

**AMENDMENT #230 TO THE
OFFICIAL PLAN
OF THE
TOWNSHIP OF KING PLANNING AREA**

**Oak Ridges Moraine
Conservation Plan
Amendment to Township of King
Official Plan Amendment #23
(Hamlet Secondary Plan)**

October 20, 2003

PART I: THE PREAMBLE

1. **Amendment Structure**

PART I - THE PREAMBLE is included for information purposes and is not an operative part of this Official Plan Amendment.

PART II - THE OFFICIAL PLAN AMENDMENT, including the Schedules attached thereto, indicates specific amendments to the Official Plan being effected by Official Plan Amendment No. 230 and is an operative part of this Official Plan Amendment.

The APPENDICES are included for information purposes only and are not an operative part of this Official Plan Amendment. They include background reports relating to the preparation of the Official Plan Amendment.

2. **Purpose**

The purpose of this Amendment is to revise the policies and land use designations of the Hamlet Secondary Plan to ensure their conformity with the Oak Ridges Moraine Conservation Act and Oak Ridges Moraine Conservation Plan.

3. **Location**

Lands affected by the land use policies of this Amendment are shown on Schedules “1”, “2”, “3”, “4”, “5”, “6”, “7”, “8”, “9”, “10”, “11”, “12”, “13”, “14”, “15”, “16”, and “17” to this document, and are delineated by the Oak Ridges Moraine Plan Area and/or the Oak Ridges Moraine land use designations. These lands are generally comprised of:

- (i) Schedules “2”, “6”, “10, and “11” – (Kettleby):
Part of Lots 27 – 29 inclusive, Concession IV;
- (ii) Schedule “3”, “7”, “12”, and “13” – (Laskay):
Part of Lots 2 – 5 inclusive, Concessions V and VI
- (iii) Schedule “4”, “8”, “14”, and “15” – (Pottageville):
Part of Lots 25 – 30 inclusive, Concessions VI and VII;
- (iv) Schedule “5”, “9”, “16”, and “17” – (Snowball):
Part of Lots 20 and 21, Concessions II and III.

4. **Basis**

On April 22, 2002 the Minister of Municipal Affairs and Housing filed Ontario Regulation 140/02 which comprises the Oak Ridges Moraine Conservation Plan.

The Conservation Plan applies to the area known as the Oak Ridges Moraine Conservation Plan Area. The Minister of Municipal Affairs and Housing established the Oak Ridges Moraine Conservation Plan to provide land use and resource management planning direction to municipalities, provincial ministers, agencies, landowners and other stakeholders. The Conservation Plan provides a policy framework for protecting and enhancing the Moraine's ecological and hydrological features and functions.

Section 9 of the Oak Ridges Moraine Conservation Act requires regional and local municipalities to prepare and adopt an Official Plan Amendment(s) to implement the Conservation Plan. In the case of the Township of King, the Act requires said Amendment(s) to be adopted within 18 months after the Conservation Plan was filed, or October 22, 2003.

PART II – THE AMENDMENT

1 Introduction

All of this part of the document entitled Part II – The Amendment, consisting of the following text and attached schedules designated as Schedules “1” to “17” constitutes Amendment No. 230 to the Hamlet Secondary Plan, also known as Amendment No. 23 to the Official Plan of the Township of King.

2 Details of the Amendment

The Hamlet Secondary Plan is hereby amended as follows:

2.1 By amending the following schedules:

- i) Schedule “A” (Land Use Plan of the Official Plan of the Township of King Planning Area) by adding the Oak Ridges Moraine Natural Core Area, Natural Linkage Area, Countryside Area, Rural Settlement, and Settlement Area as shown on Schedule “1” to this amendment
- ii) Schedule “C” (Kettleby Land Use Plan) by adding the Oak Ridges Moraine Natural Core Area, Natural Linkage Area, Countryside Area, and Rural Settlement, as shown on Schedule “2” to this amendment
- iii) Schedule “D” (Laskay Land Use Plan) by adding the Oak Ridges Moraine Natural Linkage Area, as shown on Schedule “3” to this amendment
- iv) Schedule “E” (Pottageville Land Use Plan) by adding the Oak Ridges Moraine Natural Core Area, Natural Linkage Area, Countryside Area, and Rural Settlement, as shown on Schedule “4” to this amendment
- v) Schedule “F” (Snowball Land Use Plan) by adding the Oak Ridges Moraine Natural Core Area, Natural Linkage Area, Countryside Area, and Rural Settlement, as shown on Schedule “5” to this amendment
- vi) Schedule “H” (Kettleby Environmental Constraints) by adding the key natural heritage and hydrological features, as shown on Schedule “6” to this amendment
- vii) Schedule “I” (Laskay Environmental Constraints) by adding the key natural heritage and hydrological features, as shown on Schedule “7” to this amendment
- viii) Schedule “J” (Pottageville Environmental Constraints) by adding the key natural heritage and hydrological features, as shown on Schedule “8” to this amendment
- ix) Schedule “K” (Snowball Environmental Constraints) by adding the key natural heritage and hydrological features, as shown on Schedule “9” to this amendment

2.2 By adding the following new Schedules:

- i) Schedule “L” –Areas of High Aquifer Vulnerability and Wellhead Protection Areas on the Oak Ridges Moraine for Kettleby, as shown on Schedule “10” to this amendment
- ii) Schedule “M” –Landform Conservation Areas on the Oak Ridges Moraine for Kettleby, as shown on Schedule “11” to this amendment
- iii) Schedule “N” - Areas of High Aquifer Vulnerability and Wellhead Protection Areas on the Oak Ridges Moraine for Laskay, as shown on Schedule “12” to this amendment
- iv) Schedule “O” –Landform Conservation Areas on the Oak Ridges Moraine for Laskay, as shown on Schedule “13” to this amendment
- v) Schedule “P” - Areas of High Aquifer Vulnerability and Wellhead Protection Areas on the Oak Ridges Moraine for Pottageville, as shown on Schedule “14” to this amendment
- vi) Schedule “Q” –Landform Conservation Areas on the Oak Ridges Moraine for Pottageville, as shown on Schedule “15” to this amendment
- vii) Schedule “R” - Areas of High Aquifer Vulnerability and Wellhead Protection Areas on the Oak Ridges Moraine for Snowball, as shown on Schedule “16” to this amendment
- viii) Schedule “S” –Landform Conservation Areas on the Oak Ridges Moraine for Snowball, as shown on Schedule “17” to this amendment

2.3 By adding the following text to the end of Section 1.1

“Where lands are within the Oak Ridges Moraine Plan Area, then the requirements of the Oak Ridges Moraine Conservation Plan are mandatory and shall prevail.”

2.4 By adding the following text to Section 1.4 (Basic Objectives of the Hamlet Plan) after objective 3):

“4) To protect and enhance areas of the Oak Ridges Moraine that are located in and around the Hamlets described herein.

2.5 By adding the following text to the end of Section 2.1 (Introduction):

“Additional land use designations, which are as follows, also apply to Hamlet Areas that are located within the Oak Ridges Moraine Plan Area:

- (I) Natural Core Area
- (II) Natural Linkage Area
- (III) Countryside Area, including Rural Settlements

The boundary of the Oak Ridges Moraine is outlined on Schedules “A”, “C”, “D”, “E”, “F”, “H”, “I”, “J”, “K”, “L”, “M”, “N”, “O”, “P”, “Q”, “R”, and “S” as “Oak Ridges Moraine Plan Area”, to identify the area to which special

policies related to the Moraine apply, in accordance with the Oak Ridges Moraine Conservation Plan.”

2.6 By adding the following text to the end of Section 2.3 (Amendment to the Land Use Plan, Schedules “B” to “F” (Inclusive)):

“(ix) The requirements of the Oak Ridges Moraine Conservation Plan as identified in sections 2.4 and 3.2 of this Plan as it relates to minor infilling situations in the hamlets.

2.3.1 Notwithstanding section 2.3 above, no Official Plan amendment shall be approved for lands currently designated Countryside Area or Open Space and no rezoning of lands currently designated Rural General or Transitional shall be adopted within the Rural Settlement Area boundaries shown on Schedules C, E, and F which would have the effect of expanding the current limits of the area permitted for development within the hamlet unless it is carried out as part of a comprehensive review which is undertaken for the Hamlet Plan to determine if and where additional growth may be appropriate and should include, but not necessarily be limited to, such matters as:

- a) The need for the proposed expansion based on population projections which take into consideration historic growth rates for the hamlet and/or a market analysis which determines the desirability and impact of commercial and/or industrial development,
- b) An Environmental Analysis taking into consideration the impacts on the key natural heritage and hydrological features in compliance sections 3 and 4 of this Plan
- c) A Functional Servicing Study which addresses the adequacy of the potable water, sewage disposal and stormwater management facilities and other services in compliance with section 3.2 and 4.1 of this Plan
- d) A Transportation Analysis to identify if there are current deficiencies or safety issues and any improvements that would be required to accommodate additional growth in compliance with sections 2.4 and 3.2 of this Plan
- e) A Financial Analysis outlining the implications of the proposed expansion on the Township
- f) The ability of existing municipal and institutional facilities such as schools, parks, libraries and recreational facilities to accommodate additional growth
- g) The character of the existing hamlet and the compatibility of the proposed expansion with the surrounding uses. In the case of Kettleby, the Township should consider undertaking a Heritage Conservation District Study under the Ontario Heritage Act for the existing hamlet area in conjunction with the comprehensive review.”

2.7 By inserting the following section after Section 2.3 (Amendment to the Land Use Plan, Schedules “B” to “F” (Inclusive)):

“2.4 OAK RIDGES MORaine CONSERVATION PLAN AREA

The Oak Ridges Moraine is an irregular ridge which stretches 160 kilometers from the Trent River to the Niagara Escarpment. It divides the watersheds draining south into Lake Ontario from those draining north into Georgian Bay, Lake Simcoe, and the Trent River System. The Moraine has a unique concentration of natural heritage, geological and hydrological features that make its ecosystem vital to south-central Ontario.

The Oak Ridges Moraine Conservation Plan was established in April 2002 by the Province of Ontario as an ecologically based plan to provide land use and resource management direction for the land and water within the Moraine. The Province’s vision for the Moraine is that of “a continuous band of green rolling hills that provides form and structure to south-central Ontario, while protecting the ecological and hydrological features and functions that support the health and well-being of the region’s residents and ecosystems.

The Township’s planning decisions must conform to the Oak Ridges Moraine Conservation Plan. This Secondary Plan has been amended to bring it into conformity with the Conservation Plan.

The “Plan Area” refers to those lands within Hamlet Areas that are located within the Oak Ridges Moraine Boundary, as shown on Schedules A, C, D, E, and F Land Use Plans. The policies in this subsection apply only to land lying within the Plan Area.

The objectives that apply to all lands within the Oak Ridges Moraine Conservation Plan Area are:

- (a) protecting the ecological and hydrological integrity of the Oak Ridges Moraine Area;
- (b) ensuring that only land and resource uses that maintain improve or restore the ecological and hydrological functions of the Oak Ridges Moraine Area are permitted;
- (c) maintaining, improving or restoring all the elements that contribute to the ecological and hydrological function of the Oak Ridges Moraine Area, including the quality and quantity of its water and its other resources;

- (d) ensuring that the Oak Ridges Moraine Area is maintained as a continuous natural landform and environment for the benefit of present and future generations;
- (e) providing for land and resource uses and development that are compatible with the other objectives of the Plan;
- (f) providing for continued development within existing urban settlement areas and recognizing existing rural settlements;
- (g) providing for a continuous recreational trail through the Oak Ridges Moraine Area that is accessible to all including persons with disabilities;
- (h) providing for other public recreational access to the Oak Ridges Moraine Areas, and;
- (i) any other objectives prescribed by the Minister of Municipal Affairs and Housing by regulation.

2.4.1 Existing Uses, Buildings, and Structures

- (i) Nothing in this Plan applies to prevent the following:
 - a. the use of any land, building or structure for a purpose prohibited by this Plan, if the land, building or structure was lawfully used for that purpose on November 15, 2001 and continues to be used for that purpose; or
 - b. the erection or use for a purpose prohibited by this Plan of a building or structure for which a permit has been issued under subsection 8 (2) of the Building Code Act, 1992 on or before November 15, 2001 if,
 - 1. the permit has not been revoked under subsection 8 (10) of the *Building Code Act, 1992*, and
 - 2. the building or structure when erected is used and continues to be used for the purpose for which it was erected.
 - c. the expansion of an existing building or structure on the same lot, or the expansion of an existing institutional use, if the applicant demonstrates that,
 - 1. there will be no change in use; and
 - 2. the expansion will not adversely affect the ecological integrity of the Plan Area.
 - d. the reconstruction, within the same location and dimensions, of an existing building or structure that is damaged or destroyed by causes beyond the owner's control, and the reconstructed building or structure shall be deemed to be an existing building or structure if

there is no change in use and no intensification of the use.

- e. the conversion of an existing use to a similar use, if the applicant demonstrates that the conversion,
 - 1. will bring the use into closer conformity with this Plan; and
 - 2. will not adversely affect the ecological integrity of the Plan Area.

- (ii) If an existing use has adverse effects on the ecological integrity of the Plan Area, any application to expand the building, structure or use or to convert the existing use to a similar use shall be considered with the objective of bringing the use into closer conformity with this Plan.

2.4.2 Previously Authorized Building or Structure

Nothing in this Plan applies to prevent the use, erection or location of a building or structure if,

- a. the use, erection and location were authorized by the approval of an application that was commenced before November 17, 2001 and approved after that date; or
- b. the use, erection and location were authorized by the approval of an application that was commenced after November 17, 2001 and decided in accordance with subsection 17 (1) of the Act

2.4.3 Site Plan Approval Exception

An application for site plan approval under section 41 of the *Planning Act* is not required to comply with this Plan if it relates to land in respect of which any of the following was commenced before November 17, 2001 and approved after that date:

- a. An application for an amendment to a zoning by-law.
- b. An application for approval of a plan of subdivision under section 51 of the *Planning Act*.
- c. An application for approval or exemption from approval for a plan of condominium under section 9 of the *Condominium Act, 1998*.

2.4.4 Natural Core Areas

Natural Core Areas shall mean areas located within the Plan Area boundary with a high concentration of key natural heritage features, hydrologically sensitive features or landform conservation areas.

- (i) The purpose of Natural Core Areas is to maintain and where possible improve or restore the ecological integrity of the Plan Area, by,
 - a. maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key natural heritage features, hydrologically sensitive features and the related ecological functions;
 - b. maintaining or restoring natural self-sustaining vegetation and wildlife habitat;
 - c. maintaining the quantity and quality of groundwater and surface water;
 - d. maintaining groundwater recharge;
 - e. maintaining natural stream form and flow characteristics; and
 - f. protecting landform features.

- (ii) Natural Core Areas also have the objectives of,
 - a. accommodating a trail system through the Plan Area and trail connections to it; and
 - b. providing for limited economic development that is compatible with clause (a) and subsection (i).

- (iii) The following uses are permitted with respect to land in Natural Core Areas shown on Schedules D and E, subject to section 3.2 (Ecological and Hydrological Integrity on the Oak Ridges Moraine Plan Area):
 - a. Fish, wildlife and forest management.
 - b. Conservation projects and flood and erosion control projects.
 - c. Agricultural uses.
 - d. Transportation, infrastructure, and utilities as described in subsections (vii) to (xi) below, but only if the need for the project has been demonstrated and there is no reasonable alternative.
 - e. Bed and breakfast establishments
 - f. Farm vacation homes
 - g. Home businesses.
 - h. Home industries.
 - i. Low-intensity recreational uses as described in subsections (v) and (vi).

- j. Unserviced parks.
 - k. Uses accessory to the uses listed above.
- (iv) Permitted uses accessory to agricultural uses include, but are not limited to,
- a. the roadside sale of produce of the farm operation;
 - b. the manufacture of value-added products from produce of the farm operation if the value-added products are naturally and normally incidental to the farm use; and
 - c. additional dwellings, where the nature of the farm operation requires farm families or employees to be accommodated on the farm, if the applicant demonstrates that the dwelling,
 - 1. is required to house help that is needed on the farm operation on a seasonal or full time basis taking into consideration the size and intensity of the farm use,
 - 2. is located in close proximity to the existing farm buildings and utilizes the same driveway access as the principle residence,
 - 3. is a temporary use if it is a mobile or portable dwelling,
 - 4. does not require a consent under section 50 or 53 of the Planning Act and complies with the provisions of section 5.6 and 5.7 of the Region of York Official Plan,
 - 5. will not adversely affect the ecological integrity of the Plan Area, and
 - 6. does not require a severance, with the exception of criteria outlined in Section 6.5.3 (Lot Creation within the Oak Ridges Moraine Plan Area).
 - d. mobile homes, which may be permitted as a temporary use.
- (v) Low-intensity recreational uses are recreational uses that have minimal impact on the natural environment, and require very little terrain or vegetation modification and few, if any, buildings or structures, including but not limited to the following:
- a. Non-motorized trail uses.
 - b. Natural heritage appreciation.
 - c. Unserviced camping on public and institutional land.
 - d. Accessory uses.
- (vi) Small-scale structures accessory to low-intensity recreational uses, such as trails, boardwalks, foot bridges, fences, docks and picnic facilities, are permitted only if it is

demonstrated that the adverse effects on the ecological integrity of the Plan Area will be kept to a minimum by,

- a. keeping disturbed areas to a minimum; and
- b. avoiding the most sensitive portions of the site, such as steep slopes, organic soils and significant portions of the habitat of endangered, rare or threatened species.

- (vii) Transportation, infrastructure and utilities uses permitted in Natural Core Areas include,
 - a. public highways;
 - b. transit lines, railways and related facilities;
 - c. gas and oil pipelines;
 - d. sewage and water service systems and lines and stormwater management facilities;
 - e. power transmission lines;
 - f. telecommunications lines and facilities, including broadcasting towers;
 - g. bridges, interchanges, stations, and other structures, above and below ground, that are required for the construction, operation or use of the facilities listed in clauses (a) to (f); and
 - h. rights of way required for the facilities listed in clauses (a) to (g).

- (viii) An application for a transportation, infrastructure or utilities use with respect to land in a Natural Core Area shall not be approved unless the applicant demonstrates that:
 - a. the need for the project has been demonstrated and there is no reasonable alternative; and
 - b. the applicant demonstrates that the following requirements will be satisfied, to the extent that is possible while also meeting all applicable safety standards:
 1. The area of construction disturbance will be kept to a minimum.
 2. Right of way widths will be kept to the minimum that is consistent with meeting other objectives such as stormwater management and with locating as many transportation, infrastructure, and utility uses within a single corridor as possible.
 3. The project will allow for wildlife movement.
 4. Lighting will be focused downwards and away from Natural Core Areas.

- 5. The planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Plan Area to a minimum.
- c. the project does not include and will not in the future require a highway interchange or a transit or railway station in a Natural Core Area; and
- d. the project is located as close to the edge of the Natural Core Area as possible

2.4.5 Natural Linkage Areas

Natural Linkage Areas are areas forming part of a central corridor system that support or have the potential to support movement of plants and animals among the Natural Core Areas, Natural Linkage Areas, river valleys and stream corridors.

- (i) The purpose of Natural Linkage Areas is to maintain, and where possible improve or restore, the ecological integrity of the Plan Area, and to maintain, and where possible improve or restore, regional-scale open space linkages between Natural Core Areas and along river valleys and stream corridors, by,
 - a. maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key heritage features, hydrologically sensitive features and the related ecological functions;
 - b. maintaining, and where possible improving or restoring natural self-sustaining vegetation over large parts of the area to facilitate movement of plants and animals;
 - c. maintaining a natural continuous east-west connection and additional connections to river valleys and streams north and south of the Plan Area;
 - d. maintaining the quantity and quality of groundwater and surface water;
 - e. maintaining groundwater recharge
 - f. maintaining natural stream form and flow characteristics; and
 - g. protecting landform features.
- (ii) Natural Linkage Areas also have the objectives of,
 - a. accommodating a trail system through the Plan Area and trail connections to it; and
 - b. providing for limited economic development that is compatible with clause (a) and subsection (i).

- (iii) The following uses are permitted with respect to land in Natural Linkage Areas shown on Schedules C, D and F, subject to section 3.2 (Ecological and Hydrological Integrity on the Oak Ridges Moraine Plan Area):
 - a. All the uses permitted in Natural Core Areas (refer to 2.4.4 iii)
 - b. Mineral aggregate operations.
 - c. Wayside pits.
 - d. Uses accessory to the uses listed above.
- (iv) Permitted uses accessory to agricultural uses in Natural Linkage Areas are the same as those permitted for Natural Core Areas (refer to 2.4.4 (iv))
- (v) An application for a mineral aggregate operation shall only be permitted by amendment to this Plan. A mineral aggregate operation or wayside pit shall not be approved unless the applicant demonstrates,
 - a. that the quantity and quality of groundwater and surface water in the Plan Area will be maintained and, where possible, improved or restored;
 - b. if there are key natural heritage features on the site or on adjacent land, that their health, diversity, size and connectivity will be maintained and, where possible, improved or restored; and
 - c. if there are areas of natural and scientific interest (earth science) on the site or on adjacent land, that the geological or geomorphological attributes for which they were identified will be protected.
 - d. that there will be no extraction within 1.5 metres of the water table;
 - e. that the extraction of mineral aggregates from the site will be completed as quickly as possible;
 - f. that the site will be rehabilitated in stages as quickly as possible; and
 - g. that the entire site will be rehabilitated,
 - 1. in the case of land in a prime agricultural area, by restoring the land so that the average soil quality of each area is substantially returned to its previous level, and
 - 2. in all other cases, by establishing or restoring natural self-sustaining vegetation.
- (vi) In order to maintain connectivity, when a mineral aggregate operation or a wayside pit is located in a Natural Linkage Area, there shall at all times be an excluded area (which,

- for greater certainty, may contain both undisturbed land and land whose rehabilitation is complete) that,
- a. is at least 1.25 kilometres wide;
 - b. lies outside the active or unrehabilitated portions of the area being used; and
 - c. connects parts of the Natural Linkage Area outside the mineral aggregate operation or wayside pit.
- (vii) Despite subsection 3.2.3 (ii), an application for a mineral aggregate operation or wayside pit with respect to land in a key natural heritage feature may be approved if,
- a. the key natural heritage feature is occupied by young plantations or early successional habitat; and
 - b. the applicant demonstrates that,
 1. the long-term ecological integrity of the Plan Area will be maintained, or where possible improved or restored,
 2. the extraction of mineral aggregates from the area within the key natural heritage feature will be completed, and the area will be rehabilitated, as early as possible in the life of the operation, and
 3. the area from which mineral aggregates are extracted will be rehabilitated by establishing or restoring natural self-sustaining vegetation of equal or greater ecological value
- (viii) An application for a mineral aggregate operation or wayside pit with respect to land in a landform conservation area (Category 1 or 2) shall not be approved unless the applicant demonstrates,
- a. that the area from which mineral aggregates are extracted will be rehabilitated to establish a landform character that blends in with the landform patterns of the adjacent land; and
 - b. that the long-term ecological integrity of the Plan Area will be maintained, or where possible improved or restored.
- (ix) Policies relating to low-intensity recreational uses within Natural Linkage Areas are the same as those relating to Natural Core Areas (refer to 2.4.4 v-vi)

2.4.6 Countryside Areas

Countryside Areas are areas of rural land use such as agriculture, recreation, residential development, Rural Settlements, mineral aggregate operations, parks and open space. Rural Settlements are existing hamlets or similar existing small communities, generally long-established and identified in official plans.

- (i) The purpose of Countryside Areas is to encourage agricultural and other rural uses that support the Plan's objectives, by,
 - a. protecting prime agricultural areas;
 - b. providing for the continuation of agricultural and other rural land uses and normal farm practices; and
 - c. maintaining the rural character of the Rural Settlements.

- (ii) Countryside Areas also have the objectives of,
 - a. maintaining, and where possible improving or restoring, the ecological integrity of the Plan Area;
 - b. maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key natural heritage features, hydrologically sensitive features and the related ecological functions;
 - c. maintaining the quantity and quality of groundwater and surface water;
 - d. maintaining groundwater recharge;
 - e. maintaining natural stream form and flow characteristics;
 - f. protecting landform features;
 - g. accommodating a trail system through the Plan Area and trail connections to it; and
 - h. providing for economic development that is compatible with the purpose of Countryside Areas and with clauses (a) to (g).

- (iii) The following uses are permitted with respect to land in Countryside Areas as shown on Schedules C, D, and F,
 - a. All the uses permitted in Natural Linkage Areas (refer to 2.4.5 iii)
 - b. Agriculture-related uses.
 - c. Major recreational uses as described in subsection (xiii), except in prime agricultural areas as shown in the Region of York Official Plan;
 - d. Uses accessory to the uses listed above.
 - e. Notwithstanding the above permitted uses, home industries shall not be permitted within the Countryside Areas for land within the Rural Settlement Area

- (iv) With respect to land in a Rural Settlement as shown on Schedules C, E and F, the following uses are permitted, subject to section 3.2 (Ecological and Hydrological Integrity on the Oak Ridges Moraine Plan Area), in addition to the uses listed in subsection (iii):
 - a. Residential development in accordance with clauses (b) and (c) of subsection (v)
 - b. Small-scale commercial, industrial, and institutional uses.

- (v) New lots may be created in Countryside Areas for the following purposes only, and subject to section 3.2 (Ecological and Hydrological Integrity on the Oak Ridges Moraine Plan Area):
 - a. The purposes specified in section 6.5.3 (Lot Creation within the Oak Ridges Moraine Plan Area).
 - b. Minor infill within Rural Settlement Areas.
 - c. Minor rounding-out of Rural Settlement Areas provided that the lot does not encroach into a Natural Core Area or Natural Linkage Area and that it is in compliance with section 4.2.1 of this Plan.

- (vi) With respect to land in Countryside Areas, the applicant shall be required to ensure that natural self-sustaining vegetation is maintained or restored for the long-term protection of any key natural heritage feature or hydrologically sensitive feature on the lot or lots created,
 - a. on every site plan approval; and
 - b. on every consent to the creation of a lot under section 6.5.3

- (vii) Nothing in this Plan applies to prevent a use or the erection or location of a building or structure with respect to land in a Countryside Area, with the exception of land within a Rural Settlement, if,
 - a. the use, erection and location would have been permitted by the applicable zoning by-law on November 15, 2001;
 - b. the use, erection and location are permitted by the zoning by-law, although they do not comply with the provisions listed in subsections (ix) to (xx) of this section and sections 2.13, 3.2, 4.1.4, 4.1.5, 4.1.6, 4.8, and 6.5.3
 - c. in the case of major development, the applicant complies with 4.1.4 (i)(b); and

- d. the application conforms to sections 3.2.1, 3.2.3 to 3.2.7, and 4.1.6 (viii).
- (viii) Nothing in this Plan applies to prevent a use or the erection or location of a building or structure within a Rural Settlement if,
- a. the use, erection and location would have been permitted by the applicable zoning by-law on November 15, 2001;
 - b. the use, erection and location are permitted by the applicable official plan and zoning by-laws as amended in accordance with sections 9 and 10 of the Act to bring them into conformity with this Plan, although they do not comply with the provisions listed in subsections (ix) to (xx) of this section and sections 2.13, 3.2, 4.1.4, 4.1.5, 4.1.6, 4.8, and 6.5.3;
 - c. the application conforms to sections 3.2.6, 3.2.7, and 4.1.6 (viii); and
 - d. the applicant demonstrates, to the extent possible, that the use, erection or location will not adversely affect the ecological integrity of the Plan Area.
- (ix) Permitted uses accessory to agricultural uses in Countryside Areas are the same as those permitted for Natural Core Areas (2.4.4 iv)
- (x) An application for a mineral aggregate operation or wayside pit shall not be approved unless the applicant demonstrates,
- a. that the quantity and quality of groundwater and surface water in the Plan Area will be maintained and, where possible, improved or restored;
 - b. if there are key natural heritage features on the site or on adjacent land, that their health, diversity, size and connectivity will be maintained and, where possible, improved or restored; and
 - c. if there are areas of natural and scientific interest (earth science) on the site or on adjacent land, that the geological or geomorphological attributes for which they were identified will be protected.
 - d. that as much of the site as possible will be rehabilitated,
 - 1. in the case of land in a prime agricultural area, by restoring the land so that it can be used for agriculture, and
 - 2. in all other cases, by establishing or restoring natural self-sustaining vegetation;

- (xi) An application for a mineral aggregate operation or wayside pit with respect to land in a key natural heritage feature may be approved if the conditions listed in section 2.4.5 (vii) are fulfilled.
- (xii) An application for a mineral aggregate operation or wayside pit with respect to land in a landform conservation area (Category 1 or 2) shall not be approved unless the conditions of 2.4.5 (viii) are fulfilled.
- (xiii) Policies relating to low-intensity recreational uses within Countryside Areas are identical to those within Natural Core Areas (refer to 2.4.4 v-vi)
- (xiv) Major recreational uses are recreational uses that require large-scale modification of terrain, vegetation or both and usually also require large-scale buildings or structures, including but not limited to the following:
 - a. Golf courses.
 - b. Serviced playing fields.
 - c. Serviced campgrounds.
 - d. Ski hills.
- (xv) An application to establish or expand a major recreational use shall be accompanied by a recreation plan demonstrating that,
 - a. water use for maintenance or snow-making or both will be kept to a minimum;
 - b. grassed, watered and manicured areas will be limited to sports field surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures;
 - c. crossings of intermittent and permanent streams will be kept to a minimum;
 - d. water-conserving technologies (such as low flow toilets and shower heads) will be used in clubhouses and restaurants;
 - e. water-conserving technologies (such as timed irrigation systems designed to reduce evaporation losses, and recycling of water from under greens) will be used in the irrigation and watering of sports field surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures; and
 - f. stormwater treatment facilities will be used to capture and treat runoff from areas with impervious surfaces.

- (xvi) An application to establish or expand a major recreational use shall be accompanied by a vegetation management plan demonstrating that,
 - a. the application of fertilizers, pesticides, herbicides and fungicides will be limited to sports field surfaces, golf fairways, tees, greens and landscaped areas around buildings and structures, and, in those locations, will be kept to a minimum;
 - b. grass mixtures that require minimal watering and upkeep will be used for sports field surfaces and golf fairways; and
 - c. wherever possible, intermittent stream channels and drainage swales will be kept in a free-to-grow, low-maintenance condition.

- (xvii) An application to establish or expand a major recreational use shall demonstrate that,
 - a. the recreational activities on the site,
 - 1. will be compatible with the natural character of the surrounding area, and
 - 2. will be designed and located so as not to conflict with adjacent land uses; and
 - b. new technologies relating to construction, grounds maintenance and water conservation will be explored and incorporated, as they become available, to help maintain, and where possible improve or restore the ecological integrity of the Plan Area.

- (xviii) Within Rural Settlement Areas, small-scale commercial, industrial and institutional uses are permitted if they do not require large-scale modification of terrain, vegetation or both or large-scale buildings and structures.

- (xix) An application for a small-scale commercial, industrial or institutional use with respect to land in a Rural Settlement Areas shall not be approved unless the applicant demonstrates that the buildings and structures will be planned, designed and constructed so as not to adversely affect the rural character of the Countryside Areas, and the ecological integrity of the Plan Area.

2.8 By amending Section 2.4 (Hamlet Residential) as follows:

- i) Renumbering the section from 2.4 to 2.5
- ii) Adding the following text to subsection (iii) after clause b):

“c) Notwithstanding the above, for lands within the Rural Settlement Area boundary on Schedules C, E, and F, no subdivision shall be approved unless the provisions of section 2.4.6 (vi), 3.2, 4.1 and 6.5.3 of this Plan have been complied with.”

iii) Deleting the text “Section 6.5.2” of clause d) of subsection (v) and replacing it with the following wording:

“Sections 6.5.2 and 6.5.3”

iv) Adding the following text after subsection (vi):

“(vii) For lands within the Rural Settlement Area boundary on Schedules C, E, and F, reference must also be made to the policies in section 2.4.6 (v), (vi), (viii), and (xiii)”

2.9 By renumbering Section 2.5 (Estate Residential) to 2.6

2.10 By amending Section 2.6 (Hamlet Commercial) as follows:

i) Renumbering the section to 2.7

ii) Adding the following paragraph between the first and second paragraphs of the section:

“Notwithstanding the above, where lands designated Hamlet Commercial are within the Oak Ridges Moraine Plan Area as shown on Schedule F, the permitted uses shall be limited to small scale commercial uses including but not limited to farm implement stores, feed stores and country markets which are in conformity with the provisions of section 2.4.6 xvii) and xviii) of this Plan. Reference must also be made to the policies in section 2.4.6 (v), (vi), (viii).”

2.11 By amending Section 2.7 (Restricted Industrial) as follows:

i) Renumbering the section to 2.8

ii) Adding the following paragraph at the end of the section:

“Notwithstanding the above, where lands designated Restricted Industrial are within the Oak Ridges Moraine Plan Area as shown on Schedule F, the permitted uses shall be limited to small scale industrial uses including but not limited to farm implement stores, and feed stores which are in conformity with the provisions of section 2.4.7 xvii) and xviii) of this Plan. Reference must also be made to the policies in section 2.4.6 (v), (vi), (viii).”

2.12 By renumbering Section 2.8 (Hazard Lands) to 2.9

2.13 By amending Section 2.9 (Open Space) as follows

- i) Renumbering the section to 2.10
- ii) Adding the following text after subsection (iv):

“For lands within the Rural Settlement Area as shown on Schedule C, E and F reference must also be made to the policies in section 2.4.6 (v), (vi), (viii), (xiii), (xiv), (xv), (xvi), and (xvii).”

2.14 By amending Section 2.10 (Institutional) as follows:

- i) Renumbering the section to 2.11
- ii) Adding the following paragraph between the first and second paragraphs of the section:

“Notwithstanding the above, where lands designated Institutional are within the Oak Ridges Moraine Plan Area as shown on Schedule C, the permitted uses shall be limited to small scale institutional uses including but not limited to schools, places of worship, community halls, retirement homes and cemeteries which are in conformity with the provisions of section 2.4.7 xvii) and xviii) of this Plan. Reference must also be made to the policies in section 2.4.6 (v), (vi), and (viii).”

2.15 By renumbering Section 2.11 (Rural) to 2.12

2.16 By amending Section 2.12 (Gravel Pits) as follows:

- i) Renumbering the section to 2.13
- ii) Adding the following paragraph to the end of the section:

“In addition, for any mineral aggregate operation within the Oak Ridges Moraine Plan Area, the Township shall encourage the mineral aggregate operator to develop and implement comprehensive rehabilitation plans in cooperation with the Township.”

2.17 By amending Section 2.13 (Public Utilities) as follows:

- i) Renumbering the section to 2.14
- ii) Adding the following sentence to the end of the section:

“Where lands are within the Oak Ridges Moraine Plan Area as shown on Schedules C, D, E and F, the policies of sections 2.4.4 (viii), 2.4.5 (x) and 2.4.6 (xx) shall also apply.”

2.18 By amending Section 3.1 (General Policies) as follows:

- i) Numbering the existing paragraph as subsection (i)
- ii) Deleting the words “and/or” after the phrase “which exhibit hazards”
- iii) Adding the following text after “constraints to development”:

“and/or contain key natural heritage features or hydrologically sensitive features within the Oak Ridges Moraine Plan Area”

- iv) Adding the following text after “In some areas”:

“that are not located within the Oak Ridges Moraine Plan Area,”

2.19 By amending Section 3.2 as follows:

- i) Renumbering it to subsection (ii) of Section 3.1
- ii) Adding the following text to the beginning of the paragraph:

“For lands located outside of the boundary of the Oak Ridges Moraine Plan Area,”

- iii) Adding the following sentence after the existing paragraph:

“For lands located inside the Oak Ridges Moraine Plan Area, the provisions of section 3.2 shall apply.”

2.20 By amending Section 3.3 as follows:

- i) Renumbering it to subsection (iii) of Section 3.1
- ii) Adding the following text to the end of the first sentence:

“of the following development limitations”

- iii) Adding the following text after the phrase “Oak Ridges Moraine” in subsection (iv):

“Plan Area”

- iv) Renumbering the following subsections as follows:

- a) (i) to a.
- b) (ii) to b.
- c) (iii) to c.
- d) (iv) to d.

2.21 By renumbering Section 3.4 to subsection (iv) of Section 3.1

2.22 By amending Section 3.5 as follows:

- i) Renumbering it to subsection (v) of Section 3.1
- ii) Adding the following sentence after the paragraph:

“Where lands are located within the Oak Ridges Moraine Plan Area, as shown on Schedules H, I, J, and K, the provisions of section 3.2 shall also apply.”

2.23 By amending Section 3.6 as follows:

- i) Renumbering it to subsection (vi) of Section 3.1
- ii) Renumbering the following subsections as follows:
 - a) (i) to a.
 - b) (ii) to b.
 - c) (iii) to c.

- iii) Adding the following sentence at the end of the section:

“Notwithstanding this policy, where lands are located within the Oak Ridges Moraine Plan Area, as shown on Schedules H, I, J, and K, the provisions of section 3.2 shall apply.”

2.24 By amending Section 3.7 as follows:

- i) Renumbering it to subsection (vii) of Section 3.1
- ii) Adding the following sentence at the end of the subsection:

“Notwithstanding this policy, where lands are located within the Oak Ridges Moraine Plan Area, as shown on Schedules H, I, J and K, the provisions of section 3.2 shall apply.”

- iii) By inserting the following text after newly renumbered subsection (vii):

“(viii) Pits and quarries and wayside pits and quarries, licensed pursuant to the Aggregate Resources Act, concrete batching plants, asphalt plants and portable asphalt plants shall be prohibited on lands identified as environmentally significant or environmentally sensitive on Schedules “G”, “H”, “I”, “J” and “K” of the Hamlet Plan.”

2.25 By adding the following section after newly renumbered subsection (vii) of Section 3.1

“3.2 ECOLOGICAL AND HYDROLOGICAL INTEGRITY POLICIES FOR THE OAK RIDGES MORaine PLAN AREA”

The purpose of these policies is to integrate environmental and land use planning for lands within the Oak Ridges Moraine Plan Area in order to

maintain, and where possible improve or restore, the ecological integrity of the Plan Area. Areas of high aquifer vulnerability and wellhead protection areas within the Oak Ridges Moraine Plan Area are shown on Schedules “L”, “N”, “P”, and “R”.

The Ministry of Natural Resources (MNR) has developed a series of technical papers to provide guidance on the interpretation and application of policies that relate to natural heritage, connectivity, and landform conservation. Adherence to the recommendations of these papers will ensure that development, site alteration and land use change will be consistent with the applicable policies of OPA 230.

3.2.1 Supporting Connectivity

Every application for development or site alteration shall identify planning, design and construction practices that ensure that no buildings or other site alterations impede the movement of plants and animals among key natural heritage features, hydrologically sensitive features and adjacent land within Natural Core Areas and Natural Linkage Areas.

3.2.2 Minimum Area of Influence and Minimum Vegetation Protection Zone

For the purposes of this Plan,

- a. the minimum area of influence that relates to a key natural heritage feature or hydrologically sensitive feature described in Column 2 of Table 1 to this Plan is the area referred to in the corresponding item in Column 3 of Table 1; and
- b. the minimum vegetation protection zone that relates to a key natural heritage feature or hydrologically sensitive feature described in Column 2 of Table 1 is the area determined in accordance with the corresponding item in Column 4 of Table 1.

Table 1 - Key Natural Heritage Features, Hydrologically Sensitive Features and Areas of Natural and Scientific Interest (Earth Science): Minimum Areas of Influence and Minimum Vegetation Protection Zones within the Oak Ridges Moraine Plan Area

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Item	Feature	Minimum Area of Influence	Minimum Vegetation Protection Zone
1	Wetlands	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 3.2.3 (iii)(d) if a natural heritage evaluation is required
2	Significant portions of habitat of endangered, rare and threatened species	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under section 3.2.3 (iii)
3	Fish habitat	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 3.2.3 (iii)(d) if a natural heritage evaluation is required
4	Areas of natural and scientific interest (life science)	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under section 3.2.3 (iii)
5	Areas of natural and scientific interest (earth science)	All land within 50 metres of any part of feature	As determined by an earth science heritage evaluation carried out under subsection 3.2.8 (iv)
6	Significant valleylands	All land within 120 metres of any part of feature	All land within 30 metres of stable top of bank, subject to clause 3.2.3 (iii)(d) if a natural heritage evaluation is required
7	Significant woodlands	All land within 120 metres of any part of feature	All land within 30 metres of the base of outermost tree trunks within the woodland, subject to clause 3.2.3 (iii)(d) if a natural heritage evaluation is required
8	Significant wildlife habitat	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under section 3.2.3 (iii)
9	Sand barrens, savannahs and tallgrass prairies	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 3.2.3 (iii)(d) if a natural heritage evaluation is required
10	Kettle lakes	All land within 120 metres of the surface catchment area	All land within the surface catchment area or within 30 metres of any part of feature, whichever is greater, subject to clause 3.2.4 (iii)(c) if a hydrological evaluation is required
11	Permanent and intermittent streams	All land within 120 metres of meander belt	All land within 30 metres of meander belt, subject to clause 3.2.4 (iii)(c) and subsection 3.2.4 (iv) if a hydrological evaluation is required
12	Seepage areas and springs	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 3.2.4 (iii)(c) and subsection 3.2.4 (iv) if a hydrological evaluation is required

3.2.3 Key Natural Heritage Features

- (i) The following are the key natural heritage features which apply within the Oak Ridges Moraine Plan Area:
 - a. Wetlands.
 - b. Significant portions of the habitat of endangered, rare and threatened species.
 - c. Fish habitat.
 - d. Areas of natural and scientific interest (life science).
 - e. Significant valleylands.
 - f. Significant woodlands.
 - g. Significant wildlife habitat.
 - h. Sand barrens, savannahs and tallgrass prairies.
 - i. Environmentally Significant Areas, identified by the Toronto and Region Conservation Authority and the Lake Simcoe Region Conservation Authority

These features are shown on Schedules “H”, “T”, “J” and “K”, except for significant valleylands, significant wildlife habitat, the habitat of endangered, and rare and threatened species.

- (ii) All development and site alteration with respect to land within a key natural heritage feature or the related minimum vegetation protection zone is prohibited, except the following:
 - a. Forest, fish, and wildlife management.
 - b. Conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest after all alternatives have been considered.
 - c. Transportation, infrastructure, and utilities as described in sections 2.4.4 (vii-xi), 2.4.5 (x), and 2.4.6 (xx), but only if the need for the project has been demonstrated and there is no reasonable alternative.
 - d. Low-intensity recreational uses as described in sections 2.4.4 (v-vi), 2.4.5 (ix), and 2.4.6 (xiii).
- (iii) An application for development or site alteration with respect to land within the minimum area of influence that relates to a key natural heritage feature, but outside the key natural heritage feature itself and the related minimum vegetation protection zone, shall be accompanied by a natural heritage evaluation that shall:

- a. demonstrate that the development or site alteration applied for will have no adverse effects on the key natural heritage feature or on the related ecological functions;
 - b. identify planning, design and construction practices that will maintain and, where possible, improve or restore the health, diversity and size of the key natural heritage feature and its connectivity with other key natural heritage features;
 - c. demonstrate how connectivity within and between key natural heritage features will be maintained and, where possible, improved or restored before, during and after construction;
 - d. if Table 1 to this Plan specifies the dimensions of a minimum vegetation protection zone, determine whether it is sufficient, and if it is not sufficient, specify the dimensions of the required minimum vegetation protection zone and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it;
 - e. if Table 1 to this Plan does not specify the dimensions of a minimum vegetation protection zone, determine whether one is required, and if one is required, specify the dimensions of the required minimum vegetation protection zone and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it; and
 - f. in the case of a key natural heritage feature that is fish habitat, ensure compliance with the requirements of the Department of Fisheries and Oceans (Canada).
- (iv) In the case of item 4 of Table 1 to this Plan, the basis on which the determination and specification mentioned in clause (iii) (e) is done shall include, without limitation, an analysis of land use, soil type, slope class and vegetation type, using criteria established by the Government of Ontario, as amended from time to time.
- (v) Key natural heritage features not shown in mapping shall only be identified using technical criteria provided by the Government of Ontario or when a proponent is undertaking either natural heritage evaluation or hydrological evaluation.

3.2.4 Hydrological Features

- (i) The following are the hydrologically sensitive features, which apply within the Oak Ridges Moraine Plan Area:
 - a. Permanent and intermittent streams.
 - b. Wetlands.
 - c. Kettle lakes.
 - d. Seepage areas and springs.

These features are shown on Schedules “H”, “I”, “J” and “K”, except for seepage areas and springs.

- (ii) All development and site alteration with respect to land within a hydrologically sensitive feature or the related minimum vegetation protection zone is prohibited, except the uses listed in section 3.2.3 ii.
- (iii) An application for development or site alteration with respect to land within the minimum area of influence that relates to a hydrologically sensitive feature, but outside the hydrologically sensitive feature itself and the related minimum vegetation protection zone, shall be accompanied by a hydrological evaluation that shall:
 - a. demonstrate that the development or site alteration will have no adverse effects on the hydrologically sensitive feature or on the related hydrological functions;
 - b. identify planning, design and construction practices that will maintain, and where possible improve or restore, the health, diversity and size of the hydrologically sensitive feature; and
 - c. determine whether the minimum vegetation protection zone whose dimensions are specified in Table 1 to this Plan is sufficient, and if it is not sufficient, specify the dimensions of the required minimum vegetation protection zone and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it.
- (iv) In the case of items 11 and 12 of Table 1 to this Plan, the basis on which the determination and specification mentioned in clause (4) (c) is done shall include, without limitation, an analysis of land use, soil type and slope class, using criteria established by the Government of Ontario, as amended from time to time.
- (v) For every application commenced on or after April 23, 2007, major development is prohibited unless,

- a. the major development conforms with the watershed plan prepared by the Region of York; and
 - b. the water budget and conservation plan prepared by the Region of York is completed and demonstrates that the water supply required for the major development is sustainable
- (vi) For every application commenced before April 23, 2007, except for an application commenced on or after April 22, 2004 that relates to the part of the Region of York that is served by the Yonge Street aquifer, an application for major development shall not be approved unless,
- a. the Region of York has complied with subsection (v) b.; or the applicant,
 - 1. identifies any hydrologically sensitive features and related hydrological functions on the site and how they will be protected,
 - 2. demonstrates that an adequate water supply is available for the development without compromising the ecological integrity of the Plan Area, and
 - 3. provides, with respect to the site and such other land as the approval authority considers necessary, a water budget and water conservation plan that,
 - A. characterizes groundwater and surface water flow systems by means of modelling,
 - B. identifies the availability, quantity and quality of water sources, and
 - C. identifies water conservation measures
 - b. Hydrologically sensitive features not shown in mapping shall only be identified using technical criteria provided by the Government of Ontario or when a proponent is undertaking either natural heritage evaluation or hydrological evaluation.

3.2.5 Subwatersheds

- (i) All development and site alteration with respect to land in a subwatershed are prohibited if they would cause the total percentage of the area of the subwatershed that has impervious surfaces to exceed,
 - a. 10 per cent; or
 - b. any lower percentage specified in the applicable watershed plan.

- (ii) In considering applications for development or site alteration with respect to land in a subwatershed, the Municipality shall take into account the desirability of ensuring that at least 30 per cent of the area of the subwatershed has self-sustaining vegetation.

3.2.6 Wellhead Protection Areas

- (i) With the exception of existing uses, buildings, and structures referred to section 2.4.1, the following uses are prohibited with respect to land in wellhead protection areas:
 - a. Storage, except by an individual for personal or family use, of,
 - 1. petroleum fuels,
 - 2. petroleum solvents and chlorinated solvents,
 - 3. pesticides, herbicides and fungicides,
 - 4. construction equipment,
 - 5. inorganic fertilizers,
 - 6. road salt, and
 - 7. contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.
 - b. Generation and storage of hazardous waste or liquid industrial waste.
 - c. Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.
- (ii) With the exception of existing uses, buildings, and structures referred to section 2.4.1, the following uses are prohibited with respect to land in the zero to two year time of travel zone within every wellhead protection area:
 - a. Storage of animal manure, except by an individual for personal or family use.
 - b. Animal agriculture, except by an individual for personal or family use.
 - c. Storage of agricultural equipment, except by an individual for personal or family use.
- (iii) Every person who carries on a use listed in subsection (i) or (ii), as owner or operator, shall prepare and maintain a site management and contingency plan that is aimed at reducing or eliminating the creation of materials referred to in subsection (i) or (ii), as the case may be, and their release into the environment.

- (iv) The Township shall consider the restriction of haulage routes for transportation of chemicals and volatile materials through Kettleby, Pottageville and Snowball.

3.2.7 Areas of High Aquifer Vulnerability

With the exception of existing uses, buildings, and structures referred to in subsections 2.4.1 (i) (a, b), the following uses are prohibited with respect to land in areas of high aquifer vulnerability, as shown on Schedules L, P and R:

- a. Generation and storage of hazardous waste or liquid industrial waste.
- b. Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.
- c. Underground and above-ground storage tanks that are not equipped with an approved secondary containment device.
- d. Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.

3.2.8 Landform Conservation Areas

- (i) An application for development or site alteration with respect to land in a landform conservation area (Categories 1 and 2) shown on Schedules M, O, Q and S shall identify planning, design and construction practices that will keep disturbance to landform character to a minimum, including,
 - a. maintaining significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;
 - b. limiting the portion of the net developable area of the site that is disturbed to not more than 25 per cent of the total area of the site for land within Category 1 and not more than 50 per cent of the total area of the site for lands in Category 2; and
 - c. limiting the portion of the net developable area of the site that has impervious surfaces to not more than 15 per cent of the total area of the site for lands in Category 1 and not more than 20 per cent of the total area of the site in Category 2.
- (ii) An application for major development with respect to land in a landform conservation area of either category shall be accompanied by:
 - a. a landform conservation plan that shows, on one or more maps,

1. elevation contours in sufficient detail to show the basic topographic character of the site, with an interval of not more than two metres;
 2. analysis of the site by slope type (for example, moderate or steep);
 3. significant landform features such as kames, kettles, ravines and ridges; and
 4. all water bodies including intermittent streams and ponds.
- b. a development strategy that identifies appropriate planning, design and construction practices to minimize disruption to landform character, including,
1. retention of significant landform features in an open, undisturbed form;
 2. road alignment and building placement to minimize grading requirements;
 3. concentration of development on portions of the site that are not significant;
 4. use of innovative building design to minimize grading requirements; and
 5. use of selective grading techniques.
- (iii) An application for development or site alteration that does not constitute major development, with respect to land in a landform conservation area of either category, shall be accompanied by a site plan that,
- a. identifies the areas within which all building, grading, and related construction will occur;
 - b. demonstrates that buildings and structures will be located within the areas referred to in clause (a) so as to minimize the amount of site alteration required; and
 - c. provides for the protection of areas of natural and scientific interest (earth science) in accordance with subsection (iv).
- (iv) An application for development or site alteration with respect to land in an area of natural and scientific interest (earth science) or the related minimum area of influence shall be accompanied by an earth science heritage evaluation that,
- a. identifies planning, design and construction practices that will ensure protection of the geological or geomorphological attributes for which the area of natural and scientific interest was identified; and
 - b. determines whether a minimum vegetation protection zone is required, and if so, specifies the dimensions of

that zone and provides for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it.”

- 2.26 By adding the following subsections to Section 4.1 (Services) after subsection 4.1.3:

“4.1.4 Sewage and Water Services within the Oak Ridges Moraine Plan Area

- (i) An application for major development within lands within the Oak Ridges Moraine Plan Area as shown on Schedules C, D, E, and F shall be accompanied by a sewage and water system plan that demonstrates:
 - a. that the ecological integrity of hydrological features and key natural heritage features will be maintained;
 - b. that the quantity and quality of groundwater and surface water will be maintained;
 - c. that stream baseflows will be maintained;
 - d. that the project will comply with the applicable watershed plan and water budget and conservation plan; and
 - e. that the water use projected for the development will be sustainable.
- (ii) Water and sewer service trenches shall be planned, designed and constructed so as to keep disruption of the natural groundwater flow to a minimum.

4.1.5 Partial Services within the Oak Ridges Moraine Plan Area

The construction or expansion of partial services on lands within the Oak Ridges Moraine Plan Area as shown on Schedules C, D, E and F is prohibited, with the exception of construction or expansion:

- a. That is necessary to address a serious health concern or environmental concern.
- b. That was approved under the Environmental Assessment Act before November 17, 2001; and the period of time during which the construction or expansion may begin has not expired.

4.1.6. Stormwater Management within the Oak Ridges Moraine

- (i) An application for major development on lands within the Oak Ridges Moraine Plan Area as shown on Schedules C, D, E and F shall be accompanied by a stormwater management plan, which

shall be prepared in accordance with the Region of York's watershed plan

- (ii) The objectives of a stormwater management plan are to:
 - a. maintain groundwater quantity and flow and stream baseflow;
 - b. protect water quality;
 - c. protect aquatic species and their habitat;
 - d. prevent increases in stream channel erosion; and
 - e. prevent any increase in flood risk.

- (iii) A stormwater management plan shall provide for an integrated treatment train approach that uses a planned sequence of methods of controlling stormwater and keeping its impact to a minimum by techniques including, without limitation,
 - a. lot level controls such as devices and designs that direct roof discharge to rear yard ponding areas;
 - b. conveyance controls such as grassed swales; and
 - c. end-of-pipe controls such as wet ponds at the final discharge stage.

- (iv) Every application for development or site alteration, shall demonstrate that planning, design and construction practices that protect water resources will be used, including,
 - a. keeping the removal of vegetation, grading and soil compaction to a minimum;
 - b. keeping all sediment that is eroded during construction within the site;
 - c. seeding or sodding exposed soils as soon as possible after construction; and
 - d. keeping chemical applications to suppress dust and control pests and vegetation to a minimum.

- (v) In considering an application for development or site alteration, except for mineral aggregate operations, the municipality shall seek to reduce areas with impervious surfaces and increase areas retained in a natural undisturbed state, in order to minimize stormwater volumes and contaminant loads.

- (vi) Municipal development standards shall incorporate planning, design and construction practices that will,
 - a. reduce the portions of lots and sites that have impervious surfaces; and
 - b. provide the flexibility to use alternative stormwater management techniques such as directing roof discharge to rear yard ponding areas and using grassed swales.

- (vii) For the purposes of stormwater management, the minimum standard for water quality is that 80 per cent of suspended solids shall be removed from stormwater runoff as a long-term average.
- (viii) Despite anything else in this Plan, the following are prohibited:
 - a. disposal of stormwater into a kettle lake.
 - b. new stormwater management ponds with respect to land in key natural heritage features and hydrologically sensitive features.
 - c. new rapid infiltration basins and new rapid infiltration columns”
- (ix) Subsections (iv), (v) and (vi) do not apply to applications for mineral aggregate operations.

2.27 By adding the following text to subsection 4.2.2 after the text “in the Hamlet Plan”:

“, except for policies relating to the Oak Ridges Moraine”

2.28 By adding the following section following Section 4.7 (Municipal Concerns):

“4.8 OAK RIDGES MORaine TRAIL SYSTEM

- 4.8.1 A recreational trail system shall be established to provide continuous access and travel within the Oak Ridges Moraine, accessible to all including persons with disabilities.
- 4.8.2 The trail system shall,
 - (i) be designed to maintain and, where possible, improve or restore the ecological integrity of the Plan Area;
 - (ii) be located in the Natural Core Areas and Natural Linkage Areas as much as possible;
 - (iii) be located away from unopened road allowances as much as possible.
- 4.8.3 Despite anything else in this Plan, the following uses, buildings and structures are permitted on the trail system:
 - (i) Non-motorized trail uses, and the use of motorized wheelchairs by persons who need them for mobility.
 - (ii) Parking, signage, washrooms and interpretive facilities to support access to the trail system.
 - (iii) Fencing to define and protect the trails.
 - (iv) Works to improve access to the trail system and remove barriers to its use, for the benefit of all including persons with disabilities.”

2.29 By adding the following section following newly added Section 4.8:

“4.9 TRANSPORTATION, INFRASTRUCTURE AND UTILITIES IN THE OAK RIDGES MORAINES PLAN AREA

4.9.1 Except as permitted in subsection 4.9.2, with respect to land in a key natural heritage feature or a hydrologically sensitive feature in the Oak Ridges Moraine Plan Area, all new transportation, infrastructure and utilities uses and all upgrading or extension of existing transportation, infrastructure and utilities uses, including the opening of a road within an unopened road allowance, are prohibited.

4.9.2 Transportation, infrastructure, and utilities uses may be permitted to cross a key natural heritage feature or a hydrologically sensitive feature if the applicant demonstrates that,

- a. the need for the project has been demonstrated and there is no reasonable alternative;
- b. the planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Plan Area to a minimum;
- c. the design practices adopted will maintain, and where possible improve or restore, key ecological and recreational linkages, including the trail system referred to in section 4.8 (Oak Ridges Moraine Trail System);
- d. the landscape design will be adapted to the circumstances of the site and use native plant species as much as possible, especially along rights of way; and
- e. the long-term landscape management approaches adopted will maintain, and where possible improve or restore, the health, diversity, size and connectivity of the key natural heritage feature or hydrologically sensitive feature.

4.9.3 Service and utility trenches for transportation, infrastructure and utilities shall be planned, designed and constructed so as to keep disruption of the natural groundwater flow to a minimum.”

2.30 By deleting the text “5.2.2 to 5.2.5” in subsection 5.2.1 and replacing it with the following text:

“5.2.2 to 5.2.6”

2.31 By adding the following subsection after subsection 5.2.5:

“5.2.6 An application to extend or enlarge a legal non-conforming use within the Oak Ridges Moraine Plan Area shall comply with the policies in 2.4.1 and 2.4.2.”

2.32 By deleting the text “Sections 2.11 and 4.4 of the Hamlet Plan” in Section 6.2 (Policies) and replacing it with the following text:

“Sections 2.12 and 4.4 of the Hamlet Plan”

2.33 By adding the following paragraph at the end of subsection 6.5.1 (Draft Plan of Subdivision):

“Where land is located within the Oak Ridges Moraine Plan Area as shown on Schedule C, D, E and F and is located within a Countryside Area designation or is within a Rural Settlement Area boundary, then any plan of subdivision shall provide for large, continuous open space blocks linking key natural heritage features and hydrologically sensitive features to ensure connectivity and lots and roads will be designed so as to minimize stream crossings and extensions into key natural heritage features.”

2.34 By adding the following subsection to Section 6.5 (Subdivision Control) after subsection 6.5.2 (Consents Policy):

“6.5.3 Lot Creation within the Oak Ridges Moraine Plan Area

- (i) A lot may be created on lands within the Oak Ridges Moraine Plan Area as shown on Schedules C, D, E, and F only in the following circumstances, and subject to policies related to environmental management (section 3.2):
 - a. Severance, from a rural lot, of a farm retirement lot or a lot for a residence surplus to a farming operation as a result of a farm consolidation. The maximum permitted is a cumulative total of one such severance for each rural lot. All consents granted on or after January 1, 1994 are included in the calculation of the cumulative total. This applies whether the transaction takes the form of a conveyance, a lease for twenty-one years or more, or a mortgage.
 - b. Severance from each other of two or more rural lots that have merged in title. The severance shall follow the original lot lines or original half lot lines.
 - c. Allowing land acquisition for transportation, infrastructure, and utilities as described in sections 2.4.4 (vii-xi), 2.4.5 (x), and 2.4.6 (xx), but only if the need for the project has been demonstrated and there is no reasonable alternative.

- d. The addition of adjacent land to an existing lot, but only if the adjustment does not result in the creation of a lot that is undersized for the purpose for which it is being or may be used.
 - e. Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation.
 - f. Severance from each other of parts of a lot that are devoted to different uses, but only if the uses are legally established at the time of the application for severance.
 - g. In accordance with section 2.4.6 (v) of this Plan
- (ii) A lot may be created only if there is enough net developable area on both the severed lot and the remainder lot to accommodate proposed uses, buildings and structures and accessory uses without encroachment on key natural heritage features or hydrologically sensitive features.
 - (iii) When a lot is created, the applicant shall enter into a site plan agreement or other agreement with the municipality to establish conditions requiring that natural self-sustaining vegetation be maintained or restored in order to ensure the long-term protection of any key natural heritage features and hydrologically sensitive features on the lot.
 - (iv) A lot shall not be created if this would extend or promote strip development.”

2.35 By adding the following Subsection after Section 6.6

6.7 PREVIOUSLY SUBMITTED APPLICATIONS

“Pursuant to Section 48 of the Oak Ridges Moraine Conservation Plan and Section 15(2) of the Oak Ridges Moraine Conservation Act, the only provisions of this Plan that apply to applications for development or site alteration in a Natural Core, Natural Linkage and Countryside Area, which were commenced before November 17, 2001 and for which no decision had been made on November 17, 2001, are as follows:

- 1. Sections 3.2.1, 3.2.3, and 3.2.4 (i – iv)
- 2. Clause 4.1.4 (i) (b)
- 3. Subsections 4.1.6 (viii)”

2.36 By adding the following text to the end of clause (i) of Section 7.1 (Land Use and Roads):

“Where lands are located within the Oak Ridges Moraine Plan Area the boundary of the Oak Ridges Moraine Plan Area and the boundary between Oak

Ridges Moraine designations outside of the Rural Settlement Area shall not be amended.”

2.37 By adding the following text to subsection 7.2.2 after clause (v):

“(vi) Where lands are within the Oak Ridges Moraine Plan Area, in addition to the above noted requirements, the uses shall involve providing personal or professional services and shall not include auto body or paint shop or furniture stripping

2.38 By adding the following subsection to Section 7.2 (Accessory and Home Occupation Uses):

“7.2.3 Within the Oak Ridges Moraine Plan Area, uses accessory to agricultural uses shall be permitted, provided they conform to the policies in section 2.4.4 (iv), 2.4.5 (iv), and 2.4.6 (ix).”

2.39 By adding the following section to Section VII (Interpretation) after Section 7.3 (Amendment Procedure):

“7.4 DEFINITIONS

The following definitions shall apply for land within the Oak Ridges Moraine Plan Area:

“accessory use” means a use of land, buildings or structures that is normally incidental or subordinate to the principal use, building or structure located on the same lot;

“adverse effect” means any impairment, disruption, destruction or harmful alteration;

“adversely affect” means to have an adverse effect on;

“agricultural uses” means,

- (a) growing crops, including nursery and horticultural crops,
- (b) raising livestock and other animals, including poultry and fish, for food and fur,
- (c) aquaculture, and
- (d) agro-forestry and maple syrup production;

“agriculture-related uses” means commercial and industrial uses that are,

- (a) small-scale,
- (b) directly related to a farm operation, and
- (c) required in close proximity to the farm operation;

“animal agriculture” means growing, producing and raising farm animals including, without limitation,

- (a) livestock, including equines, poultry and ratites,
- (b) fur-bearing animals,
- (c) bees,
- (d) cultured fish,
- (e) deer and elk, and
- (f) game animals and birds;

“aquifer vulnerability” means an aquifer’s intrinsic susceptibility, as a function of the thickness and permeability of overlying layers, to contamination from both human and natural impact on water quality;

“area of natural and scientific interest” (earth science) means an area that has been,

- (a) identified as having earth science values related to protection, scientific study or education, and
- (b) further identified by the Ministry of Natural Resources using evaluation procedures established by that Ministry, as amended from time to time;

“area of natural and scientific interest” (life science) means an area that has been,

- (a) identified as having life science values related to protection, scientific study or education, and
- (b) further identified by the Ministry of Natural Resources using evaluation procedures established by that Ministry, as amended from time to time;

“bed and breakfast establishment” means an accessory use within an existing single dwelling that is the principal residence of the establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public in up to three guest rooms;

“connectivity” means the degree to which key natural heritage features are connected to one another by links such as plant and animal movement corridors, hydrological and nutrient cycling, genetic transfer, and energy flows through food webs;

“development” means the creation of a new lot, a change in land use, or the construction of buildings and structures, any of which require approval under the Planning Act, the Environmental Assessment Act, or the Drainage Act, but does not include,

- (a) the construction of facilities for transportation, infrastructure and utilities uses, as described in sections 2.4.4 (vii-xi), 2.4.5 (x), and 2.4.6 (xx), by a public body, or
- (b) for greater certainty,
 - (i) the reconstruction, repair or maintenance of a drain approved under the Drainage Act and in existence on November 15, 2001, or
 - (ii) the carrying out of agricultural practices on land that was being used for agricultural uses on November 15, 2001;

“dwelling unit” means one or more habitable rooms, occupied or capable of being occupied as an independent and separate housekeeping establishment, in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants;

“earth science values” means values that relate to the geological, soil and landform features of the environment;

“ecological features” means naturally occurring land, water and biotic features that contribute to ecological integrity;

“ecological functions” means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes, including hydrological functions and biological, physical, chemical and socio-economic interactions;

“ecological integrity”, which includes hydrological integrity, means the condition of ecosystems in which,

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

“ecological value” means the value of vegetation in maintaining the health of the key natural heritage feature and the related ecological features and ecological functions, as measured by factors such as the diversity of species, the diversity of habitats, and the suitability and amount of habitats that are available for rare, threatened and endangered species;

“endangered species” means any native species, as listed in the regulations under the Endangered Species Act, that is at risk of extinction throughout all or part of its Ontario range if the limiting factors are not reversed;

“existing” means lawfully in existence on November 15, 2001, and for greater certainty does not include a use, building or structure that is in existence on that date without being lawful;

“farm retirement lot” means a lot that is severed from land that is being used in a farming operation, on the application of a person who,
(a) owned and operated the farm operation, as a full-time farmer, for a substantial number of years,
(b) was engaged in farming on January 1, 1994 or on an earlier date set out in the applicable official plan, and
(c) has reached retirement age and is retiring from active working life;
“original half lot” means half of an original lot that contained 80.9 hectares (200 acres), more or less;

“farm vacation home” means an establishment that provides sleeping accommodation (including participation in farm activities, meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public in up to three guest rooms within a single dwelling that is located on a farm and is the principal residence of the proprietor of the establishment;

“fish habitat” means the spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out the life processes, as further identified by the Department of Fisheries and Oceans (Canada);

“forest access road” means a one or two -lane unpaved road that is designed to provide access to and within a woodland for wildlife, fish and forest management purposes;

“forest management” means the management of woodlands, including accessory uses such as the construction and maintenance of forest access roads and maple syrup production facilities,
(a) for the production of wood and wood products, including maple syrup,
(b) to provide outdoor recreation opportunities,
(c) to maintain, and where possible improve or restore, conditions for wildlife, and
(d) to protect water supplies;

“groundwater recharge” means the replenishment of subsurface water,
(a) resulting from natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes, streams and wetlands, and
(b) resulting from human intervention, such as the use of stormwater management systems;

“habitat of endangered, rare and threatened species” means land that,
(a) is an area where individuals of an endangered species, a rare species or a threatened species live or have the potential to live and find adequate

amounts of food, water, shelter, and space needed to sustain their population, including an area where a species concentrates at a vulnerable point in its annual or life cycle and an area that is important to a migratory or non-migratory species, and

(b) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time;

“hazardous waste” has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990;

“home business” means an occupation that,

(a) involves providing personal or professional services or producing custom or artisanal products,

(b) is carried on as a small-scale accessory use within a single dwelling by one or more of its residents, and

(c) does not include uses such as an auto repair or paint shop or furniture stripping;

“home industry” means a business that,

(a) is carried on as a small-scale use that is accessory to a single dwelling or agricultural operation,

(b) provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community,

(c) may be carried on in whole or in part in an accessory building, and

(d) does not include uses such as an auto repair or paint shop or furniture stripping;

“hydrological cycle” means the circulation of water from the atmosphere to the earth and back through precipitation, runoff, infiltration, groundwater flow and evapotranspiration, including the occurrence, circulation, distribution, and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water’s interaction with the environment including its relation to living things;

“hydrological features” means a hydrological features as described in section 3.2.4

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

“hydrological integrity” means the condition of ecosystems in which hydrological features and hydrological functions are unimpaired by stresses from human activity;

“hydrologically sensitive feature” means a hydrologically sensitive feature as described in section 3.2.4;

“impervious surface” means a surface that does not permit the infiltration of water, such as a rooftop, sidewalk, paved roadway, driveway or parking lot;

“institutional use” includes, without limitation, a long-term care facility, hospital, school, university or college;

“kame” means a mound, hummock or conical hill of glacial origin;

“kettle lake” means a depression formed by glacial action and permanently filled with water;

“key natural heritage feature” means a key natural heritage feature as described in section 3.2.3;

“landform features” means distinctive physical attributes of land such as slope, shape, elevation and relief;

“landform conservation area” means a landform conservation area as described in section 3.2.8;

“life science values” means values that relate to the living component of the environment;

“liquid industrial waste” has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990;

“lot” means a parcel of land that is,
(a) described in a deed or other document legally capable of conveying an interest in the land, or
(b) shown as a lot or block on a registered plan of subdivision;

“major development” means development consisting of,
(a) the creation of four or more lots,
(b) the construction of a building or buildings with a ground floor area of 500 m² or more, or
(c) the establishment of a major recreational use as described in section 2.4.6 (xiv);

“meander belt” means the land across which a stream shifts its channel from time to time;

“mineral aggregate” means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, talc, wollastonite, or other material prescribed under that Act;

“mineral aggregate operation” means,
(a) an operation, other than a wayside pit, conducted under a licence or permit under the Aggregate Resources Act, and
(b) associated facilities used in the extraction, transportation, beneficiation, processing or recycling of mineral aggregate or the production of related by-products;

“natural self-sustaining vegetation” means self-sustaining vegetation dominated by native plant species;

“net developable area” means the area of a lot or site, less any area that is within a key natural heritage feature or a hydrologically sensitive feature;

“original lot” means a township lot shown on a plan certified by the Surveyor General of Ontario as being the original plan of an original survey;

“partial service” means connections linking a building to,
(a) a communal sewage or water service or a full municipal sewage or water service, and
(b) an individual on-site sewage or water system;

“portable asphalt plant” means a temporary facility, to be dismantled at the completion of a construction project, where,
(a) equipment is used to heat and dry mineral aggregate and to mix it with bituminous asphalt to produce asphalt paving material, and
(b) bulk materials used in the process described in clause (a) are kept;

“prime agricultural area” means an area that is,
(a) designated as prime agricultural land in the relevant official plan, or
(b) identified through an alternative agricultural land evaluation system approved by the Government of Ontario;

“prime agricultural land” means,
(a) land where fruit and vegetable crops and greenhouse crops are grown,

- (b) agriculturally developed organic soil land, or
- (c) land with Class 1, 2 or 3 soils according to the Canada Land Inventory;

“rapid infiltration basin” means a basin or system of basins at or below surface grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from impervious surfaces;

“rapid infiltration column” means a column or system of columns at or below surface grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from impervious surfaces.

“rare species” means a native species that is not currently at risk of becoming threatened but, because of its limited distribution, small population or specialized habitat needs, could be put at risk of becoming threatened through all or part of its Ontario range by changes in land use or increases in certain types of human activity;

“residence surplus to a farming operation” means,

- (a) if there are two or more farm residences, both built before 1978, on a lot that is being used in a farming operation, one of those residences that is surplus to the farming operation, or
- (b) if the owner and operator of a farming operation acquires an additional lot and uses it in the consolidated farming operation, any existing farm residence that is surplus to the consolidated farming operation;

“retirement home” means a building in which,

- (a) accommodation is provided, mainly for retired persons,
 - (b) common kitchen and dining facilities are provided for the residents,
- and
- (c) common lounges, recreation rooms and health care facilities may also be provided for the residents;

“rural lot” means a lot that is at least 97.5 per cent of the land that is left in an original lot or an original half lot after the deduction of any land that is,

- (a) conveyed at any time for transportation, utilities and infrastructure as described in section 41, whether before, on or after November 16, 2001, or
- (b) validly conveyed before June 27, 1970

“sand barrens” means land (not including land that is being used for agricultural purposes and no longer exhibits sand barrens characteristics) that,

- (a) has sparse or patchy vegetation that is dominated by plants that are,
 - (i) adapted to severe drought and low nutrient levels, and
 - (ii) maintained by severe environmental limitations such as drought, low nutrient levels and periodic disturbances such as fire,
- (b) has less than 25 per cent tree cover,
- (c) has sandy soils (other than shorelines) exposed by natural erosion, depositional process or both, and
- (d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time;

“saturated zone” means the zone below the water table where the spaces between soil grains are filled with water;

“savannah” means land (not including land that is being used for agricultural purposes and no longer exhibits savannah characteristics) that,

- (a) has vegetation with a significant component of non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both,
- (b) has from 25 per cent to 60 per cent tree cover,
- (c) has mineral soils, and
- (c) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time;

“self-sustaining vegetation” means vegetation dominated by plants that can grow and persist without direct human management, protection, or tending;

“significant” means identified as significant by the Ministry of Natural Resources, using evaluation procedures established by that Ministry, as amended from time to time;

“single dwelling” means a building containing only one dwelling unit;

“site” means the land subject to an application;

“site alteration” means activities such as filling, grading and excavation that would change the landform and natural vegetative characteristics of land, but does not include,

- (a) the construction of facilities for transportation, infrastructure and utilities uses, as described in sections 2.4.4 (vii-xi), 2.4.5 (x), and 2.4.6 (xx), by a public body, or
- (b) for greater certainty,

- (i) the reconstruction, repair or maintenance of a drain approved under the Drainage Act and in existence on November 15, 2001, or
- (ii) the carrying out of agricultural practices on land that was being used for agricultural uses on November 15, 2001;

“stormwater management pond” means a detention basin that temporarily stores or treats collected stormwater runoff and releases it at a controlled rate;

“subwatershed” means an area that is drained by a tributary or some defined portion of a stream;

“surface catchment area” means the area including and surrounding a kettle lake or wetland, from which surface runoff drains directly into the kettle lake or wetland;

“sustainable”, when used with respect to a natural resource, means that the natural resource is able to support a particular use or activity without being adversely affected;

“tallgrass prairie” means land (not including land that is being used for agricultural purposes and no longer exhibits tallgrass prairie characteristics) that,

- (a) has vegetation dominated by non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both,
- (b) has less than 25 per cent tree cover,
- (c) has mineral soils, and
- (d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time;

“threatened species” means any native species that is at risk of becoming endangered throughout all or part of its Ontario range if the limiting factors are not reversed;

“time of travel” means the time that is needed for groundwater to travel a specified horizontal distance in the saturated zone;

“unserviced park” means a park that provides recreational opportunities and facilities, including playing fields, but without outdoor lighting, accessory commercial facilities, paved parking lots or permanent water or sewer facilities;

“valleyland” means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year;

“watershed” means an area that is drained by a river and its tributaries;

“wayside pit” means a temporary pit opened or used by or for a public body solely for the purpose of a particular project of road construction and not located on the road right of way;

“wellhead protection area” means the surface and subsurface area surrounding a water well or well field that supplies a public water system and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field;

“wetland” means land such as a swamp, marsh, bog or fen (not including land that is being used for agricultural purposes and no longer exhibits wetland characteristics) that,
(a) is seasonally or permanently covered by shallow water or has the water table close to or at the surface,
(b) has hydric soils and vegetation dominated by hydrophytic or water-tolerant plants, and
(c) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time;

“wildlife habitat” means land that,
(a) is an area where plants, animals and other organisms live or have the potential to live and find adequate amounts of food, water, shelter and space to sustain their population, including an area where a species concentrates at a vulnerable point in its annual or life cycle and an area that is important to a migratory or non-migratory species, and
(b) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time;

“woodland” means a treed area, woodlot or forested area, other than a cultivated fruit or nut orchard or a plantation established for the purpose of producing Christmas trees;

“zone of contribution”, when used in reference to a period of time, means the area within which the water pumped from a well originates during that time.”