

use designation that is zoned for residential use, or land designated or zoned Environmental Protection provided that the use conforms to the *Aggregate Resources Act*.

On specialty crop lands and lands comprised of Classes 1, 2 and 3 soils as identified by Canada Land Inventory mapping for Agriculture and designated as Agricultural on Schedule “A” of the Plan, wayside pit and wayside quarry extraction may occur provided the agricultural rehabilitation of the site is professionally carried out and substantially the same acreage and average soil capability for agriculture are restored.

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

Prior to the removal of any material from the subject site, the landowner may be required to enter into a development agreement with the Municipality. The agreement should include:

- i) Dust control measures; and
- ii) An exact indication of the routes to be used by gravel trucks and guarantees with respect to road damage.

In some instances, Council may consider it appropriate to waive the development agreement.

3.16 PORTABLE ASPHALT PLANTS AND PORTABLE CONCRETE PLANTS

Portable asphalt plant means a facility:

- i) With equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and bulk storage of materials used in the process; and
- ii) Which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant means a building or structure.

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

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

3.16.1 No Requirement for Amendment

Portable asphalt plants and portable concrete plants used by a public authority or their agent shall be permitted in the Industrial, Aggregate Resource, and Agricultural and Rural designations without amendment to this Plan or the comprehensive Zoning By-law.

3.16.2 Separation Distances

Portable asphalt plants and portable concrete plants must comply with the Ministry of the Environment's recommended separation distances and must obtain the necessary approvals from the Ministry of the Environment.

3.16.3 Agricultural Lands

The establishment of portable asphalt plants and portable concrete plants upon lands designated as Agricultural on Schedule "A" of this Plan and comprised of specialty crop lands or Classes 1, 2 and 3 agricultural soils as identified by the Canada Land Inventory mapping for Agriculture, may occur provided the agricultural rehabilitation of the site is professionally carried out and substantially the same acreage and average soil capability for agriculture are restored.

3.17 LAND USE COMPATABILITY

The encroachment of sensitive land uses and industrial uses on one another is discouraged. A separation distance in accordance with the Ministry of the Environment's Land Use Compatibility Guideline and Compatibility between Industrial Facilities and Sensitive Land Uses guideline will be incorporated between sensitive uses and industrial uses or other facilities that by their nature are incompatible with sensitive uses.

The provisions of this Plan do not apply to prohibit the development or redevelopment of residential uses on legal lots of record existing as of the date of adoption of this Plan or the development of new residential uses by a consent to land severance, where such development represents infilling within an established residential neighbourhood where it is neither practical nor feasible to employ noise attenuation measures.