities, facilities, performances, exhibitions, viewings and encounters, the principal feature or characteristic of which is the nudity or partial nudity of any person, or in respect of which the word "nude", "naked", "topless", "bottomless", "sexy", or any other work or any picture, symbol or representation having like meaning or implication is used in any advertisement.

### **Adverse Effects:**

mean one or more of the following:

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



**Agricultural Uses:**

means the growing of crops, including nursery and horticultural crops; raising of livestock and other animals for food, or fur, including poultry and fish; aquaculture; agro-forestry; maple syrup production; and associated on-farm buildings and structures.

**Agriculture-Related Uses:**

means those farm related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

**Areas of Natural and Scientific Interest (ANSI):**

mean areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study, or education.

**Bed and Breakfast Establishment:**

Means a single detached dwelling in which guest bedrooms are provided for gain as temporary accommodation on a daily basis. The proprietor of such an establishment lives on the premises.

**Consent:**

means a legal permission, generally given by the Committee of Adjustment, to create new parcels of land.

**Conservation Authority:**

means the Ausable Bayfield Conservation Authority.

**Corridors:**

mean the naturally vegetated or potentially re-vegetated areas that link or border natural areas and provide ecological functions such as habitat, passage, hydrological flow, connection or buffering from adjacent impacts. They can occur across or along uplands, lowlands or slopes. Ravine, valley, river and stream corridors are further defined as landform depressions, usually with water flowing through or standing in them for some period of the year. Ravine and valley corridors may be defined locally by considerations such as their natural features or functions, minimum setbacks from the crest of slope, top of ravine or valley bank or top of projected stable slope.



**Development:**

means the creation of a new lot, a change in land use, or the construction of buildings and/or structures, requiring approval under the *Planning Act*; but does not include activities that create or maintain infrastructure authorized under an environmental assessment process; or works subject to the *Drainage Act*.

**Ecosystem:**

means systems of plants, animals and micro-organisms, together with the non-living components of their environment, related ecological processes and humans.

**Environmental Assessment:**

means a process for authorization of an undertaking under legislation such as the *Environmental Assessment Act*, and *Ontario Energy Board Act*.

**Environmental Impact Study (EIS):**

means a study prepared in accordance with established procedures, to identify and assess the impacts of development on a specified feature or system.

**Erosion Hazards:**

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

**Estate Residential Development:**

means residential development on large lots (0.3 ha or greater) outside of established Settlement Areas.

**Farm Consolidation:**

means the acquisition of adjacent farm parcels to be operated as one farm operation.

**Farm Dwelling:**

means a dwelling on Farm Lands used as the primary residence of an active or a full-time farm employee.



**Farm Lands:**

mean only those lands which are evaluated as having a potential for farming due either to their containing Prime Agricultural Soils, or to their accommodating, or having accommodated, well-established farm uses.

**Farm Operation:**

means the composite of all parcels operated as a farm.

**Fill Line:**

means a line intended to generally identify hazard lands such as steep slopes, flood plain areas and areas of unstable or organic soils. Fill lines are defined using the approved fill line mapping criteria established by the Conservation Authority having jurisdiction. Lands contained within registered fill lines are subject to the fill regulations of the Conservation Authority.

**Fill, construction and alteration to waterways regulation:**

means a regulation passed pursuant to Section 28 of the *Conservation Authorities Act*, R.S.O. 1990 or its successors, whereby a Conservation Authority may, among other matters, regulate:

- a) the straightening, changing, diverting, or interfering in any way with the existing channel of a river, creek, stream or watercourse;
- b) the construction of any building or structure in or on a pond or swamp or in any area subject to flooding; and
- c) the placing or dumping of fill of any kind in any defined part of the area over which the Conservation Authority has jurisdiction in which, in the opinion of the Conservation Authority, the control of flooding or pollution or the conservation of land may be affected.

**Fish:**

means fish, shellfish, crustaceans and marine animals at all stages of their life cycles.

**Flooding Hazards:**

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

- a) Along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the 100



year flood level plus an allowance for wave uprush and other water related hazards.

- b) Along river and stream systems, the flooding hazard limit is the greater of:
1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
  2. the one hundred year flood; or
  3. a flood which is greater than 1) or 2) which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources.

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

**Flood Fringe:**

means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway. The flood fringe is the area where development and site alteration may be permitted, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Ministry of Natural Resources.

**Flood Plain:**

means the area, usually low lands, adjoining a watercourse, which has been or may be subject to flooding hazards.

**Floodway:**

means the area required to pass the deep, fast flowing flood water determined in consultation with the Conservation Authority but will not exceed the Regulatory Flood.



**Functions:**

mean, in regard to natural features and functions, the natural processes, products or services that species and non-living environments provide or perform within or between ecosystems and landscapes.

**Groundwater:**

means sub-surface water, or water stored in the pores, cracks and crevices in the ground below the water table.

**Groundwater Recharge Area:**

means an area in which there is significant addition of water by natural processes to groundwater.

**Hazard Lands:**

means property or lands that could be unsafe for development due to naturally occurring processes or other hazards.

**Head-water:**

means the source area of a stream.

**Home Occupation:**

means a commercial or industrial use which is carried out in a residential dwelling, but which is not the main use of property.

**Hydrology:**

the study of surface water.

**Hydrogeology:**

the study of ground water.

**Individual on-site systems:**

mean individual autonomous water supply and/or sewage disposal systems that are owned, operated and managed by the owner of the property upon which the system is located and which do not serve more than one residential units/lots.

**Infrastructure:**

means physical structures that form the foundation for development. Infrastructure includes: sewage and water works, waste management systems, electric power, communications, transit and transportation



corridors and facilities, and oil and gas pipelines and associated and similar facilities.

**Intensification:**

means the development of a property or site at a higher density than previously existed. It includes: redevelopment or development within existing communities; infill development, or development on vacant lots or underdeveloped lots within a built-up area; conversion, or the change of use of an existing structure or land use; and the creation of apartments or other accommodation in houses.

**Legally Existing:**

Means a use legally existing on the date of Council adoption of this Plan.

**Legally Existing Pits and Quarries:**

mean:

- a) lands under licence or permit, other than wayside pits and quarries, issued in accordance with the *Aggregates Resources Act*, or successors thereto; and
- b) for lands not under licence or permit, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation.

**Mineral Aggregate:**

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

**Minimum Distance Separation Formulae:**

means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

**Natural Heritage Features and Areas:**

means features and areas, such as significant wetlands, fish habitat, significant woodlands, significant valleylands, significant portions of the



habitat of endangered and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

**Negative Impacts:**

means:

- a) in regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where it has been authorized under the *Fisheries Act* using the guiding principle of no net loss of productive capacity.
- b) in regard to other natural heritage features and areas, the loss of the natural features or ecological functions for which an area is identified.

**On-Farm Secondary Business:**

means a gainful occupation conducted in whole or in part in an accessory building (shed or farm building) by a member of the farm family, with support of up to three non-farm family members.

**One Hundred Year Erosion Limits: (for lands adjacent to ravines, river valleys and streams)**

mean the approved standards involving the combined influence of stable slope, 100 times the average annual recession rate, and an erosion allowance to define the erosion limits for regulatory purposes.

**One Hundred Year Flood:**

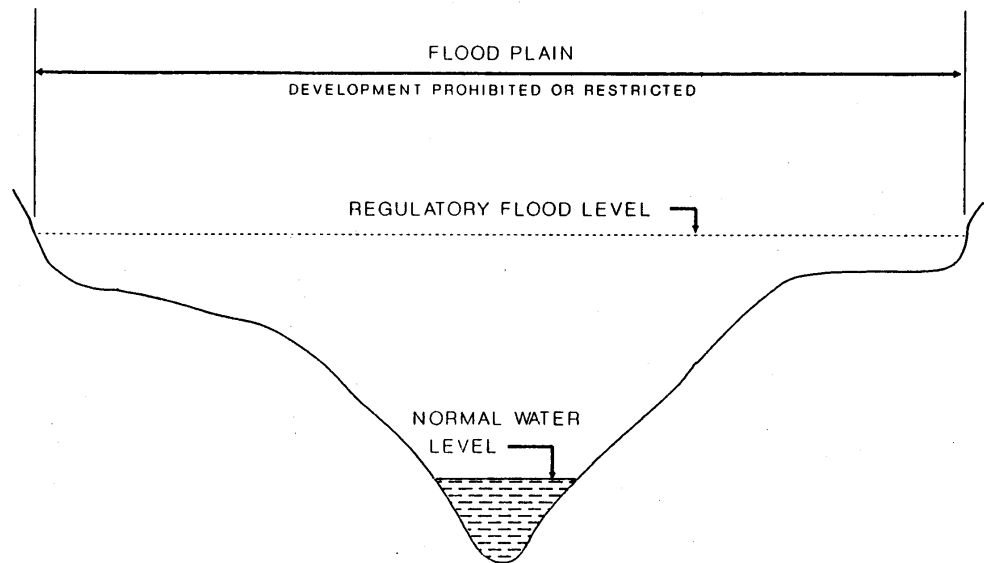
means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

**One Zone Concept:**

means the approach whereby the entire flood plain, as defined by the regulatory flood, is treated as one unit, and all development is prohibited or restricted, as illustrated in the following figure.



## ONE ZONE CONCEPT



### Partial Services:

mean connection to one communal service or full municipal service where the other connection will be to an individual on-site system.

### Prime Agricultural Area:

means an area where prime agricultural land predominates. Prime agricultural areas may also be identified through an alternative agricultural land evaluation system approved by the Province.

### Prime Agricultural Land:

means land that includes speciality crop lands and/or Canada Land Inventory Classes 1, 2 and 3 agricultural soils, in this order of priority for protection.

### Portable Asphalt Plant:

means a facility:

- a) with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process;



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

**Potential Mineral and Petroleum Resources:**

mean areas favourable to the discovery of deposits of mineral or petroleum resources due to favourable geology, the presence of known deposits or other technical evidence.

**Provincially Significant Wetlands:**

means Class 1, 2 and 3 wetlands, as defined by the Provincial Policy Statement.

**Public Lands:**

mean lands owned by a public body, but does not include Crown lands or "public lands" as defined in the *Public Lands Act*.

**Redevelopment:**

means the creation of new development units on land previously used for residential or non-residential purposes in existing communities where demolition of the previous structure is to take place or has taken place.

**Regulatory flood (for riverine flood plains):**

means the flood standard of the Conservation Authority which is used to define flood plain limits for regulatory purposes. In the case of the Ausable Bayfield Conservation Authority, the Hurricane Hazel Storm Event is used.

The one hundred year flood is the minimum acceptable regulatory flood standard. For those watersheds with a regulatory flood standard greater than the minimum acceptable, the Minister of Natural Resources may change the standard, in accordance with established procedures, provided that a significant majority of Conservation Authority exists. The lowering of the existing regulatory flood standard will not be considered where the past history of flooding reveals that a higher level is more appropriate.

Where flooding is experienced in excess of the existing regulatory flood standard, the Minister of Natural Resources may require the regulatory flood standard to be modified to reflect the observed flood event.

**Regulatory Flood Datum:**

means the elevation used to define the flood plain limits for regulatory purposes.



**Rehabilitate:**

means, after extraction, to treat land so that the use or condition of the land is restored to its former use or condition, or is changed to another use or condition in accordance with applicable legislation. With respect to degraded natural environments, means a combination of appropriate and acceptable structural and non-structural works which are intended to reduce damages, plus an allowance to address slope and unstable slope related conditions.

**Residential Infilling:**

means the creation of up to four residential lots between two existing non-farm residences which are on separated lots of a similar size and which are situated on the same side of a road and not more than 100 metres apart.

**Scattered Development:**

means any development that does not meet the criteria for infilling or which is located outside of a Settlement Area.

**Settlement Area:**

means the area where development is concentrated and contiguous and has the potential to accommodate at least some additional development.

**Settlement Capacity Study:**

means a comprehensive study of a community to identify the suitability of the area to safely accommodate future growth and development in the absence of full municipal services, and to establish a technical foundation on which to base a secondary plan and/or evaluate applications for development. The study must address the servicing hierarchy set out in this Plan by assessing the feasibility of full or communal services and, if proven to be unfeasible, assessing the feasibility of proceeding on private services. The recommendations must be approved by the Ministry of the Environment.

**Sewage and Water Systems:**

**a) *Full municipal sewage and water services:***

mean piped sewage and water services that are connected to a centralized water supply and waste water treatment facilities.



**b) *Public communal services:***

mean sewage works and sewage systems, and water works that provide for the distribution, collection or treatment of sewage or water but which:

- i) are not connected to *full municipal sewage and water services*;
- ii) are for the common use of more than one residential units/lots; and
- iii) are owned, operated and managed by either:
  - O a public body other than the Municipality;  
or
  - O a condominium corporation or single owner which has entered into an agreement with the municipality or public body, pursuant to of the *Planning Act*, providing for municipal/public body assumption of the communal services in the event of default by the owner.

**Significant:**

means:

- a) in regard to wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ministry of Natural Resources using evaluation procedures established by the province, as amended from time to time.
- b) in regard to other features and areas in policy 2.3 of the Provincial Policy Statement, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. Criteria for determining significance may be recommended by the Province, but municipal approaches that achieve the same objective may also be used.
- c) in regard to other matters, important in terms of amount, content, representation or effect.



**Small-scale Intensification:**

means residential intensification which adds dwelling units without redevelopment and includes infill; rooming, boarding and lodging houses; and apartments in houses.

**Speciality Crop Land:**

means areas where speciality crops such as tender fruits (peaches, grapes, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

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

**Stable Slope:**

means the angle a slope would achieve when toe erosion and/or human activities are absent.

In North Middlesex, the Hurricane Hazel storm (1954) centred event is used for regulatory purposes:

**Sustainable:**

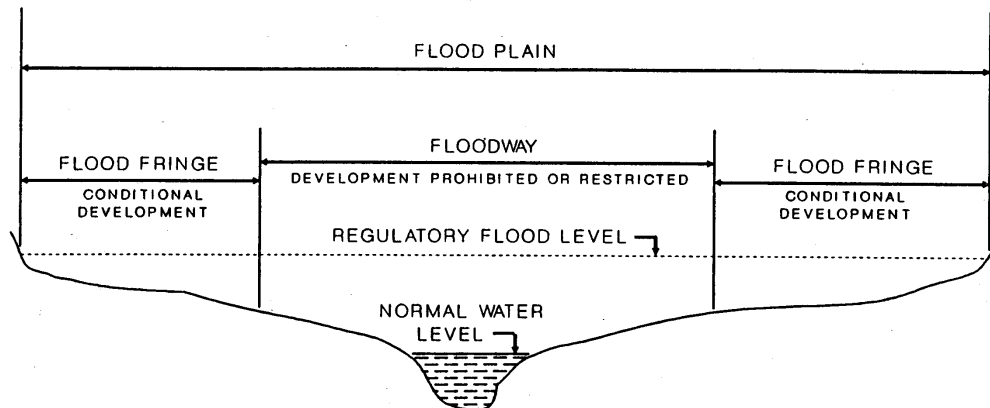
means activities that meet present needs without compromising the ability of future generations to meet their own needs.

**Two Zone Concept:**

means the approach whereby certain areas of the flood plain are considered to be less hazardous than others such that development, potentially could safely occur. The **flood fringe** defines that portion of the flood plain where development may be permitted, subject to appropriate flood-proofing. The **floodway** defines that portion of the flood plain wherein development is prohibited or restricted. The following figure illustrates the two zone concept.



## TWO-ZONE FLOODWAY-FLOOD FRINGE CONCEPT



### Waste Management System:

means sites and facilities to accommodate solid waste from one or more municipalities, and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

### Wayside Pit or Wayside Quarry:

means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

### Wetland Functions:

mean the biological, physical, and socio-economic interactions that occur in an environment because of the properties of the wetlands that are present, including, but not limited to:

- a) ground water recharge and discharge;
- b) flood damage reduction;
- c) shoreline stabilization;
- d) sediment trapping;
- e) nutrient retention and removal;
- f) food chain support;



- g) habitat for fish and wildlife; and
- h) attendant social and economic benefits.

**Wetlands:**

As defined by the Provincial Policy Statement

**Wildlife Habitat:**

means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle: and areas which are important to migratory or non-migratory species.

**Woodlands:**

means treed areas that provide environmental and economic benefits such as erosion prevention, water retention, provision of habitat, recreation and the sustainable harvest of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance.