



Northumberland County

# Official Plan

**Consolidation: March 2, 2026**

# Office Consolidation Copy of the Northumberland County Official Plan

As Approved with Modifications by the Ontario Municipal Board on November 23, 2016 and Amendments 1 and 2

Amendment No.	Adopted Date (By-law No.)	MMAH Approval Date
OPA1 – Natural Heritage System	December 15, 2021 (By-law 38-2021)	February 19, 2026
OPA2 – Growth Management	March 19, 2025 (By-law 13-2025)	November 18, 2025

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# PART 1 THE PREAMBLE

(This is not an Operative Part of the Official Plan)

## 1. INTRODUCTION

This document comprises the Official Plan for the County of Northumberland.

## 2. ORGANIZATION OF THE PLAN

This document consists of three components:

**Part I - THE PREAMBLE**, which does not constitute an operative part of the Official Plan;

**Part 2 - THE COUNTY OF NORTHUMBERLAND OFFICIAL PLAN** comprised of text and attached Schedules A-1, A-2, B-1, B-2 and C and constitutes the operative part of the document; and,

**Part 3 - THE APPENDICES**, which do not constitute part of the Official Plan, but provides additional information to assist in implementing this Official Plan.

## 3. LOCATION

This Official Plan affects all lands within the boundary of the County of Northumberland, save and except for the lands within the boundary of the Alderville First Nation and lands that are owned by the Province of Ontario.

## 4. PURPOSE OF THE PLAN

The purpose of the County of Northumberland Official Plan is to provide direction and a policy framework for managing growth and land use decisions over the planning period to 2051.

The Official Plan is one of a series of policies, guidelines and regulations that direct the actions of the County and shapes growth and *development*. The Plan is intended to:

- a) Establish a broad, upper tier policy framework that provides guidance to local municipalities in the preparation of updated local Official Plans, Official Plan Amendments and zoning by-laws;
- b) Implement the Provincial Planning Statement at the County level; and,
- c) Establish a framework for coordination and cooperation amongst the local municipalities and the County on planning and *development* issues that cross municipal boundaries.

This Plan recognizes the importance of the land use planning responsibilities that are vested with the local municipalities. Given that the County of Northumberland Official Plan is intended to establish an overall land use planning framework for the County and its municipalities, this Plan is not intended to duplicate the policies of the local Official Plans. Instead, this Plan is intended to provide the guidance necessary for the establishment of detailed strategies, policies and land use designations at the local level.

## 5. BASIS

On December 10, 2012 the Ministry of Municipal Affairs and Housing ('MMAH') advised the County that the Province was amending Ontario Regulation 352/02 under the Planning Act to require upper-tier municipalities that are currently without an Official Plan (such as Northumberland) to adopt one. Subsequently, on March 19th, 2013 the Deputy Minister of MMAH confirmed that the amendments to Regulation 352/02 have been made and the County will be required to adopt an Official Plan by March 31, 2015.

Section 16(1) of the Planning Act indicates that "an Official Plan shall contain goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality or part of it, or an area that is without municipal organization."

Given that the seven lower-tier municipalities in the County already have Official Plans, it will not be the intent of the County Official Plan to deal with land uses and policy issues that should much more properly be dealt within the context of the lower-tier Official Plans. This means that this first generation County Official Plan deals primarily with land use issues that cross municipal boundaries. These include growth and settlement, economic development and the protection of resources such as natural heritage resources, water resources, prime agricultural areas, cultural heritage and archaeological resources, minerals and petroleum resources and mineral aggregate resources. Direction is also provided in this Plan on natural and human-made hazards.

In preparing the Official Plan for the County of Northumberland, Council has had regard to matters of Provincial interest as set out in Section 2 of the Planning Act. This Official plan is also intended to be consistent with the Provincial Policy Statement and in conformity with Provincial plans.

The vision, guiding principles, goals, objectives and policies contained in this Plan are intended to guide the land use planning decisions of public authorities to 2051. All local Official Plans and zoning by-laws shall conform to this Official Plan.

## 6. THE STRUCTURE OF PART 2 OF THE PLAN

Part 2 of the Official Plan is divided into six sections, each of which is described below:

**Section A (Vision, Guiding Principles and Land Use Concept)** contains the

vision of the County. This vision is based on an understanding of past and future trends and the wishes of the County's residents and business owners. The guiding principles that form the basis of the Plan flow from the vision. These guiding principles also establish a framework for the goals, objectives and policies in the Plan. This section of the Plan also describes how it is to be implemented through land use designations.

**Section B (Growth Management)** contains the objectives and policies that provide the basis for accommodating expected growth in the County to 2051.

**Section C (Natural Heritage and Water Resource Systems)** includes objectives and policies on natural heritage and water resources.

**Section D (Land Use Designations)** sets out the land use designations that apply in the County and the conditions under which development may be permitted within those land use designations.

**Section E (Resource Areas and Constraint Areas)** contains objectives and policies on cultural heritage, minerals and petroleum and mineral aggregate resources in the County. Policies on natural and human-made hazards are also included within this part of the Plan.

**Section F (General Development Policies)** contains objectives and policies that, where appropriate, must be considered as part of the land use planning process.

**Section G (Plan Implementation and Administration)** describes how the vision, guiding principles, goals, objectives and policies of the Official Plan will be implemented.

Certain terms in Parts B to G of this Plan that are shown in the italics are defined in Section G12.7 of this Plan.

## 7. SCHEDULES TO THE PLAN

The following schedules, which are to be read in conjunction with the text of this document, constitute an operative part of this Official Plan.

**Schedule A-1 – Settlement Structure and Natural Heritage System**

**Schedule A-2 – Land Use Designations**

**Schedule B-1 – Natural Heritage Features and Areas**

**Schedule B-2 - Resource Areas, Constraint Areas and Waste Management**

**Schedule C – Transportation**

# PART 2

## COUNTY OF NORTHUMBERLAND OFFICIAL PLAN

(This is the Operative Part of the Official Plan)

### A VISION, GUIDING PRINCIPLES AND LAND USE CONCEPT

#### A1 VISION

The primary purpose of the Official Plan is to provide the basis for managing growth and change that will support and emphasize the County's unique character, diversity, civic identity, urban and rural lifestyles and natural and cultural heritage and to do so in a way that has the greatest positive impact on the quality of life in the County. This will be accomplished by establishing a policy framework in the Official Plan for the County that:

- Provides the strategic direction required to realize common goals and objectives;
- Provides flexibility where flexibility is desired and strength where it is needed;
- Complements and supports local initiatives;
- Informs and enhances the collaborative processes that now exist in the County; and,
- Recognizes the diversity that exists and builds on the strengths of the County as a whole and each of its component parts.

The County of Northumberland is made up of a number of vibrant urban communities and several smaller towns, hamlets and rural settlements and the Alderville First Nations with a distinctive and enviable identity that comes from the beauty and tranquility of the rural setting, the rolling hills, rivers and valleys on the Oak Ridges Moraine and beyond and the shorelines of Lake Ontario, Rice Lake and the Trent Severn Waterway National Historic Site. It is this geography that makes Northumberland unique in the eastern Ontario context. The County recognizes that these unique attributes in combination set it apart from other places. The preservation and enhancement of these features while keeping pace with the diverse needs of the community is at the forefront of the County's vision for its future.

The County also views its future to be one of greater self-reliance. On this basis,

this Official Plan is intended to support managed growth that preserves the unique features of the community, uses land wisely, elevates the quality of the built and natural environments and provides diverse economic opportunities. The aim is to provide choices for employment, housing, shopping, services and *recreation* and culture. The intent is to also diversify and create a more vibrant local economy through collaborative partnerships with existing businesses and through proactive efforts to attract new industries and services.

The planning for Northumberland cannot occur in isolation of the planning that is being undertaken in other parts of eastern and central Ontario. This Plan anticipates that the population of the County will increase to 122,000 by 2051 and employment will increase to 44,000 by 2051 and there are expectations that every municipality in the County will accommodate some level of population and employment growth.

In order to accommodate expected growth, it is the intent of the County through this Official Plan to foster and require the development of a range and mix of uses in appropriate locations to support the establishment of *complete communities* in the County, where most of the daily needs of the residents and employees within the community can be met. In doing so, every effort must also be made to plan for a more healthy community, where residents and employees are encouraged to lead more healthy lifestyles as a result of the provision of a range and mix of uses, recreational amenities and open space areas.

However, a complete and healthy community cannot exist in the absence of employment and providing for and encouraging a variety of employment uses in Northumberland is considered to be a vital component of the long - term vision. This means that there is a need to work together to develop County - wide strategies for the benefit of all, recognizing that unique strategies may be required in certain areas to reflect the local context and community make-up.

## A2 GUIDING PRINCIPLES

It is recognized that the County's long-term prosperity, environmental health and social well - being depends on wisely managing change and promoting efficient land use and *development* patterns. On this basis, below are a series of guiding principles that are intended to establish the basis for making land use planning decisions in the future:

1. To recognize that the County is made up of a number of communities of different sizes and identities that all combine to establish Northumberland's identity as a desirable place to live, establish roots, learn and create diverse economic opportunities.
2. To provide opportunities for economic *development* in both urban and *rural areas* in a manner that fosters competitiveness and a positive and attractive business environment.

3. To direct most forms of *development* to *urban areas* where full services are available and to support the efficient use of land and *infrastructure* to meet the needs of present and future residents and businesses and ensure that an adequate supply of land and housing choices are available for present and future residents.
4. To protect and enhance the character of existing *urban areas* and *rural settlement areas*, and to maintain them as diverse, livable, safe, thriving and attractive communities.
5. To recognize downtowns, historic areas or districts as mixed-use, vibrant places for living, entertainment, leisure, commerce and civic activities, and to promote the preservation and reuse of historic resources, to assist in the retention of local and County history and heritage and the reinforcement of community character.
6. To ensure that housing is available to all ages, abilities, incomes and household sizes, and is located in areas near public transportation, jobs, and essential goods and services.
7. To invest in, program and optimally maintain a diverse and interconnected system of public spaces that feature convenient, and comfortable access, encourage safe and healthy environments, minimize hazards and attract and appropriately serve all components of the population.
8. To establish an integrated transportation system that safely and efficiently accommodates various modes of transportation including trains, automobiles, trucks, and public transit, cycling and walking.
9. To ensure that the construction of all *infrastructure*, or expansions to existing *infrastructure*, occurs in a manner that is compatible with adjacent land uses and minimizes social and environmental impacts, with consideration given to the long term maintenance, operational and financial consequences of the decision.
10. To protect *natural heritage features and areas* and their associated *ecological functions* within and outside of the County's *natural heritage system* so that they can be enjoyed by future generations and serve as a legacy to all peoples within the County.
11. To work with the adjacent communities on matters of common interest, which includes growth management, economic *development*, transportation, *infrastructure*, *natural heritage*, water resources and source water protection.
12. To require that local decision-making processes are transparent and evident to the public through the provision of information, participatory tools, education, and an open process.

## A3 LAND USE CONCEPT

Five land use designations and two overlays are included within this Plan, as described in this Section of the Plan.

### A3.1 URBAN AREAS/RURAL SETTLEMENT AREAS

The *settlement areas* in the County are divided into urban areas, which consist of the six urban areas that have built boundaries (Brighton, Colborne, Campbellford, Hastings, Cobourg and Port Hope) and thirty-nine other settlement areas that are considered to be rural settlement areas.

### A3.2 MAJOR EMPLOYMENT AREA

This designation applies to employment lands that are to be the site of employment uses that benefit the County as a whole.

### A3.3 AGRICULTURAL AREA

This designation applies to lands that are considered to be the County's *prime agricultural area*.

### A3.4 RURAL AREA

This designation applies to all lands outside of the *urban areas* and *rural settlement areas* and which are not within the Agricultural Area designation.

### A3.5 NATURAL HERITAGE AREA ONE

The Natural Heritage Area One designation applies to *significant wetlands* and *significant coastal wetlands*.

### A3.6 NATURAL HERITAGE AREA TWO

The Natural Heritage Area Two overlay includes significant Areas of Natural and Scientific Interest, significant woodlands, significant valleylands, significant wildlife habitat, fish habitat, habitat of endangered and threatened species, coastal wetlands, and Regionally Important Wetlands.

### A3.7 NATURAL HERITAGE SYSTEM

The Natural Heritage System is an overlay that applies to lands outside of the *urban areas* and *rural settlement areas*. It is comprised of the previously identified Growth Plan *natural heritage system*, Natural Core Areas and Natural Linkage Areas established by the Oak Ridges Moraine Conservation Plan and additional areas that have been identified by the County in accordance with Provincially recommended technical criteria and best practices for the identification of a *natural heritage system*.

## A4 OAK RIDGES MORAINÉ CONSERVATION PLAN

The land shown as being within the Oak Ridges Moraine on the Schedules to the Plan are subject to the policies of the Oak Ridges Moraine Conservation Plan (ORMCP), the policies of Section D5 and the policies affecting the ORMCP in local Official Plans.

## A5 DELEGATION OF APPROVAL AUTHORITY

Upon approval of this Plan by the Ministry of Municipal Affairs and Housing, the approval authority for local Official Plans, local Official Plan Amendments and Plans of Subdivision and Condominium will be the County of Northumberland. Upon obtaining this approval authority function, the County shall support the delegation of that approval authority, where permitted by the Planning Act or the Minister of Municipal Affairs and Housing, to local municipalities.

## A6 PLANNING PERIOD

The planning period for this Official Plan is to 2051. Notwithstanding the above, the planning for *infrastructure, public service facilities, strategic growth areas* and *employment areas* may extend beyond this time horizon.

## A7 INTERPRETATION OF THIS OFFICIAL PLAN

This Official Plan is more than a set of individual goals, objectives and policies. It is to be read in its entirety and the relevant goals and objectives are to be considered when decisions are made and all relevant policies shall be applied as appropriate.

Since land use decisions have long-term impacts, these decisions must be future oriented and connected to an overall vision. In this regard, this Official Plan contains such a vision in Section A1, which articulates the future of the County and is intended to be the foundation upon which the Official Plan has been developed. The vision is supported by a series of guiding principles that are intended to convey in broad terms how the vision is to be implemented. Both the vision and the guiding principles are not tests that need to be met or applied to individual properties or applications, rather the vision and guiding principles should be considered when making overall policy decisions.

Parts B to G of this Plan contain a series of goals, objectives and policies. Goals are intended to articulate what the County hopes to achieve to support the overall vision. Policies are to be applied when making land use planning decisions. Some policies set out positive directives such as “*settlement areas* shall be the focus of growth and development”. Other policies set out limitations and prohibitions, such as “development and site alteration shall not be permitted”. Other policies use enabling or supportive language, such as “should, promote and encourage”.

## B GROWTH MANAGEMENT

### B1 URBAN AREAS/RURAL SETTLEMENT AREAS

*Settlement areas* shall be the focus of growth and development. Within *settlement areas*, growth should be focused in, where applicable, *strategic growth areas*, including *major transit station areas*.

### B2 POPULATION FORECAST FOR 2051 BY MUNICIPALITY

Forecasted growth to 2051 in Northumberland has been allocated by this Plan in **Table A** as set out below:

TABLE A  
POPULATION FORECAST FOR 2051 BY MUNICIPALITY

Municipality	2021 Population	2051 Population
Brighton	12,900	16,900
Trent Hills	13,700	16,600
Cobourg	20,800	32,100
Cramahe	6,700	8,200
Port Hope	17,500	25,900
Hamilton	11,200	13,200
Alnwick/Haldimand	7,400	8,700
<b>Total</b>	<b>90,700</b>	<b>122,000</b>

### B3 HOUSING FORECAST

Forecasted household growth to 2051 in Northumberland has been allocated by this Plan in **Table B** as set out below:

TABLE B  
HOUSING FORECASTS FOR 2051 BY MUNICIPALITY

Municipality	Low Density	Medium Density	High Density	Total
Brighton	1,315	715	275	2,305
Trent Hills	1,085	465	185	1,735
Cobourg	1,370	2,645	2,020	6,035
Cramahe	595	170	55	820

Port Hope	1,635	1,740	1,120	4,495
Hamilton	965	0	0	965
Alnwick/ Haldimand	775	0	0	775
<b>Total</b>	<b>7,740</b>	<b>5,730</b>	<b>3,650</b>	<b>17,120</b>

## B4 EMPLOYMENT FORECAST FOR 2051 BY MUNICIPALITY

Forecasted employment growth to 2051 in Northumberland has been allocated by this Plan in **Table C** as set out below:

**TABLE C**  
**EMPLOYMENT FORECAST FOR 2051 BY MUNICIPALITY**

Municipality	2021 Employment	2051 Employment
Brighton	2,900	3,610
Trent Hills	4,620	5,990
Cobourg	12,710	17,760
Cramahe	1,780	1,950
Port Hope	7,060	10,680
Hamilton	1,690	2,160
Alnwick/Haldimand	1,470	1,710
<b>Total</b>	<b>32,370</b>	<b>44,000</b>

## B5 INTENSIFICATION

In order to maximize opportunities for *intensification*, each of the local municipalities with an *urban area* shall update its Official Plan to support *intensification* and *redevelopment* by:

- a) Identifying *strategic growth areas* to support achievement of intensification and redevelopment and recognizing them as a key focus for development;
- b) Identifying the appropriate type and scale of development in *strategic growth areas* and transition of built form to adjacent areas;
- c) Encouraging *intensification* generally throughout the *urban area*;
- d) Directing that the implementing zoning by-law pre-zone lands for *intensification* and *redevelopment*, particularly in *strategic growth areas* to

support the achievement of *complete communities*;

- e) Directing that the implementing zoning by-law permit multiple dwelling types in areas that have been traditionally zoned to permit only single detached dwellings; and
- f) Directing that the implementing zoning by-law permit additional dwelling units throughout the *urban area*.

## B6 MINIMUM GREENFIELD DENSITY TARGET

- a) Local municipalities with *urban areas* shall plan to achieve within the horizon of this Plan a minimum density target that is not less than 40 residents and jobs combined per hectare within new development areas that are adjacent to the existing built-up area.
- b) The minimum density target shall exclude *natural heritage features and areas* and floodplains, provided *development* is prohibited in these areas.
- c) In cases where major development is proposed in new development areas, it shall be demonstrated that:
  - i) The proposed development will generally serve as a logical extension to the existing built-up area, is compact and has a mix of uses to allow for the efficient use of land, *infrastructure* and *public service facilities*;
  - ii) The proposal will contribute to the availability of a range of housing choices (e.g. density, form, and price) in new development areas;
  - iii) All of the other *infrastructure* and *public service facilities* required to service the development is available or to be provided, with such *infrastructure* and *public service facilities* being used as efficiently as possible; and
  - iv) Access is provided in a manner that supports the provision of essential emergency services, *active transportation*, efficient transportation patterns, and/or linkages with adjacent existing or planned development.

## B7 EFFECT OF FORECASTS ON EXISTING PLANNING APPROVALS WITHIN URBAN AREAS AND RURAL SETTLEMENT AREAS

The *urban area* population and employment forecasts set out in Tables A and C do not have an impact on the ability of the County and local municipalities to consider applications to develop lands that are within an *urban area* or *rural settlement area* boundary that existed on the date this Plan came into effect.

## B8 SEWER AND WATER SERVICING

### B7.1 PLANNING FOR SEWAGE AND WATER SERVICES

Planning for sewer and water services shall:

- a) Accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing *municipal sewage services* and *municipal water services* and existing *private communal sewage services* and *private communal water services*;
- b) Ensure that these services are provided in a manner that:
  - i) can be sustained by the water resources upon which such services rely;
  - ii) is feasible and financially viable over their life cycle;
  - iii) protects human health and safety, and the natural environment, including the *quality and quantity of water*; and
  - iv) aligns with comprehensive municipal planning for these services, where applicable.
- c) Promote water and energy conservation and efficiency;
- d) Integrate servicing and land use considerations at all stages of the planning process;
- e) Consider opportunities to allocate, and re-allocate if necessary, the unused system capacity of *municipal water services* and *municipal sewage services* to support efficient use of these services to meet current and projected needs for increased housing supply; and
- f) Be in accordance with the servicing options outlined in Section B8.2.

### B8.2 PREFERRED FORM OF SERVICING

- a) Municipal sewage services and *municipal water services* are the preferred form of servicing in *settlement areas* where such services are provided to support protection of the environment and minimize potential risks to human health and safety. For the purposes of this policy, *municipal sewage services* and *municipal water services* include both centralized servicing systems and decentralized servicing systems.
- b) Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.

- c) Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.
- d) At the time of each local Official Plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on environmental health and the financial viability or feasibility of other forms of servicing set out in sub-sections b) and c).
- e) *Partial services* shall only be permitted in the following circumstances:
  - i) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development;
  - ii) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*; or
  - iii) within *rural settlement areas* where new development will be serviced by *individual on-site water services* in combination with *municipal sewage services* or *private communal sewage services*.
- f) In rural areas, where *partial services* have been provided to address failed services in accordance with sub-section e) i), infilling on existing lots of record may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.
- g) Planning authorities may allow lot creation where there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity*.

## B9 HOUSING POLICIES

### B9.1 GOALS

It is the goal of this Plan to meet the County's current and future housing needs by:

- a) Ensuring the provision of an appropriate range and mix of *housing options* and densities to meet the projected needs of current and future residents;
- b) Assisting in the achievement of residential intensification and *affordable* housing by encouraging opportunities for mixed-use *development* in appropriate locations;

- c) Permitting the *development* of additional residential units in accordance with the Planning Act;
- d) Encouraging the use of surplus public lands for *affordable* housing only if the site is appropriate for such a use and located where the use would be *compatible* with adjacent uses;
- e) Encouraging the development of seniors housing in the County;
- f) Encouraging the development of *additional needs* housing in the County;
- g) Supporting universal physical access and encourage the building industry to incorporate such features in new residential structures;
- h) Encouraging the *development* and *redevelopment* of lands within *settlement areas* and in appropriate locations at higher densities to maximize the use of *infrastructure*; and,
- i) Encouraging the *redevelopment* of brownfield properties and incentives to achieve it.

## B9.2 GENERAL POLICIES

The County supports:

- a) Residential intensification and *redevelopment* within *urban areas* and *rural settlement areas*, where an appropriate level of *infrastructure* and *public service facilities* are or will be available in the immediate future and subject to the policies of this Plan;
- b) The development of *additional needs* housing;
- c) The maintenance and improvement of the existing housing stock through local maintenance and occupancy standards by-laws;
- d) The utilization of available programs and/or funding, if any, from applicable levels of government for assisted housing for households, including *additional needs* housing, as well as programs to rehabilitate older residential areas; and,
- e) The consideration of reductions in Development Charges payable for new *affordable* housing where appropriate.

## B9.3 HOUSING AFFORDABILITY

The County and the local municipalities shall provide for an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents in the County by establishing and implementing minimum targets for the provision of housing that is *affordable* to *low and moderate income households*, and coordinating land use planning and planning for housing with Service

Managers to address the full range of *housing options* including *affordable* housing needs.

## B10 LAND SUPPLY

All of the *urban areas* in the County are collectively required to:

- a) Maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are *designated and available* for residential *development*; and
- b) Maintain at all times where new *development* is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands through lands that are suitably zoned, including those dwelling units in draft approved and registered plans.

## B11 PLANNING FOR EMPLOYMENT AREAS AND USES

- a) All planning authorities in the County shall plan for, protect and preserve all *employment areas* in *urban areas* and *rural settlement areas* by:
  - i) Planning for *employment area* uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;
  - ii) Prohibiting residential uses, commercial uses, *public service facilities* and other institutional uses in *employment areas*;
  - iii) Prohibiting retail and office uses that are not associated with the primary employment use;
  - iv) Prohibiting other *sensitive land uses* that are not ancillary to uses permitted in the *employment area*; and
  - v) Including an appropriate transition to adjacent non-*employment areas* to ensure land use compatibility and economic viability.
- b) When reviewing Official Plans, local municipalities shall assess and update the identification of *employment areas* to ensure that this designation is appropriate to the planned function of *employment areas*.
- c) In planning for *employment areas*, planning authorities shall maintain land use compatibility between *sensitive land uses* and *employment areas* in accordance with Section F2.4 to maintain the long-term operational and economic viability of the planned uses and function of these areas.
- d) Industrial, manufacturing and small-scale warehousing uses that could be located adjacent to *sensitive land uses* without *adverse effects* are encouraged in *strategic growth areas* and other mixed-use areas where

*frequent transit* service is available, outside of *employment areas*.

- e) In addition to Section F2.4, on lands within 300 metres of *employment areas*, *development* shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long term economic viability of employment uses within existing or planned *employment areas*, in accordance with Provincial guidelines.

## B12 REMOVING LANDS FROM EMPLOYMENT AREAS

Local municipalities may remove lands from *employment areas* within *settlement areas* only where it has been demonstrated that:

- a) there is an identified need for the removal and the land is not required for *employment area* uses over the long term;
- b) the proposed uses would not negatively impact the overall viability of the *employment area* by:
  - i) avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned *employment area* uses in accordance with Section F2.9.4;
  - ii) maintaining access to *major goods movement facilities* and corridors;
- c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses; and
- d) the municipality has sufficient employment lands within *settlement areas* to accommodate projected employment growth to the horizon of this Plan.

## B13 STRATEGIC GROWTH AREAS

- a) Local municipalities are encouraged to identify and focus growth and development in *strategic growth areas*.
- b) To support the achievement of *complete communities*, a range and mix of *housing options*, *intensification* and more mixed-use development, *strategic growth areas* should be planned:
  - i) to accommodate significant population and employment growth;
  - ii) as focal areas for education, commercial, recreational, and cultural uses;
  - iii) to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and
  - iv) to support *affordable*, accessible, and equitable housing.
- c) Local municipalities should:

- i) prioritize planning and investment for infrastructure and *public service facilities* in *strategic growth areas*;
- ii) identify the appropriate type and scale of development in *strategic growth areas* and the transition of built form to adjacent areas;
- iii) permit development and intensification in *strategic growth areas* to support the achievement of *complete communities* and a *compact built form*;
- iv) consider a student housing strategy when planning for *strategic growth areas*; and
- v) support redevelopment of commercially-designated retail lands (e.g., underutilized shopping malls and plazas), to support mixed-use residential.

## B14 EXPANDING SETTLEMENT AREAS AND NEW SETTLEMENT AREAS

- a) In identifying a new *settlement area* or allowing a *settlement area* boundary expansion, the County with input from the local municipality shall consider the following:
  - i) the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
  - ii) if there is sufficient capacity in existing or planned *infrastructure* and *public service facilities*;
  - iii) whether the applicable lands comprise *specialty crop areas*;
  - iv) the evaluation of alternative locations which avoid *prime agricultural areas* and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
  - v) whether the new or expanded *settlement area* complies with the minimum distance separation formulae;
  - vi) whether impacts on the *agricultural system* are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance; and
  - vii) the new or expanded *settlement area* provides for the phased progression of urban development.

Notwithstanding sub-section a), the County may identify a new *settlement area* only where it has been demonstrated that the *infrastructure* and *public service facilities* to support development are planned or available.

## C NATURAL HERITAGE AND WATER RESOURCES SYSTEMS

### C1 OBJECTIVES

It is the objective of this Plan to:

- a) Maintain, restore, or where possible, improve the diversity and connectivity of natural features in the County, and the long-term *ecological function* and biodiversity of *natural heritage systems* recognizing linkages between and among *natural heritage features and areas, surface water features and ground water features*;
- b) Establish a resilient, interconnected *natural heritage system* that preserves and enhances natural features, *ecological functions* and native biodiversity, contributes to healthy watersheds, recognizes the important role the agricultural and rural landscape plays in the system, and maintains the unique natural landscape and geography of the County for future generations;
- c) Identify and maintain linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;
- d) Recognize the role and value of compatible and complementary agricultural and rural uses in and adjacent to the *natural heritage system* and recognize that flexible approaches to existing uses in the *natural heritage system* are required;
- e) Recognize the important role the natural heritage system plays in mitigating the impacts of climate change by protecting and enhancing *natural heritage features and areas, ecological functions*, and connections within the system.
- f) Encourage the acquisition of land that is the site of *natural heritage features and areas* by public authorities or non-profit land trusts for conservation purposes;
- g) Discourage the introduction, planting and/or use of invasive non-native species to minimize their impact on the County's biodiversity;
- h) Provide the tools to properly assess *development* applications located in close proximity to natural heritage features;
- i) Ensure that *development* is appropriately setback and buffered from *natural heritage features and areas*; and
- j) Provide opportunities, where appropriate, for passive outdoor recreational

activities in the *natural heritage system* provided the features and *ecological functions* are not adversely impacted.

## C2 THE COUNTY'S NATURAL HERITAGE SYSTEM

The *Natural Heritage System* is an overlay that applies to lands outside of the *urban areas* and *rural settlement areas* as shown on **Schedule A-1** to this Plan.

It is comprised of the Previously identified Growth Plan *Natural Heritage System*, Natural Core Areas and Natural Linkage Areas established by the Oak Ridges Moraine Conservation Plan and additional areas that have been identified by the County in accordance with Provincially recommended technical criteria and best practices for the identification of a *natural heritage system*. Components of the *natural heritage system* are identified on **Schedule B-1** to this Plan and are listed in Section C3 of this Plan.

It is the intent of this Plan a resilient, interconnected *natural heritage system* that preserves and enhances natural features, *ecological functions* and native biodiversity, contributes to healthy watersheds, recognizes the important role the agricultural and rural landscape plays in the system, and maintains the unique natural landscape and geography of the County for future generations be maintained and improved through the life of this Plan.

## C3 COMPONENTS OF THE COUNTY'S NATURAL HERITAGE SYSTEM

- a) The following are components of the County's *natural heritage system*:
  - i) The previously identified Natural Heritage System for the Growth Plan;
  - ii) *Natural heritage features and areas* that are identified Natural Heritage Area One and Natural Heritage Area Two on **Schedule A-2** to this Plan;
  - iii) Lands that are designated as Natural Core Areas and Natural Linkage Areas by the Oak Ridges Moraine Conservation Plan as shown on **Schedule A-2** to this Plan;
  - iv) Watercourses (permanent and intermittent); and
  - v) Other supporting features and areas that are shown on **Schedule B-1** to this Plan.
- b) Once the policies in this Plan on the *Natural Heritage System* overlay, Natural Heritage Area One designation and Natural Heritage Area Two overlay have been approved in accordance with the *Planning Act*, all subsequent Planning Act decisions shall conform to this Plan.
- c) Local municipalities are required to incorporate the *Natural Heritage System* overlay in their local Official Plans.

- d) The limits of the *Natural Heritage System* overlay, the Natural Heritage Area One designation and Natural Heritage Area Two overlay may be refined by local municipalities in their local Official Plans on the basis of updated information and/or detailed studies in consultation with the County, except for boundaries of Areas of Natural and Scientific Interest which are to be reviewed and approved by the Province.

## C4 GENERAL POLICIES

### C4.1 CONSIDERATION OF CUMULATIVE IMPACTS

- a) The consideration of cumulative impacts shall be required through the preparation of environmental impact studies.
- b) Cumulative impacts shall be assessed on the base conditions that existed from the time the approval authority first requires impact studies to be completed.
- c) Where *development* or *site alteration* applications are considered, the proponent shall be required to provide an overview of previous studies as provided by the approval authority (if available), related to development impacts on the same or adjacent feature as it relates to impacts on the natural heritage system and the water balance of features.
- d) In addition to the above, any assessment of impact must include a description of cumulative impacts that have occurred prior to the impact assessment being undertaken.

### C4.2 TRANSFER OF NATURAL HERITAGE FEATURES AND AREAS INTO PUBLIC OWNERSHIP

- a) The County may work with the local municipalities and other public agencies and/or non-profit land trust organizations to develop and implement a land securement strategy that would result in the transfer of private lands with natural heritage attributes into public ownership. However, given the financial limitations of every level of government and consistent with the principle of land stewardship, this policy does not imply that *natural heritage features and areas* will be purchased by the County or other public or non-profit agencies.
- b) The County and the local municipalities shall consider opportunities to obtain, through dedication, lands with natural heritage attributes through the development approval process.
- c) Arrangements for the conveyance of *natural heritage features and areas* into public ownership shall be undertaken before or concurrent with the approval of development applications through the development approval process.

### C4.3 AGRICULTURAL USES

Nothing in this plan is intended to limit the ability of *agricultural uses* to continue in areas that are the site of a *natural heritage feature and area* including lands within the Natural Heritage Area One designation, Natural Heritage Area Two overlay and supporting features and areas identified on Schedule B-1.

### C4.4 ENVIRONMENTAL IMPACT STUDIES

- a) Where the policies of this Plan require that an Environmental Impact Study ('EIS') be prepared, such an EIS shall be prepared in accordance with the requirements of this section of the Plan.
- b) An EIS required under the policies of this Plan shall be submitted with the *development* application and shall be prepared and signed by a qualified person in accordance with relevant environmental impact study guidelines in addition to the relevant policies of this Plan.
- c) An EIS shall include a detailed inventory of the on-site conditions, including detailed inventory and ecological land classification mapping of vegetation communities, and inventories for natural heritage features and species using accepted methods, criteria, and survey protocols undertaken at the appropriate time of year. This inventory and characterization shall extend to adjacent lands, with field surveys undertaken where permission to enter is granted.
- d) The approval authority may scope or waive the requirement for an EIS to support a development proposal within or adjacent to *natural heritage features and areas* if, in the opinion of the approval authority the proposed development is minor and is not anticipated to have a *negative impact* on the *natural heritage feature and area* or its *ecological functions* or if the policies of this Plan provide an exception to the submission of an EIS related to the *natural heritage feature and area*.
- e) The approval authority, in consultation with the appropriate Conservation Authority and Parks Canada as appropriate, must be satisfied with an EIS prior to the granting of *development* approvals. The recommendations of an EIS shall be implemented through Official Plan Amendments, zoning by-laws, subdivision conditions, site plan control, and/or applicable regulations.
- f) The approval authority may require an independent peer review of an EIS, with the costs to be borne by the applicant.
- g) The purpose of an EIS is to:
  - i) Collect and evaluate the appropriate information in order to have a complete understanding of the boundaries, attributes and functions of *natural heritage features and areas* and associated *ecological*

and *hydrological functions* that exist on the subject lands and/or *adjacent lands*;

- ii) Determine whether there are any additional *natural heritage features and areas* on the subject lands and nearby lands and that meet the accepted criteria established by the Province, as amended from time to time;
- iii) Undertake a comprehensive impact analysis in order to determine whether or not the proposed development and/or site alteration will have a *negative impact on natural heritage features and areas* and their *ecological functions*;
- iv) Propose appropriate mitigation measures or revisions to the proposed development and/or site alteration to reduce or avoid *negative impacts*;
- v) Clearly articulate any *negative impacts* that cannot be avoided or mitigated;
- vi) Where appropriate, recommend monitoring provisions to evaluate the long-term effectiveness of the identified mitigation measures; and
- vii) Demonstrate that the proposed *development and/or site alteration* supports the County's objectives for the *natural heritage system*.

#### **C4.5 SIGNIFICANT WOODLANDS AND ANTHROPOGENIC DISTURBANCES**

- a) Where a feature was identified as a *significant woodland* as of the date of approval of this Plan and no longer meets the definition of *significant woodland* due to either a natural or unauthorized anthropogenic disturbance, the feature shall retain its status as a *significant woodland* and the policies of this Plan protecting *significant woodlands* will continue to apply.
- b) Notwithstanding the above, this Plan recognizes that the *ecological functions* of some *significant woodlands* or *other woodlands* or portions thereof in *urban areas*, *rural settlement areas* or in developed shoreline areas may be substantially compromised as a result of prior land use activity and as a result would be difficult to restore and/or manage as a native woodland. In cases such as these, consideration can be given to reclassifying all or a portion of such a woodland as a *cultural and regenerating woodland*. *Woodlands* (including plantations) established and/or managed for the purpose of restoring a native tree community cannot be classified as *cultural and regenerating woodlands*.
- c) In order for a *woodland* to be identified as a *cultural and regenerating woodland*, all of the following must be met, as determined through an *environmental impact study*:

- i) The *woodland* is regenerating, typically with a dominant proportion of woody species being invasive and non-native (e.g., Norway Maple, Manitoba Maple, Siberian Elm, Scots Pine, European Buckthorn, White Mulberry, Tree-of-heaven, Apple, White Poplar, etc.);
  - ii) The area was not treed approximately 20 to 30 years ago as determined through air photo interpretation or other suitable technique;
  - iii) The soils have been degraded, through compaction, topsoil removal or as a result of substantial erosion from over-use and/or if the woodland may be regenerating on fill; and
  - iv) There is limited ability to maintain or restore self-sustaining *ecological functions* typical of native woodlands.
- d) If the tests set out in Section C4.5 c) have been satisfied to the satisfaction of the approval authority, the removal of the treed area of a *cultural and regenerating woodland* may be permitted subject to preparing a *woodland enhancement plan* that demonstrates an enhancement in *woodland* area is achieved, either on the same property or in the immediate area.

## C4.6 ENHANCEMENTS TO THE NATURAL ENVIRONMENT

The County supports enhancements to the *natural heritage system* to support *ecological functions* and improve *ecological integrity* of the *natural heritage system*. Enhancements can be as a result of a range of specific actions being undertaken by a landowner, developer, or public agency.

Where the preparation of a *subwatershed* study or an environmental impact study is required, the study will demonstrate how enhancements to *ecological function*, *ecological integrity*, or biodiversity of the *natural heritage system* can be achieved, and will be implemented, through for example:

- a) increases in the spatial extent of a feature or features;
- b) increases in biological and habitat diversity;
- c) enhancement of ecological system function;
- d) enhancement of *wildlife habitat*;
- e) enhancement or creation of *wetlands*, water systems or *woodlands*;
- f) enhancement of riparian corridors;
- g) enhancement of ecological services;
- h) enhancement of groundwater recharge areas; and,
- i) establishment or enhancement of *linkages* or connectivity between *natural*

*heritage features and areas.*

## **C5 WATERCOURSES**

### **C5.1 FUNCTION OF WATERCOURSES**

Watercourses that flow within the boundaries of the County are an integral part, and contribute to the health and function of the County's *natural heritage system* since they:

- a) Contain fish and *wildlife habitat* areas;
- b) Function as corridors for wildlife habitat movement and vegetation dispersal;
- c) Serve to maintain the quality and quantity of surface and groundwater resources;
- d) Assist in the improvement of air quality;
- e) Provide base flow and food supply to downstream areas; and,
- f) Provide stormwater conveyance and control.

### **C5.2 PROTECTION OF WATERCOURSES**

- a) It is the intent of this Plan to recognize the importance of the *ecological function* of all watercourses, and their associated floodplains, valleys and stream corridors, which can serve as key components and linkages in the County's natural heritage system. Watercourses are generally shown on the schedules to this Plan.
- b) The County encourages the regeneration of natural areas near watercourses and the protection of headwater areas for maintaining natural hydrological processes within a watershed.
- c) New development in the form of buildings and structures and septic systems shall be located a minimum of 30 metres from the stable top of bank of a watercourse. This setback requirement must be met by all development unless more appropriate setbacks are recommended in accordance with an approved Subwatershed study, Environmental Impact Study or Geotechnical study in consultation with the appropriate Conservation Authority.
- d) In all cases where development is proposed adjacent to a watercourse, the approval authority shall be satisfied that the proposed development can be safely accommodated without there being a negative impact on the features and functions of the watercourse and its associated valley corridor.

## C6 WATER RESOURCES

### C6.1 POLICIES

The County and the local municipalities shall protect, improve or restore the *quality and quantity of water* by:

- a) Using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of *development*;
- b) Minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
- c) Identifying water resource systems consisting of *ground water features, hydrologic functions, natural heritage features and areas*, and *surface water features* including shoreline areas, which are necessary for the ecological and hydrological integrity of the *watershed*;
- d) Maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;
- e) Implementing necessary restrictions on *development* and *site alteration* to:
  - i) Protect all municipal drinking water supplies and *designated vulnerable areas*; and
  - ii) Protect, improve or restore vulnerable surface and ground water, sensitive surface water features and sensitive ground water features, and their hydrologic functions;
- f) Planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality;
- g) Ensuring consideration of environmental lake capacity, where applicable; and,
- h) Ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.

### C6.2 RESTRICTION ON DEVELOPMENT AND SITE ALTERATION

- a) *Development and site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored.
- b) Mitigative measures and/or alternative *development* approaches may be

required in order to protect, improve or restore *sensitive surface water features, sensitive ground water features, and their hydrologic functions.*

- c) Large development proposals (i.e. greater than 5 lots, resort/condominium development) in unserviced shoreline areas must be supported with a Site Evaluation Report prepared in accordance with the Ministry of the Environment and Climate Change guidelines. This is to ensure water quality protection. The study should take into consideration the existing water quality of the water body, surface water run-off, impact and loadings of phosphorous from septic systems, type of soils, stormwater management and nature of vegetation.
- d) For new lot creation, development, including the septic system tile bed, must be set back a minimum of 30 metres from the high water mark of the lake with non-disturbance of the native soils and very limited removal of shoreline vegetation. For existing lots of record, new development should be set back 30 metres if feasible, otherwise as far back as possible.

## C6.3 SOURCE PROTECTION PLANS

### C6.3.1 Overview

- a) Within the County of Northumberland two Source Protection Plans have been prepared in compliance with the Clean Water Act, 2006. These plans are the Trent Source Protection Plan and the Ganaraska Source Protection Plan. Both plans have been submitted to the Ministry of the Environment for approval and readers should refer to these plans for specific policies that may restrict or prohibit certain existing and future land uses or activities.
- b) The Source Protection Plans and associated technical studies (Assessment Report) look at the existing and future sources of municipal drinking water, identify the potential threats to these sources and include policies for actions and programs to reduce, manage or eliminate these threats.
- c) Once a Source Protection Plan and Assessment Report are approved and in effect, as amended from time to time, all municipal decisions made under the Planning Act shall conform to the *significant* threat policies and have regard for other policies. The policies apply to areas identified in the technical studies (Assessment Report) for the Source Protection Plan, including “Wellhead Protection Areas” (WHPA), and “Intake Protection Zones” (IPZs). Mapping of each of these areas, referred to as “Source Protection Plan Policy Applicable Areas” (SPP Policy Applicable Area) will be shown in local Official Plans.
- d) Within vulnerable areas identified in an approved Source Protection Plan any use or activity that is, or would be, a *significant* drinking water threat is required to conform to all applicable Source Protection Plan policies and, as such, may be prohibited, regulated or otherwise restricted by those Source Protection Plan policies.

- e) Where required by policies in an approved Source Protection Plan, the local municipalities shall circulate all *development* applications or proposed land use changes to the Risk Management Official (RMO) for applications within a SPP Policy Applicable Area. Where the Source Protection Plan does not require an RMO notice, the municipality can be satisfied that the proposal will not include activities that would be a *significant* threat in the location proposed.

### C6.3.2 Wellhead Protection Areas and Intake Protection Zones

SPP Policy Applicable Areas, must be shown on the schedules to local Official Plans and shall be protected and managed in a manner which ensures the sustained quality and quantity of the municipal drinking water source and shall be subject to the following specific policies:

- a) Notwithstanding the land use activities permitted by the underlying land use designations, shown on the Schedules to this Plan, land use activities which have been identified by a Source Protection Plan as being prohibited within SPP Policy Applicable Areas shall not be permitted.
- b) Notwithstanding the uses permitted by the underlying land use designations shown on the Schedules to this Plan, uses/activities may only be permitted within the SPP Policy Applicable Area if the applicant demonstrates to the satisfaction of the local municipality that the proposed use/activity is in conformity with the policies contained within the relevant Source Protection Plans.
- c) Legally existing uses that are located within a SPP Policy Applicable Area, but which are regulated by the provisions of a Source Protection Plan policy and/or are incompatible with the provisions of this section of the Official Plan may be permitted to expand subject to the policies of this Official Plan and the relevant Source Protection Plan. Such uses shall be required to undertake measures that would protect municipal drinking water sources in the SPP Policy Applicable Area.
- d) A person shall not make an application under a provision of the Planning Act at any location within a SPP Policy Applicable Area where threats to drinking water could be significant unless the Risk Management Official issues a notice to the person as per sub section 59(2) of the Clean Water Act S.O. 2006.
- e) Future Wellhead Protection Areas and Intake Protection Zones or amendments to highly vulnerable aquifers or significant ground water recharge areas, identified by an appropriate agency, such as a local municipality, a conservation authority or the Ministry of Environment and Climate Change, shall be implemented by an amendment to this Plan.
- f) Nothing in this plan limits the local municipality in being more restrictive in the protection of municipal drinking water sources and aquifer/groundwater *vulnerable* areas.

## C6.4 STORMWATER MANAGEMENT

- a) Planning for stormwater management shall:
  - i) Minimize, or, where possible, prevent increases in contaminant loads;
  - ii) Minimize changes in water balance and erosion;
  - iii) Not increase risks to human health and safety and property damage;
  - iv) Maximize the extent and function of vegetative and pervious surfaces; and,
  - v) Promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development.
- b) In order to control flooding, ponding, erosion and sedimentation and to protect water quality and aquatic habitat or other natural habitat which depend on watercourses and other water bodies for their existence, stormwater management plans shall be required for any new development consisting of more than four lots or for commercial or industrial developments with large amounts of impervious area. Stormwater management will be undertaken in accordance with Ministry of Environment and Climate Change (MOECC) Guideline "Stormwater Management Planning and Design Manual, 2003.
- c) The County and the local municipalities shall require the use of stormwater management facilities downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality.
- d) The development of naturalized stormwater management facilities, constructed with gentle slopes is promoted, and should be designed in accordance with the Ministry of the Environment and Climate Change guidelines.

## D LAND USE DESIGNATIONS

This Section of the Official Plan contains goals, objectives and policies with respect to the land use designations on **Schedule A-2**. Additional policy direction is provided through local Official Plans. This section of the Official Plan also includes policies affecting lands that are subject to the Oak Ridges Moraine Conservation Plan (ORMCP).

### D1 URBAN AREAS/RURAL SETTLEMENT AREAS

#### D1.1 COMPLETE COMMUNITIES

The County encourages each of the six *urban areas* to become *complete communities* where there is:

- a) A strong live/work ratio, where the majority of residents are employed in the community in which they live;
- b) Choice in the market place, in terms of obtaining goods and services;
- c) A range of educational and training opportunities;
- d) A range of housing types for all levels of income and ages;
- e) A range of health care services for the majority of the residents;
- f) A range of community and social services to assist the majority of those in need in the community;
- g) A range of cultural and recreational opportunities and facilities; and,
- h) A population level and density that supports the provision of public transit, where feasible.

For the purposes of this Plan, Warkworth is considered to be a *rural settlement area* where full municipal services are provided, and the policies of this Plan respecting *urban areas* in Section D of this Plan also apply to Warkworth.

#### D1.2 GENERAL LAND USE OBJECTIVES FOR URBAN AREAS

The following sections set out general land use objectives for residential, commercial, employment and open space areas within *urban areas* that are shown on **Schedule A-2** of this Plan.

##### D1.2.1 Residential Areas

It is the objective of this Plan to:

- a) Maintain and enhance the character and identity of existing residential areas;
- b) Encourage the provision of a range of housing types to accommodate persons with diverse social and economic backgrounds, needs and desires while promoting the maintenance and improvement of existing housing;
- c) Promote the efficient use of existing and planned *infrastructure* and *public service facilities* by supporting opportunities for various forms of *residential intensification*, where appropriate;
- d) Encourage increases in density in new *development* areas to maximize the use of *infrastructure* and minimize the amount of land required for new *development*;
- e) Promote a variety of complementary and compatible land uses in residential areas including *additional needs* housing, community facilities, schools, small-scale commercial uses and recreational open space areas;
- f) Encourage a high standard of urban design for *development* and *redevelopment*;
- g) Encourage local municipalities to establish comprehensive design guidelines and policies to foster the establishment of communities that are safe, functional and attractive; and,
- h) Implement street designs that provide for pedestrian, cycling and other non-motorized modes of transportation to help create more healthy and complete communities.

### D1.2.2 Commercial Areas

It is the objective of this Plan to:

- a) Encourage commercial *development* that will provide a full range of goods and services, at appropriate locations, to meet the needs of the County's residents, employees and businesses;
- b) Encourage and promote *development* that combines commercial, residential and other land uses to facilitate the more efficient use of urban land and the establishment of a pedestrian environment;
- c) Promote the efficient use of existing and planned *infrastructure* by creating the opportunity for various forms of commercial and *residential intensification*, where appropriate;
- d) Encourage the protection of existing commercial areas to ensure that their function as neighbourhood and community gathering places is retained;
- e) Encourage the continued revitalization of traditional and emerging main

street areas which reflects their heritage significance and which promotes a mix of uses and attractions for retail, other community uses and activities, and tourism; and,

- f) Encourage good urban design to improve the aesthetic quality of retail corridors in the County to ensure that they function as attractive destinations for shoppers from the County and the surrounding area.

### D1.2.3 Employment Areas and Uses

It is the objective of this Plan to:

- a) Monitor and ensure that there is a supply of land to 2051 for all types of employment uses to meet forecasted needs in a number of different settings and locations at all times;
- b) Recognize that there are many types of employment in the County and that each has different locational requirements that are necessary to support their continued viability;
- c) Provide for an appropriate mix and range of employment, *institutional uses* and broader mixed uses to meet long-term needs;
- d) Provide opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- e) Identify strategic sites for investment in this Plan through the establishment of Major Employment Areas and other areas and encourage local municipalities to do the same in their Official Plans;
- f) Monitor the availability and suitability of employment sites, including market-ready sites, and seek to address potential barriers to investment;
- g) Encourage *intensification* of employment uses and compatible, compact, mixed-use development to support the achievement *complete communities*;
- h) Ensure that the necessary *infrastructure* is provided to support current and projected needs;
- i) Plan for, protect and preserve *employment areas* for current and future uses and ensure that the necessary *infrastructure* is provided to support current and projected needs;
- j) Protect *employment areas* in proximity to *major goods movement facilities and corridors* for employment uses that require those locations and which can be serviced by full municipal sewer and water services within the planning period; and,

- k) Encourage a high standard of urban design for *development* and *redevelopment*.

#### D1.2.4 Open Space Areas

It is the objective of this Plan to:

- a) Encourage the establishment and maintenance of a system of public open spaces, parkland and recreational facilities that meets the needs of present and future residents;
- b) Encourage the enhancement of existing parkland areas wherever possible to respond to changing public needs and preferences;
- c) Ensure that appropriate amounts and types of parkland are acquired by local municipalities through the *development* process;
- d) Encourage the dedication and donation of environmentally *sensitive* lands into public ownership to ensure their continued protection; and,
- e) Encourage the *development* of a walking and cycling trail system within the open space system that is accessible to the public utilizing trails, paths, streets and other public open spaces.

### D1.3 GENERAL LAND USE OBJECTIVES FOR RURAL SETTLEMENT AREAS

The following objectives are intended to be considered by the local municipalities in developing Official Plan policies, zoning by-laws and other municipal plans and strategies and when reviewing applications for development in *rural settlement areas*:

- a) To maintain and enhance the character and identity of *rural settlement areas*;
- b) To encourage the provision of a range of housing types to accommodate persons with diverse social and economic backgrounds and needs provided appropriate servicing is available;
- c) To promote the efficient use of existing and planned *infrastructure* and *public services facilities*;
- d) To encourage the development of commercial uses that supports the local residents and the general area;
- e) To encourage the continued revitalization of historic main streets and promote a mix of uses and attractions for retail, other community uses, activities and tourism;

- f) To provide opportunities for employment uses to provide jobs for local residents;
- g) To promote the diversification of the economic base through the provision of goods and services, including value-added products and the sustainable management or use of resources;
- h) To provide opportunities for sustainable and diversified tourism, including the leveraging of historical, cultural and natural assets;
- i) To encourage street design, parkland and an open space system that provides for pedestrian, cycling and other non-motorized modes of transportation to help create more healthy and *complete communities*; and,
- j) Encourage the establishment and maintenance of a system of public open spaces, parkland and recreational facilities that meets the needs of present and future residents.

#### **D1.4 PERMITTED USES IN URBAN AREAS AND RURAL SETTLEMENT AREAS**

An appropriate range and mix of land uses, *housing options*, transportation options with multimodal access, employment, *public service facilities* and other institutional uses (including, schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs are permitted in *urban areas*.

Within *rural settlement areas*, uses that are appropriate for *rural settlement areas* based on the nature of their servicing is also permitted, subject to the policies of the local Official Plans.

#### **D1.5 DOWNTOWN AREAS**

The scale and location of new *development* in the downtown or main street areas identified in local Official Plans should maintain and/or enhance the existing character of these areas. This will be accomplished by encouraging:

- a) The *development* of diverse, compatible land uses in close proximity to each other;
- b) The maximum use of existing buildings to accommodate a wide range of compatible uses, with an emphasis on using upper level space for offices, residential uses and other uses;
- c) The establishment and maintenance of a streetscape that is pedestrian oriented;
- d) The preservation and enhancement of the cultural heritage resources that exist in these areas;

- e) Partnerships and collaboration between local municipalities and service delivery groups such as Business Improvement Areas, Business Associations, Chambers of Commerce and/or municipal heritage committees; and,
- f) The physical and aesthetic improvement of these areas through their designation as Community Improvement Plan areas.

## D2 MAJOR EMPLOYMENT AREA

### D2.1 OBJECTIVES

It is the objective of this land use designation shown on Schedule A-2 to:

- a) Provide a strategic location for industrial *development* in planned business park settings with excellent access to Highway 401;
- b) Support the establishment of the County as a preferred destination for employment within eastern Ontario;
- c) Provide accommodation for businesses seeking to locate in a setting with a specific range of compatible land uses and *high quality* building forms and settings;
- d) Provide a long-term and stable location for manufacturing, processing and warehousing uses; and,
- e) Support the planned function of the designation by ensuring that the introduction or presence of *sensitive* uses that may be incompatible with the viability and continued operation of the intended primary industrial uses, is prevented.

### D2.2 PERMITTED USES

- a) Permitted uses in the Major Employment Area designation are:
  - i) Manufacturing, processing and warehousing with controlled outdoor storage, provided the controlled outdoor storage is located to the rear or side of a building, screened from view from adjoining streets and Highway 401 if necessary, and impacts to adjoining lands are minimized;
  - ii) Data processing centres and uses that are in and support the energy and technology sectors; and,
  - iii) Office, retail, service use that is accessory, subordinate, and incidental to a primary manufacturing, processing or warehousing use, provided the gross floor area devoted to retail and service does not exceed 15% of the premises.

- b) For the purposes of this policy, the following uses are specifically not permitted on lands within the Major Employment Area designation:
- i) Stand-alone retail uses, other than motor vehicle service stations and accessory uses;
  - ii) Multiple-unit buildings with retail uses;
  - iii) Day nurseries, places of worship and other similar *institutional uses*;
  - iv) Motor vehicle wrecking yards;
  - v) Motor vehicle salvage yards;
  - vi) Motor vehicle sales and rental establishments;
  - vii) Motor vehicle storage compounds;
  - viii) Commercial fitness centres;
  - ix) Commercial self-storage facilities;
  - x) Hotels and banquet halls;
  - xi) Private schools;
  - xii) Residential uses, unless the use existed on the date this Plan came into effect;
  - xiii) Contractor's yards;
  - xiv) Asphalt plants, concrete batching facilities, aggregate-related processing uses and other heavy industrial uses; and,
  - xv) Garden centres and commercial greenhouses.

## D2.3 DEVELOPMENT REQUIREMENTS

- a) The preparation of a Secondary Plan will be required in accordance with Section D2.4 of this Plan before *development* can proceed.
- b) All lands shall be serviced by municipal sewer and water services.
- c) All proposed *development* shall be accessed by local roads. Access by a County Road will only occur where access by a local road is not possible or impractical.
- d) Buildings shall be sited in a manner that will accommodate their potential future expansion and/or the introduction of new additional buildings in the future.
- e) Permitted loading and storage facilities shall be located and buffered and screened to minimize visibility from adjoining streets and impacts on adjacent areas.
- f) All buildings shall be of high quality design, particularly adjacent to arterial roads and Highway 401, to reflect the unique character and gateway image

of the *urban area*.

- g) Buildings shall be sited in a manner that facilitates truck movements and loading.
- h) The majority of the lands within the Major Employment Area shall be reserved for uses that require larger parcels of land.

## D2.4 SECONDARY PLANS

- a) The purpose of the Secondary Plan required by Section D2.4 of this Plan is to establish a detailed *development* concept for *infrastructure* and land use in each defined Major Employment Area. More specifically, it will be the intent of the Secondary Plan to:
  - i) Establish the most appropriate mix of land uses that recognizes the location of the area and the goals and objectives of this Plan;
  - ii) Ensure that adequate transportation networks are/or will be established and that the transportation network is adequately supported by the proposed *development* pattern;
  - iii) Ensure that adequate water and wastewater servicing is established to serve the anticipated *development* and that they can be phased in a manner that is cost-effective and efficient;
  - iv) Ensure that appropriate Secondary Plan policies, including phasing, servicing and financing policies, are in place to clearly and effectively guide future *development* within the Secondary Plan Area;
  - v) Incorporate appropriate policies pertaining to the provision and location of utilities;
  - vi) Ensure that appropriate urban design standards are established with those standards recognizing the visibility of the lands adjacent to arterial roads and Highway 401;
  - vii) Support inter-municipal co-operation/joint planning as required; and,
  - viii) Determine what the minimum parcel size should be to attract uses that require large land areas.
- b) Secondary Plans shall be adopted by an Amendment to the local Official Plan and shall generally conform with and implement the intent of this Plan as set out in the policies of this Plan.
- c) New Secondary Plans shall be based on the following studies:
  - i) A Functional Servicing Plan that demonstrates the means by which the affected lands will be appropriately serviced;

- ii) A detailed Transportation Study that determines the impact of the *development* on the surrounding road network and recommends necessary improvements to the transportation network consistent with the policies of this Plan; and,
- iii) Other detailed studies as required, such as urban design and environmental impact studies.

## **D2.5 MAJOR EMPLOYMENT AREA SPECIAL POLICY AREA**

- a) This policy applies to approximately 90 hectares of land located to the north and west of the Highway 401/Burnham Street interchange in the Township of Hamilton. These lands are located to the west of Burnham Street, south of Telephone Road and east of Birch Street.
- b) The lands described in sub-section a) are considered to be suitable in principle for the development of Major Employment uses, in accordance with the policies of Section D2 of this Plan. For development to occur on these lands, the lands shall be designated Major Employment Area and once designated, the lands would be considered to form part of the abutting Cobourg *urban area* for planning purposes. In addition, the lands within the Major Employment Area designation are not required to be in the same municipality as the abutting Cobourg *urban area* provided the lands are serviced by Cobourg water and sewer services.
- c) Consideration shall be given to designating these lands as Major Employment Area provided the County is satisfied that:
  - i) It is feasible to extend sewer and water services to the subject lands in a timely and efficient manner;
  - ii) It is technically and financially viable to construct a crossing of Cobourg Creek to connect the northern and southern portions of the lands to provide for development along the high profile Highway 401 corridor;
  - iii) The landowners are committed to funding the full cost of the extension of services to the lands in addition to the full cost of constructing a crossing over Cobourg Creek;
  - iv) The lands can be developed and are financially viable for development, given the cost of services and the Cobourg Creek crossing and the nature of the uses that are to be permitted within the Major Employment Area; and,
  - v) The need for additional fully serviced employment land has been justified in accordance with relevant Provincial policies.

## D3 AGRICULTURAL AREA

### D3.1 OBJECTIVES

It is the objective of this land use designation to:

- a) Recognize agriculture as the primary activity and land use;
- b) Maintain and preserve the agricultural resource base of the County;
- c) Protect the County's *prime agricultural area* from fragmentation, *development* and land uses unrelated to agriculture;
- d) Promote *normal farm practices* and to protect the right to farm;
- e) Promote a diverse, innovative and economically strong agricultural industry and associated activities by enhancing their capacity to contribute to the economy of the County; and,
- f) Preserve and promote the agricultural character of the County and its local communities.

### D3.2 LOCATION

- a) All lands designated Agricultural Area are shown on **Schedule A-2** to this Plan. These lands are considered to be the County's *prime agricultural area* as defined.
- b) The County of Northumberland is committed to protecting the County's *prime agricultural areas*. On this basis, the County will undertake an analysis of lands within the County, in consultation with the Ministry of Agriculture, Food and Rural Affairs, within three years of the approval of this Official Plan. This analysis will result in an Official Plan Amendment designating *prime agricultural areas* consistent with the Provincial Policy Statement. Should such analysis be undertaken by a lower-tier municipality in advance of the County undertaking the required study, the Ministry of Agriculture, Food and Rural Affairs shall be consulted on any proposed changes.

### D3.3 PERMITTED USES

Permitted uses in the Agricultural Area designation are:

- a) *Agricultural uses*;
- b) *Agricultural-related uses* in accordance with Section D3.5 of this Plan;
- c) *On-farm diversified uses* in accordance with Section D3.6 of this Plan;

- d) Bed and breakfast establishments that are located on a non-farm property in accordance with Section D3.7 of this Plan;
- e) Accessory accommodation subject to Section D3.8 of this Plan;
- f) A single detached dwelling in conjunction with an *agricultural use*;
- g) A single detached dwelling on an existing vacant lot, subject to the policies of the local Official Plan; and provided the lot is not subject to Section D3.4a) ii) of this Plan;
- h) Home occupations;
- i) Home industries that are accessory to a residential use on a non-farm property subject to Section D3.9 of this Plan
- j) Conservation uses that do not include development; and,
- k) *Mineral aggregate operations*, subject to the approval of a local Official Plan Amendment and subject to Section E5 of this Plan.

It is recognized that certain lands within the Agricultural Area designation shown on **Schedule A-2** have received approvals for non-agricultural uses by the local Official Plan. At those locations, those specific uses may continue and would also be subject to corresponding policies of the local Official Plan.

### D3.4 LOT CREATION ON LANDS IN THE AGRICULTURAL AREA DESIGNATION

- a) New lots may be permitted in the Agricultural Area designation if the local Official Plan supports their creation and if:
  - i) The lot is to be severed to create a new farm lot and both the retained and severed parcels each have a lot area of about 40 hectares and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations; or,
  - ii) The lot is to be created to accommodate an *existing habitable farm residence* that has become surplus to a farming operation as a result of the acquisition of additional farm parcels to be operated as one farm operation (a farm consolidation) provided the new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*; and the approval authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance; or,
  - iii) The lot is required for an *agricultural-related use*, provided the new lot is limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*.
- b) Lot adjustments may also be granted for *legal or technical reasons*, such

as for easements, correction of deeds, quit claims and minor boundary adjustments that do not result in the creation of a new lot and do not otherwise conflict with the intent of this Plan and the local Official Plan.

### D3.5 AGRICULTURE-RELATED USES

- a) For the purposes of this Official Plan, *agriculture-related uses* are those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.
- b) Proposed *agriculture-related uses* shall be compatible with, and shall not hinder, surrounding agricultural operations.
- c) Policies for *agriculture-related uses* shall be developed in local Official Plans as they are updated to conform to this Plan.

### D3.6 ON-FARM DIVERSIFIED USES

#### D3.6.1 Definition

For the purposes of this Official Plan, *on-farm diversified uses* are uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, *home occupations*, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products.

Proposed *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations.

#### D3.6.2 Types of On-Farm Diversified Uses

For the purposes of this Plan, the following uses are examples of *on-farm diversified uses*:

- a) Home occupations;
- b) Home industries subject to Section D3.9 of this Plan;
- c) *Agri-tourism uses* subject to Section D3.6.4 of this Plan;
- d) Bed and breakfast establishments;
- e) Farm vacation homes (with up to 6 rooms) subject to D3.6.5 this Plan;
- f) Estate wineries with limited accommodation and limited floor space devoted to eating and/or banquet facilities, subject to the policies of the local Official Plan;

- g) Farm wineries subject to the policies of the local Official Plan;
- h) Seasonal home-grown produce stands; and,
- i) Temporary agricultural demonstration events, such as a plowing match.

### D3.6.3 Characteristics of an On-Farm Diversified Use

An *on-farm diversified use* is any land use that is secondary to the principal use on a farm property. Factors to consider by municipalities in determining whether a use is an *on-farm diversified use* include:

- a) The amount of land devoted to the on-farm diversified use in comparison to the amount of land devoted to the principal use;
- b) The size of the building housing the on-farm diversified use in relation to the sizes of building(s) accommodating the principal use;
- c) The nature of the on-farm diversified use itself and whether the use is operated by the owner of the property;
- d) The number of people employed by the on-farm diversified use;
- e) The extent to which retail sales occur as a component of the *on-farm diversified use*; and,
- f) The amount of traffic generated by the *on-farm diversified use* in relation to the principal use on the property.

Local municipalities are encouraged to permit *on-farm diversified uses* in their Official Plans and implementing zoning by-laws as appropriate.

### D3.6.4 Agri-Tourism Uses

- a) For the purposes of this Plan, *agri-tourism uses* are those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.
- b) Given the proximity of the County to major *urban areas*, the County supports the *development* of uses that highlight the importance and value of the agricultural economy. On this basis, uses such as farm machinery and equipment exhibitions (on a temporary basis), farm tours, petting zoos, hay rides and sleigh rides, processing demonstrations, pick-your-own produce establishments, small-scale farm theme playgrounds for children and small-scale educational establishments that focus on farming instruction are permitted in the Agricultural Area designation subject to the policies of the local Official Plan.

### **D3.6.5 Farm Vacation Homes**

Farm vacation homes with up to 6 rooms for the temporary accommodations of guests may be permitted on a farm property subject to the policies of the local Official Plan provided that:

- a) The use shall not have an adverse effect on the enjoyment and privacy of neighbouring properties;
- b) The farm vacation home is the principal residence of the owner and operator;
- c) The character of the dwelling as a private residence is preserved;
- d) Adequate parking facilities are available on the lot for the proposed use;
- e) The use will not cause a traffic hazard; and,
- f) The use can be serviced with an appropriate water supply and an appropriate means of sewage disposal.

### **D3.7 BED AND BREAKFAST ESTABLISHMENTS**

Bed and breakfast establishments are also permitted in single detached dwellings that are not on a farm property, provided that no more than 3 rooms for temporary accommodations are provided, subject to the criteria set out in Section D3.6.5.

### **D3.8 ACCESSORY ACCOMMODATION ON FARM PROPERTIES**

The establishment of additional accommodation on a farm property for farm labour is permitted, provided it can be demonstrated that the size and nature of the operation requires additional employment and the lands are appropriately zoned and provided the local Official Plan permits this type of use. The future severance of the lands that are the site of the accessory accommodation use is not permitted.

### **D3.9 HOME INDUSTRIES**

Home industries may be permitted on a farm property or non-farm property subject to the policies of the local Official Plan provided that:

- a) The home industry and the principal use generally rely upon the same water and sewer infrastructure and the driveway from the public road;
- b) The home industry has a floor area that is consistent with the scale of uses on the property;
- c) The noise, dust and odour that could potentially emanate from the use will not have an adverse impact on adjacent properties;

- d) The type and level of traffic generated by the use is *compatible* with the character of the area and the function of adjacent roads;
- e) All machinery and equipment, with the exception of motor vehicles, required for the home industry is generally located within enclosed buildings;
- f) Any permitted open storage associated with the home industry is screened from view and located within a fenced compound;
- g) The number of employees is limited; and,
- h) Any retail component of the home industry is clearly accessory to the home industry and does not detract from the primary use of the property or adjacent properties.

### D3.10 OTHER NON-RESIDENTIAL USES

Limited non-residential uses that are not permitted by the Plan in the Agricultural Area designation may only be considered in the Agricultural Area designation through an Amendment to the local Official Plan, provided that all of the following are demonstrated:

- a) The land does not comprise a *specialty crop area*;
- b) The proposed use complies with the *minimum distance separation formulae*;
- c) There is an identified need within the planning period for additional land to be designated to accommodate the proposed use; and alternative locations have been evaluated, and,
  - i) There are no reasonable alternative locations which avoid *prime agricultural areas*; and,
  - ii) There are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

### D3.11 LAND USE COMPATIBILITY

The following land use compatibility policies apply to agricultural operations and non-agricultural operations in both the Agricultural Area and Rural Area designations in the County:

- a) In order to provide farmers with the ability to carry out *normal farm practices*, all new *development*, shall be set back from agricultural operations in accordance with the *minimum distance separation one formula*, or in accordance with the local zoning by-law as amended. *Development* on lands within *urban areas* and *rural settlement areas* is exempt from this policy.

- b) New and/or expanded livestock facilities shall be set back from existing *non-agricultural uses* in accordance with the *minimum distance separation two formula*, as amended.
- c) The *minimum distance separation one and two formulae* may be included in local zoning by-laws, as appropriate and in accordance with local Official Plans.
- d) Nothing in this Plan shall limit the ability of farmers to carry out *normal farm practices* in accordance with the Farming and Food Production Protection Act.
- e) Existing agricultural uses are permitted within *rural settlement areas*.

Other criteria may be established by local municipalities in accordance with Provincial guidelines.

### D3.12 FUTURE SPECIALTY CROP AREAS

Currently, there are no lands designated for specialty crops in the County. However, it is recognized that the County's location along the Lake Ontario shoreline provides a climatic advantage for the growing of specialty crops. That, coupled with the high quality soils found in Northumberland means the County has the potential to accommodate a diverse variety of specialty crops. Consequently, the County may identify *specialty crop areas* with assistance from the Province. Any future identification of *specialty crop areas* will be implemented by way of Amendment to this Plan, including the addition of appropriate policies related to *specialty crop areas*.

## D4 RURAL AREAS

### D4.1 OBJECTIVES

It is the objective of this land use designation to:

- a) Promote the diversification of the economic base and employment opportunities through the provision of goods and services, including value-added products and the sustainable management or use of resources;
- b) Encourage the establishment of sustainable and diversified tourism opportunities;
- c) Promote the development of commercial, recreational and industrial uses that are appropriate for the rural and recreational areas of the County;
- d) Promote a diverse, innovative and economically strong agricultural industry and associated activities by enhancing their capacity to contribute to the economy of the County;

- e) Encourage local municipalities to recognize and preserve lands that are locally significant for agricultural uses;
- f) To provide for residential uses and lands that are not constrained or protected for their resource value; and,
- g) Preserve the open space character of the rural landscape.

## D4.2 LOCATION

All lands designated Rural Area as shown on **Schedule A-2** to this Plan apply to lands that are not otherwise designated as *Urban Areas*, *Rural Settlement Areas* or Natural Heritage Area One designation and which are not within the Agricultural Area designation.

## D4.3 LOT CREATION

- a) The creation of more than three units or lots through either plan of subdivision, consent or plan of condominium on one property is permitted provided the lands were zoned or designated for the type and amount of *development* in a local Official Plan on June 16, 2006; and,
- b) Lot creation that is not subject to sub-section D4.3 a) of this Plan shall be governed by the policies of the local Official Plan, recognizing that *urban areas* and *rural settlement areas* shall be focus of growth.

## D4.4 PERMITTED USES

Permitted uses in the Rural Area designation include:

- a) All uses permitted in the Agricultural Area designation in Section D3.3 of this Plan;
- b) Permanent and seasonal dwellings;
- c) Resource based recreational uses;
- d) Cemeteries;
- e) Recreation and tourism uses subject to Section D4.5 of this Plan;
- f) Forestry uses; and,
- g) Rural commercial and industrial uses that are appropriate for the Rural Area designation and which cannot be located in *urban areas* or *rural settlement areas*, subject to the approval of a local Official Plan Amendment.

## D4.5 RECREATION AND TOURISM USES

### D4.5.1 Examples of Permitted Recreational Tourism Uses

Permitted recreation and tourism uses include:

- a) Cross country ski facilities;
- b) Golf courses and golf driving ranges and similar open-air recreational uses;
- c) Campground and trailer parks;
- d) Tourist accommodation facilities;
- e) Art galleries and exhibitions; and,
- f) Wine-tasting establishments.

### D4.5.2 Conditions of Approval

New recreation and tourism uses that are permitted by this Plan may be permitted provided that it has been demonstrated to the approval authority that:

- a) The proposed use will not have a negative impact on adjacent *agricultural uses* and is compatible with *normal farm practices*;
- b) The proposed use is located on roads that can accommodate expected increases in traffic;
- c) The proposed use can be designed and sited to blend in with surrounding land uses such that the rural character of the area is maintained;
- d) There will be no negative impacts on any natural heritage features and related *ecological functions*;
- e) Where appropriate the proposed use can be appropriately buffered from adjacent uses; and,
- f) There will be no negative impact on the quality and quantity of groundwater and surface water.

## D4.6 LAND USE COMPATIBILITY

The policies of Section D3.11 also apply to lands in the Rural Area designation.

## D5 OAK RIDGES MORaine

- a) The location of the lands subject to the Oak Ridges Moraine Conservation Plan are shown on the schedules to this Official Plan. The provisions of the

Oak Ridges Moraine Conservation Plan (2017) shall apply to all of these lands.

- b) The Oak Ridges Moraine Conservation Act, and the accompanying Conservation Plan provides land use and resource management planning direction for protecting the Oak Ridges Moraine's ecological and hydrological features and functions. The County is committed to the implementation of the Oak Ridges Moraine Conservation Plan. The policies of this Official Plan and those in local Official Plans must be read in conjunction with the detailed provisions of the Oak Ridges Moraine Conservation Plan.
- c) On lands subject to the Oak Ridges Moraine Conservation Plan, only applications for *development* and *site alteration* that conform with the Oak Ridges Moraine Conservation Plan will be considered. The following land use categories, govern the use of land within the Oak Ridges Moraine.
  - i) **Natural Core Areas** are areas are areas with a high concentration of key natural heritage features, hydrologically sensitive features or landform conservation areas. Natural Core Areas are designated on **Schedule A-2** to this Plan. Their purpose is to maintain, improve and restore the ecological integrity of the Oak Ridges Moraine as a whole. Permitted uses in Natural Core Areas are set out in the Oak Ridges Moraine Conservation Plan.
  - ii) **Natural Linkage Areas** are areas forming part of a central corridor system, the purpose of which is to maintain, improve and restore the ecological integrity of the Moraine. Natural Linkage Areas are designated on **Schedule A-2** to this Plan. Natural Linkage Areas support, or have the potential to support, movement of plants and animals among the Natural Core Areas and along river valleys and stream corridors. Permitted uses in Natural Linkage Areas are set out in the Oak Ridges Moraine Conservation Plan.
  - iii) **Countryside Areas** are areas of existing rural land use, intended to protect prime agricultural areas, provide for the continuation of agricultural and other rural land uses. Countryside Areas are designated on **Schedule A-2** to this Plan. Permitted uses in Countryside Areas are set out in the Oak Ridges Moraine Conservation Plan.
  - iv) **The Oak Ridges Moraine** Conservation Plan's identification of Settlement Areas on the Oak Ridges Moraine includes those areas designated as Rural Settlement Area on **Schedule A-2** to this Plan. These *rural settlement areas* are intended to provide opportunities for minor residential infill and small-scale industrial, commercial and institutional uses. Permitted uses in Settlement Areas that are identified as *rural settlement areas* on **Schedule A-2** to this Plan are set out in the Oak Ridges Moraine Conservation Plan.
- d) All applications, as defined under the Oak Ridges Moraine Conservation Act, which commenced on or after November 17, 2001 are required to

conform to the Oak Ridges Moraine Conservation Plan. Applications in the Natural Core, Natural Linkage, or Countryside Areas of the Oak Ridges Moraine that were commenced but were not decided upon prior to November 17, 2001 are required to conform to the list of prescribed provisions under Section 48 of the Oak Ridges Moraine Conservation Plan.

- e) Development and site alteration shall be prohibited within *key natural heritage features, key hydrologic features* and *Areas of Natural and Scientific Interest* (Earth Science) and their related minimum vegetation protection zones as identified by the Table in Part III of the Oak Ridges Moraine Conservation Plan.

## D6 NATURAL HERITAGE AREA ONE (NHA1) DESIGNATION OUTSIDE OF THE OAK RIDGES MORAINES CONSERVATION PLAN

### D6.1 LOCATION

- a) All lands that are the site of known Provincially *significant wetlands* and *significant coastal wetlands* are designated Natural Heritage Area One on **Schedule A-2**. Where information is known, individual Provincially *significant wetlands* and *significant coastal wetlands* are shown on **Schedule B-1** for information purposes.
- b) While known Provincially *significant wetlands* and *significant coastal wetlands* have been designated Natural Heritage Area One on **Schedule A-2**, the identification, mapping and significance of others can only be determined after evaluation.
- c) Regionally Important *Wetlands* are included in the mapping for the NHA1 on Schedule A-2. For clarity, lands identified as Regionally Important *Wetland* which do not overlap with *provincially significant wetlands* or *significant coastal wetlands* on **Schedule B-1** are not included in the NHA1 designation.

### D6.2 PERMITTED USES IN SIGNIFICANT WETLANDS AND SIGNIFICANT COASTAL WETLANDS

- a) Development and site alteration is not permitted in significant wetlands and significant coastal wetlands.
- b) Permitted uses in significant wetlands and significant coastal wetlands are limited to:
  - i) Forestry in the form of reforestation and regeneration, and excluding commercial logging and managed woodlots;

- ii) Uses connected with the conservation of water, soil, wildlife and other natural resources; and
- iii) The continuation of *agricultural uses*.

## D7 NATURAL HERITAGE AREA TWO (NHA2) OVERLAY OUTSIDE OF THE OAK RIDGES MORAINÉ CONSERVATION PLAN

### D7.1 LOCATION

- a) All lands that are the site of known Provincially *significant Areas of Natural and Scientific Interest* and *significant woodlands* are shown as Natural Heritage Area Two on **Schedule A-2**. Where information is known, these and other *natural heritage features and areas*, also including Regionally Important *Wetlands* outside of *urban areas* and *rural settlement areas*, are shown on **Schedule B-1** for information purposes.
- b) While known Provincially *significant Areas of Natural and Scientific Interest* and *significant woodlands* have been shown as Natural Heritage Area Two on **Schedule A-2**, the identification, mapping significance of others can only be determined after evaluation either by the Province in the case of an *Area of Natural and Scientific Interest* or the County, in the case of a *woodland*.

### D7.2 PERMITTED USES

- a) As the NHA2 is an overlay, permitted uses are those in the underlying land use designation shown on **Schedule A-2**.
- b) The policies in this section apply to significant woodlands, significant valleylands, non-significant coastal wetlands, significant Areas of Natural and Scientific Interest, significant wildlife habitat, fish habitat and habitat of endangered and threatened species. In addition, the policies of this section apply to Regionally Important Wetlands outside of urban areas and rural settlement areas.
- c) *Development* and *site alteration* shall not be permitted in *fish habitat* except in accordance with provincial and federal requirements.
- d) *Development* and *site alteration* shall not be permitted in *habitat of endangered species and threatened species*, except in accordance with provincial and federal requirements.
- e) *Development* and *site alteration* shall not be permitted in the following features unless it has been demonstrated through the preparation of an Environmental Impact Study in accordance with Section C4.4 of this Plan that there will be no *negative impacts* on the natural features or their *ecological functions*:

- i) *Significant woodlands;*
  - ii) *Significant valleylands;*
  - iii) *Significant wildlife habitat;*
  - iv) *Significant Areas of Natural and Scientific Interest;* and
  - v) Regionally Important *Wetlands* outside of *urban areas* and *rural settlement areas*.
- f) Notwithstanding the above, expansions or alterations to existing buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* and expansions to existing residential dwellings and existing ancillary buildings may be permitted in the NHA2 overlay if it is demonstrated that:
- i) There is no alternative, and the expansion or alteration in the feature is minimized and is directed away from the feature to the maximum extent possible; and
  - ii) The impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible; and
- g) Small-scale structures for recreational uses, including boardwalks, footbridges, fences, docks, and picnic facilities may be permitted in the NHA2 overlay, if measures are taken to minimize the number of such structures and their *negative impacts*.
- h) Through the implementation of this section by the local municipalities in their Official Plans and zoning by-laws, the pre-identification of the nature and scale of minor expansions to existing residential dwellings and existing ancillary buildings within *significant woodlands* that can proceed as-of-right and without the need for an environmental impact study is permitted by this Plan. In this regard, such minor expansions shall be small in scale and generally not exceed 25% of the floor area of the existing residential dwelling and/or existing ancillary building that is being expanded. Expansions beyond this size will require a Planning Act approval where it shall be demonstrated that conformity with Section D7.2 f) can be achieved.
- i) While the policies of this Plan apply to Regionally Important *Wetlands* outside of *urban areas* and *rural settlement areas*, where a Regionally Important *Wetland* policy conflicts with a provincial interest including but not limited to *mineral aggregate resources* or *prime agricultural areas*, the policies of the provincial interest shall prevail.

## D8 OTHER GENERAL POLICIES THAT APPLY TO THE NHA1 DESIGNATION AND NHA2 OVERLAY

### D8.1 ADJACENT LANDS

- a) *Adjacent lands* are the lands contiguous to a *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. For the purposes of this Plan, *adjacent lands* are defined as all lands within a specified distance of boundary of *natural heritage features and areas* outside of the Oak Ridges Moraine Conservation Plan as follows:
- i) 120 metres from provincially *significant wetlands* and *significant coastal wetlands*;
  - ii) 120 metres from *significant woodlands*;
  - iii) 120 metres from *significant wildlife habitat*;
  - iv) 120 metres from *habitat of endangered species and threatened species*;
  - v) 50 metres from provincially *significant Areas of Natural and Scientific Interest* – earth science;
  - vi) 120 metres from provincially *significant Areas of Natural and Scientific Interest* – life science;
  - vii) 120 metres from significant valleylands;
  - viii) 120 metres from *fish habitat*;
  - ix) 120 metres from non-*significant coastal wetlands*;
  - x) 50 metres from Regionally Important *Wetlands*.
- b) No *development* or *site alteration* shall be permitted on these *adjacent lands* unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated, through an Environmental Impact Study in accordance with Section C4.4 of this Plan that there will be no *negative impact* on the natural features or their *ecological functions*.
- c) The approval authority may reduce the width of the *adjacent lands* set out in sub-section D8.1 a) if, in the opinion of the approval authority, the proposed *development* or *site alteration* is minor and is not anticipated to have a *negative impact* on the *natural heritage feature or area*.
- d) While the policies of this section apply to Regionally Important Wetlands outside of *urban areas* and *rural settlement areas*, where a Regionally Important *Wetland policy* conflicts with a provincial interest including but not limited to *mineral aggregate resources* or *prime agricultural areas*, the policies of the provincial interest shall prevail.

## D8.2 CRITERIA FOR SIGNIFICANT WOODLANDS

- a) *Significant woodlands* have a minimum average width of 40 metres and are a minimum of 1 hectare in *urban areas* and/or *rural settlement areas* or 4 hectares in the Agricultural Area or Rural Area designation.
- b) Alternatively, significant woodlands have a minimum average width of 40 metres and:
  - i) Are a minimum of 0.5 hectares in *urban areas* and/or *rural settlement areas*; or 2 hectares in the Agricultural Area or Rural Area designations; or 2 hectares within 5 kilometres of Lake Ontario; or 2 hectares within 1 kilometre of Rice Lake; and
  - ii) Are located within 30 metres of *significant valleylands*, *significant wildlife habitat*, *significant life science Area of Natural and Scientific Interest* and/or a permanent watercourse; or are located wholly or partially within a linkage area as defined by this Plan.

## D8.3 MINIMUM BUFFERS

- a) Minimum buffers required from certain *natural heritage features and areas* outside of *urban areas* and *rural settlement areas* are as follows:
  - i) 15 metres for *significant life science Areas of Natural and Scientific Interest*;
  - ii) 15 metres for *significant valleylands*;
  - iii) 15 metres for Regionally Important *Wetlands*;
  - iv) 30 metres for *significant wetlands* and *significant coastal wetlands*;
  - v) 15 metres for *significant wildlife habitat*; and
  - vi) 20 metres for *significant woodlands*.
- b) Buffers in *urban areas* and *rural settlement areas* are to be informed by both existing conditions and sensitivities, and the anticipated impacts that a buffer is being used to mitigate. Where possible, opportunities to address impacts (avoid, minimize) through the siting and design of land uses should be considered as part of a layered approach to mitigation. This approach will reduce the overall impact of developments, encourage sustainable design and support development of resilient system(s) and communities.
- c) Based on the above, minimum buffer widths in *urban areas* and *rural settlement areas* will be established in studies prepared to the satisfaction of the approval authority. When determining the appropriate buffer width, consideration will be given to the following matters:
  - i) enhancement and mitigation opportunities such as vegetative planting within the buffers or fencing on abutting lands;

- ii) achieving adequate buffers to stormwater management components, which may necessitate wider buffer widths;
  - iii) the intensity of the abutting land uses as illustrated through specific plans for such uses (i.e., grading, setbacks, maintenance, servicing, built form including height, location of buildings and structures and other activities); and,
  - iv) the *ecological functions*, characteristics, significance and sensitivity of the feature the buffer is required from.
- d) Where a feature is regulated by a Conservation Authority within an *urban area* or *rural settlement area*, and the regulatory requirements exceed the required buffer as determined through the policies of this Plan, those regulatory requirements will apply, subject to the provisions of the Conservation Authorities Act.

## D9 NATURAL CORE AREA AND NATURAL LINKAGE AREA DESIGNATIONS WITHIN THE OAK RIDGES MORaine CONSERVATION PLAN

### D9.1 LOCATION

- a) Lands within the Natural Core Area and Natural Linkage Area designations in the Oak Ridges Moraine Conservation Plan are designated Oak Ridges Moraine - Natural Core Area and Oak Ridges Moraine - Natural Linkage Area on **Schedule A-2**.
- b) Other known key natural heritage features and key hydrologic features that are outside of the Oak Ridges Moraine - Natural Core Area and Oak Ridges Moraine - Natural Linkage Area designations and as defined by the Oak Ridges Moraine Conservation Plan are also found in the NHA1 designation and NHA2 overlay on **Schedule A-2** to this Plan.
- c) Where information is known, individual key natural heritage features and key hydrological features as defined by the Oak Ridges Moraine Conservation Plan are shown on **Schedule B-1** for information purposes.
- d) While some of the key natural heritage features and key hydrological features are known and some have been mapped in the NHA1 designation and NHA2 overlay on **Schedule A-2**, the identification, mapping and significance of others can only be determined after evaluation.

### D9.2 PERMITTED USES

- a) All *development* and *site alteration* on lands subject to the Oak Ridges Moraine Conservation Plan boundary shown on the schedules to this Plan is subject to the policies of the Oak Ridges Moraine Conservation Plan.

### D9.3 CRITERIA FOR SIGNIFICANT WOODLANDS

- a) Within the Oak Ridges Moraine Conservation Plan area, *significant woodlands* have a minimum average width of 40 metres and are:
  - i) 4 hectares or larger in size in the Countryside and Settlement Areas; or
  - ii) 0.5 hectares or larger if located in the Natural Core or Natural Linkage Areas; or
  - iii) 0.5 hectares or larger located within or intersecting with a key natural heritage feature or hydrologically sensitive feature or their vegetation protection zone.

## D10 SUPPORTING FEATURES AND AREAS (SFA)

### D10.1 LOCATION

- a) Supporting Features and Areas (SFA) include the following:
  - i) *Alvars*;
  - ii) Conservation oriented lands;
  - iii) Enhancement areas;
  - iv) Linkages;
  - v) Other *non-significant valleylands*;
  - vi) Other wetlands located within *urban areas* and *rural settlement areas* that are not considered to be *significant wetlands* or *significant coastal wetlands*;
  - vii) Other *non-significant woodlands*;
  - viii) Regionally important *Areas of Natural and Scientific Interest*;
  - ix) Regionally important *wildlife habitat*;
  - x) *Sand barrens*;
  - xi) *Savannahs*;
  - xii) *Seepage areas and springs*;
  - xiii) *Sensitive ground water features*;
  - xiv) *Sensitive surface water features*;
  - xv) *Shoreline features*; and
  - xvi) *Tallgrass prairies*.
- b) Where information is known, individual supporting features and areas are shown on **Schedule B-1** for information purposes.
- c) While some of the supporting features and areas are known and some have

been identified on **Schedule B-1**, the identification, mapping and significance of others can only be determined after evaluation.

## D10.2 GENERAL DEVELOPMENT POLICIES

- a) When *development* or *site alteration* is proposed within a supporting feature or area shown on **Schedule B-1**, or within 30 metres of the boundary of the supporting feature or area, an Environmental Impact Study shall be completed that assesses and determines:
  - i) Whether the supporting feature or area is a *significant natural heritage feature or area* and if it is determined that a supporting feature or area is determined to be one of these features or areas, the relevant policies that apply to those features or areas apply;
  - ii) The boundary of the supporting feature or area along with its *ecological functions* and relationship to nearby *significant natural heritage feature or areas*; and
  - iii) What conditions should be attached to the approval of the proposed *development* to enhance the supporting feature or area where possible and to mitigate and minimize impacts on the supporting feature or area.
- b) *Development and site alteration* in and within 30 metres of other non-*significant wetlands* or Regionally Important *Wetlands* in *urban areas* and *rural settlement areas* that are regulated by the applicable Conservation Authority is subject to the policies of the Conservation Authority.
- c) In cases where a non-*significant wetland* or Regionally Important *Wetland* in an *urban area* or *rural settlement area* is not regulated by the Conservation Authority, the approval authority may require that an evaluation be carried out to determine if such a *wetland* should be protected in situ with appropriate *buffers*, or if the *hydrologic function* provided by such a *wetland* should be maintained or managed as part of the design of the development.
- d) Where lands have been approved for a mineral aggregate operation pursuant to a license issued under the Aggregate Resources Act on lands that have been identified as being the site of a supporting feature or area on **Schedule B-1** are proposed to be expanded, then the policies of this Plan fully apply.
- e) Further to sub-section d), if there is a conflict between the policies of a supporting feature or area and a provincial interest (e.g. mineral aggregate resources), the policies of the provincial interest shall prevail.
- f) An Environmental Impact Study is not required for existing, new or expanding *agricultural uses* in the Agricultural Area.

### D10.3 DEVELOPMENT POLICIES - ENHANCEMENT AREAS

In addition to satisfying Section D10.2, if the supporting feature or area is an enhancement area shown on **Schedule B-1**, the required Environmental Impact Study should:

- a) Assess the ecological benefit of an enhancement to the nearby *significant natural heritage feature or area* (e.g., does it fill a gap, close in an indent, connect two separate features, etc.);
- b) Consider the most appropriate shape/extent of the enhancement area so that the *ecological functions* of the nearby *significant natural heritage feature or area* are enhanced;
- c) Consider how the function and spatial extent of the enhancement area can be incorporated into the design and layout of the proposed development, if located within an *urban area* or *rural settlement area*; and
- d) Make recommendations on minimizing the amount of disturbed area in the enhancement area, where it is currently in a natural state or under agricultural production, if located in the Rural Area designation.

### D10.4 DEVELOPMENT POLICIES - LINKAGE AREAS

In addition to satisfying Section D10.2, if the supporting feature or area is a linkage area shown on **Schedule B-1**, the required Environmental Impact Study should:

- a) Assess the ecological features and functions of a linkage, including its vegetative, wildlife, and/or landscape features or functions;
- b) Identify appropriate boundaries/widths that permit the movement of wildlife between nearby *significant natural heritage feature or areas*;
- c) Describe the *ecological function* the linkage is intended to provide and identifies how these *ecological functions* can be maintained or enhanced within a *development* proposal;
- d) Assess potential impacts on the linkage as a result of the *development*; and,
- e) Make recommendations on how to protect, enhance, or mitigate impacts on the linkage and its *ecological functions*.

## D11 IMPLEMENTING THE NATURAL HERITAGE AREA ONE AND NATURAL HERITAGE AREA TWO AND TRANSITION

- a) Local municipalities are required to incorporate the Natural Heritage Area One designation and Natural Heritage Area Two overlay in their local

Official Plans in a way that maintains the Agricultural Area designation where applicable.

- b) Through the process of implementation, local municipalities may refine the boundaries of *natural heritage features or areas* on the basis of updated information and or detailed studies in consultation with the County, except for boundaries of *Areas of Natural and Scientific Interest* which are to be reviewed and approved by the Province.
- c) Local municipalities are required to incorporate the Natural Heritage Area One designation and Natural Heritage Area Two overlay determined in the local Official Plan in their Zoning By-laws in a way that maintains the Agricultural Area designation where applicable.
- d) For secondary plans in process, the policies of this Plan shall be taken into account in the work program and final product, to the satisfaction of the County.
- e) Where a secondary plan has been approved, those portions that are not yet the site of a draft approved Plan of Subdivision or Plan of Condominium shall be reviewed to determine how the intent of this Plan with respect to the *natural heritage system* can be achieved on the lands affected.
- f) If a draft plan approval is proposed to be extended, the County may review the findings and recommendations made in the studies that supported the initial draft plan approval and request that the studies be updated to determine if changes to the layout of the draft plan and/or any of the conditions need to be made before the extension request is granted.
- g) The County encourages the local municipalities to review older existing draft plan approvals to determine if updates are required.
- h) If a draft plan lapses or is withdrawn, any subsequent application shall conform to this Plan.
- i) Where major modifications to a draft plan are proposed, the revised plan shall be designed to reduce impacts on the *Natural Heritage System*.
- j) Where lands have been approved for a *mineral aggregate operation* pursuant to a license issued under the Aggregate Resources Act are proposed to be expanded then the policies of this Plan fully apply.

## E RESOURCE AREAS AND CONSTRAINT AREAS

### E1 CULTURAL HERITAGE RESOURCES

#### E1.1 TYPES OF CULTURAL HERITAGE RESOURCES

The cultural heritage resources of the County generally include:

- a) Built heritage resources;
- b) Cultural heritage landscapes;
- c) Archaeological resources; and
- d) Marine archaeological resources.

#### E1.2 HERITAGE POLICIES OBJECTIVES

It is the objective of this Plan that the County and local municipalities participate in the conservation of cultural heritage resources by:

- a) Conserving heritage buildings, *cultural heritage landscapes* and *archaeological resources* that are under municipal ownership and/or stewardship;
- b) Conserving and mitigating impacts to all significant cultural heritage resources, when undertaking public works;
- c) Respecting the heritage resources recognized or designated by federal and provincial agencies; and,
- d) Respecting the heritage designations and other heritage conservation efforts by area municipalities.

#### E1.3 DESIGNATION OF INDIVIDUAL PROPERTIES UNDER THE ONTARIO HERITAGE ACT

The County encourages local municipalities to pass by-laws designating properties pursuant to the Ontario Heritage Act. Once a property has been so designated, it is then considered to be a *protected heritage property* as defined by this Plan.

#### E1.4 HERITAGE CONSERVATION DISTRICTS

Where there is a concentration of *significant* cultural heritage resources in a defined area, the County encourages local municipalities to consider the establishment of a Heritage Conservation District to conserve an area's heritage

character. The general principles and process for the administration of a Heritage Conservation District will be outlined in a Heritage Conservation District Plan. Such a Heritage Conservation District Plan will:

- a) Delineate boundaries of the designated area and reasons for the designation;
- b) List cultural heritage resources;
- c) Prescribe policies, conservation and design guidelines, and other pertinent material relating to the sound and prudent management of the district's unique character;
- d) Be adopted by the local Council after consultation with affected property owners and other interested agencies as considered appropriate; and,
- e) Be administered by municipal review of heritage permit applications for changes and alterations to individual buildings and structures within the designated district.

## **E1.5 IMPLEMENTATION**

- a) Significant built heritage resources and significant *cultural heritage landscapes* shall be conserved.
- b) Development and site alteration shall not be permitted on lands containing *archaeological resources* or areas of archaeological potential unless significant *archaeological resources* have been conserved.
- c) The County will require a heritage impact assessment to be conducted by a qualified professional whenever a development has the potential to affect a cultural heritage resource, whether it is located on the same property or on adjacent lands.
- d) A heritage impact assessment should outline the context of the proposal, any potential impacts the proposal may have on the heritage resource, and any mitigative measures required to avoid or lessen negative impact on the heritage resource.
- e) Local municipalities are encouraged to establish Municipal Heritage Committees pursuant to the Ontario Heritage Act.
- f) Local municipalities are encouraged to support the use of Community Improvement Plans under the Planning Act to conserve cultural heritage resources.
- g) Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property

will be conserved.

## E1.6 ARCHAEOLOGICAL RESOURCES

- a) The County recognizes that there are *archaeological resources* of pre-contact and early historic habitation as well as *areas of archaeological potential* within the County that can be adversely affected by any future *development and redevelopment*.
- b) The County and/or local municipalities shall require archaeological assessments and the preservation or excavation of *significant archaeological resources* in accordance with Provincial requirements. Archaeological assessment reports by licensed archaeologists are to be in compliance with guidelines set out by the Ministry of Tourism, Culture, and Sport, as well as licensing requirements referenced under the Ontario Heritage Act.
- c) Any alterations to known archaeological sites shall only be performed by licensed archaeologists, as per Section 48 of the Ontario Heritage Act.
- d) The County views the preservation of archaeological sites in an intact condition as the preferred means for the mitigation of impacts to archaeological sites. Archaeological excavation as a means for the mitigation of impacts will only be considered when it is demonstrated that preservation is not possible.
- e) The County shall ensure an archaeological assessment is prepared by a licensed consultant archaeologist when a known or suspected cemetery or burial site is affected by development. Provisions under both the Ontario Heritage Act and the Burial, Cremation and Funeral Services Act shall apply.
- f) The appropriate First Nations shall be provided notification with regard to the identification of burial sites and *significant archaeological resources* relating to the activities of their ancestors. If the County initiates the preparation of an archaeological master plan, the appropriate First Nations shall be notified and invited to participate in the process.
- g) Local municipalities may conserve the integrity of *archaeological resources* by adopting zoning by-laws under Section 34 of the Planning Act, to prohibit land uses on sites where an identified *significant* archaeological resource or an *area of archaeological potential* exists.
- h) Local municipalities are also encouraged to acquire archaeological sites for their long-term protection as a condition of *development*, or through other means as appropriate.
- i) The County shall consider, in partnership with First Nations and other stakeholders a County Archaeological Resources Management Plan which considers:

- i) The locations of significant or potentially significant archaeological resources, cultural heritage sites, ceremonial sites and sacred sites; and,
  - ii) Protocols for the protection and management of significant or potentially significant archaeological resources, cultural heritage sites, ceremonial sites and sacred sites.
- j) Prior to approval of *development* or *site alteration* on lands containing significant or potentially significant archaeological resources, a plan for the protection and/or management of these resources will be developed, in cooperation with the local municipality and the County in accordance with Provincial legislation and guidelines. If the *archaeological resources* pertain to First Nations heritage, the protection and/or management plan will be developed in consultation with the appropriate First Nations community. In situations where *archaeological resources* are to be preserved on-site, the County in consultation with local municipalities shall consider regulatory tools such as zoning restrictions and heritage easements.

## E1.7 MARINE ARCHAEOLOGICAL RESOURCES

- a) The County recognizes that, within its boundaries, there may be marine archaeological remains from the pre-historic period through the modern era up to the last 50 years.
- b) The approval authority shall, prior to approving a *development* proposal where there is high archaeological potential for marine *archaeological resources*, require a marine archaeological survey to be conducted by a licensed marine archaeologist to the satisfaction of the approval authority and Ministry of Tourism, Culture and Sport, pursuant to the Ontario Heritage Act.
- c) Any marine archaeological resource that is identified must be reported to the Ministry of Tourism, Culture and Sport immediately. The Ministry shall determine whether the resource shall be left in situ or may be removed, through excavation, by licensed marine archaeologists under the direction of the Ministry of Tourism, Culture and Sports.
- d) In considering applications for waterfront *development*, the approval authority shall ensure that cultural heritage resources both on shore and in the water are not adversely affected. The approval authority will require satisfactory measures to mitigate any *negative impacts* on *significant* cultural heritage resources.

## E1.8 MUNICIPAL PUBLIC WORKS

- a) The County shall make every effort to conserve and protect known cultural heritage resources and areas of archaeological potential when undertaking municipal public works, such as roads, bridges and other infrastructure

projects, carried out under the Municipal class environmental assessment (EA) process. The County will require heritage impact assessments and/or archaeological assessments, along with satisfactory measures to mitigate any negative impacts affecting identified cultural heritage resources.

- b) The County encourages local utility companies to place equipment and devices in locations which do not detract from the visual character of cultural heritage resources and do not have a negative impact on the architectural integrity of those resources.

## **E1.9 ACCESSIBILITY AND HERITAGE CONSERVATION**

In attaining its goal for establishing a barrier-free environment to municipally owned property, the County and the local municipalities shall endeavor to provide access solutions in a manner that respects the cultural heritage value or interest of a protected property. The County recognizes that standardized designs may not always suffice and that each heritage property will require unique accessibility plans to ensure that alterations do not adversely affect the heritage attributes.

### **E1.10 TRENT-SEVERN WATERWAY NATIONAL HISTORIC SITE OF CANADA**

- c) The County recognizes the national historic significance of the Trent-Severn Waterway as shown on the schedules to this Plan. In this regard, local plans will appropriately designate the Trent-Severn Waterway.
- d) Local municipalities are encouraged to protect the natural and cultural resources of the shoreline adjacent to the Trent-Severn Waterway by amending their Official Plans to reflect the recommendations of the Trent-Severn Waterway Management Plan for the management of adjacent lands. For development proposals located within the heritage waterway corridor, as defined under the Trent-Severn Waterway Management Plan, consultation with Parks Canada may be required.

### **E1.11 MINERAL EXTRACTION**

A review of the location and significance of cultural heritage resources shall be undertaken when applications to establish a new *mineral aggregate operation* is proposed. Where *significant built heritage resources* and/or *significant cultural heritage landscapes* exist, these shall be *conserved*. If *significant archaeological resources* are present, *development* and *site alteration* shall not be permitted unless these *significant archaeological resources* have been *conserved*.

## **E2 MINERALS AND PETROLEUM RESOURCES**

### **E2.1 OBJECTIVES**

It is the objective of this Plan to:

- a) Protect *mineral mining operations* and *petroleum resource operations* and protect them from activities that would preclude or hinder their continued use or expansion; and,
- b) Protect known *mineral deposits*, known *petroleum resources* and *significant areas of mineral potential* deposits from *development* and activities that would preclude or hinder the establishment of new operations or access to the resources.

## E2.2 LOCATION

- a) *Significant areas of mineral potential* have not been identified in the County. However, the non-identification of these areas does not imply that such areas do not exist.
- b) Petroleum resource areas have not been identified in the County. However, the non-identification of these areas does not imply that such areas do not exist.

## E2.3 PROTECTION OF LONG-TERM RESOURCE SUPPLY

- a) *Mineral mining operations* and *petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.
- b) Known *mineral deposits*, known *petroleum resources* and *significant areas of mineral potential* shall be identified and *development* and activities in these resources or on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
  - i) Resource use would not be feasible; or
  - ii) The proposed land use or *development* serves a greater long-term public interest; and
  - iii) Issues of public health, public safety and environmental impact are addressed.

## E2.4 REHABILITATION

Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

## E3 MINERAL AGGREGATE RESOURCES

### E3.1 OBJECTIVES

It is the objective of this Plan to:

- a) Ensure that as much of the *mineral aggregate resources* as is realistically possible is made available as close to market as possible;
- b) Recognize existing *mineral aggregate operations* and protect them from activities that would preclude or hinder their continued use or expansion;
- c) Protect known *deposits of mineral aggregate resources* for potential future extraction;
- d) Ensure that new *mineral aggregate operations* will not have a negative impact on *significant* natural heritage features and related *ecological functions*;
- e) Ensure that the haul routes used are appropriate;
- f) Ensure that extraction is carried out in a manner that minimizes social, economic and environmental impacts;
- g) Encourage *mineral aggregate resource conservation*, including through the use of accessory aggregate recycling facilities within operations, wherever feasible; and,
- h) Ensure that final and progressive rehabilitation occurs to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate *negative impacts* to the extent possible.

### E3.2 LOCATION

- a) Known *deposits of mineral aggregate resources* are shown on **Schedule B-2** of this Plan as selected sand and gravel resource areas of primary and secondary significance and selected bedrock resource areas. The boundaries of these areas are considered to be approximate.
- b) There is potential for *deposits of mineral aggregate resources* to exist outside of the areas mapped on **Schedule B-2**.
- c) Licensed *mineral aggregate operations* are shown on **Schedule B-2** of this Plan. These licensed *mineral aggregate operations* have been identified for information purposes. The *development of a new mineral aggregate operation* or the expansion of an existing *mineral aggregate operation* is subject to the policies of the local Official Plans and does not require an Amendment to this Plan.

- d) It is the intent of the County to designate licensed mineral aggregate operations through an amendment to this Plan. Prior to the preparation of such an amendment, the County shall prepare a mineral aggregate resources strategy, the purpose of which is to appropriately identify known deposits of mineral aggregate resources, the potential constraints to the extraction of these resources and the establishment of a policy framework and application review process that provides the basis for the consideration of applications to establish a new or expanded mineral aggregate operation.

## **E3.3 PROTECTION OF LONG TERM RESOURCE SUPPLY**

### **E3.3.1 Demonstration of Need**

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.

### **E3.3.2 Mineral Aggregate Operations**

- a) *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. When a license for extraction or operation ceases to exist, Section E5.3.3 continues to apply.
- b) When new *development* requiring a *Planning Act* approval is proposed within 300 metres of a pit (or 150 metres if the floor of the pit is above the water table) or 500 metres of a quarry, the approval authority shall be satisfied that the proposed use is compatible with the current and future operation of the pit or quarry. In some cases, setbacks between the uses may be required to minimize conflicts. In order to determine if a new use is compatible, the *development* proponent will be required to demonstrate that the proposed use shall provide for the necessary mitigation of impacts arising from the existing pit or quarry, including future phases that are under license but are yet to be extracted, to meet applicable Provincial standards, regulations and guidelines.

### **E3.3.3 Deposits of Mineral Aggregate Resources**

In known *deposits of mineral aggregate resources* and on *adjacent lands*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a) Resource use would not be feasible; or
- b) The proposed land use or *development* serves a greater long-term public

interest; and,

- c) Issues of public health, public safety and environmental impact are addressed.

### **E3.4 WAYSIDE PITS AND QUARRIES**

*Wayside pits and quarries, portable asphalt plants and portable concrete plants* for public road works shall be permitted in all areas, except areas where such a use is not permitted in accordance with Provincial regulations and guidelines.

### **E3.5 NEW OR EXPANDING MINERAL AGGREGATE OPERATIONS**

The *development of a new mineral aggregate operations* or the expansion of an existing *mineral aggregate operations* is subject to the policies of the local Official Plan and the policies of this Plan.

#### **E3.5.1 Mineral Aggregate Operations in Prime Agricultural Areas**

In *prime agricultural areas, on prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that the site will be rehabilitated back to an *agricultural condition*. Complete rehabilitation to an *agricultural condition* is not required if:

- a) Outside of a *specialty crop area*, there is a substantial quantity of *mineral aggregate resources* below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
- b) In a *specialty crop area*, there is a substantial quantity of *high quality mineral aggregate resources* below the water table warranting extraction, and the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible;
- c) Other alternatives have been considered by the applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 lands, resources on lands identified as *designated growth areas*, and resources on *prime agricultural lands* where rehabilitation is feasible. Where no other alternatives are found, *prime agricultural lands* shall be protected in this order of priority: *specialty crop areas*, Canada Land Inventory Class 1, 2 and 3 lands; and,
- d) Agricultural rehabilitation in remaining areas is maximized.

#### **E3.5.2 Application Requirements**

Any application for Amendment to the local Official Plan and/or the zoning by-law

shall be supported by studies that are based on predictable, measurable, objective effects on people and the environment. Such studies will be based on Provincial standards, regulations and guidelines, where they exist and will consider and identify methods of addressing the anticipated impacts in the area affected by the *mineral aggregate operation*. All applications shall be supported by information that address:

- a) The impact of the operation of the *mineral aggregate operation* on:
  - i) The natural heritage features and *ecological functions* on the site and in the area;
  - ii) Nearby communities;
  - iii) Agricultural resources and activities;
  - iv) The quality and quantity of groundwater and surface water;
  - v) The cultural heritage resources in the area;
  - vi) The groundwater recharge and discharge functions on the site and in the immediate area;
  - vii) Surface water features in the area; and,
  - viii) Nearby wells used for drinking water purposes.
- b) The effect of the additional truck traffic on the ability of an existing haul route to function as a safe and efficient haul route considering among other matters the following:
  - i) The types of operations proposed;
  - ii) Current road standards and an assessment of the proposed haul route relative to those standards;
  - iii) Anticipated type of truck traffic; and
  - iv) Increases in background traffic levels together with current levels of truck traffic and other traffic;
- c) The suitability of any new haul route. It is a policy of this Plan to encourage the establishment of new *mineral aggregate operations* on established haul routes. If a new haul route is proposed, it shall only be approved if it has been demonstrated that:
  - i) The new haul route is, or can be made, safe and capable of handling the volume of traffic proposed;
  - ii) The selection and design of the proposed haul route has taken into consideration and addressed impacts on existing and permitted *sensitive land uses* along the proposed haul route;
  - iii) The design of the new haul route has taken into consideration the existing road right-of-way characteristics including existing trees and vegetation within the road right-of-way, wood, wire, stump and stone fence lines within or adjacent to the right-of-way or other

historical landscape remnants and where practical has identified means by which such features will be retained in order to minimize the impacts on the character of the area;

- iv) The design of the new haul route has taken into consideration the physical characteristics of the potential route including road classification, load limits, road surfacing and the identification of any physical constraints to heavy truck traffic, such as vertical or horizontal curves, sight lines or shoulders and the means to address any deficiencies;
- v) The design of the haul route has taken into consideration the traffic impacts (both operational and physical) resulting from the truck traffic generated by the proposed operation, including impacts on road structure, traffic flow and safety and the mitigation measures that will be employed to address these impacts;
- d) The impact of the noise, odour, dust and vibration generated by the proposed use on adjacent land uses;
- e) How the impacts from the proposed *mineral aggregate operation* on adjacent uses will be mitigated in order to lessen those impacts; and,
- f) How the site will be progressively rehabilitated to accommodate subsequent land uses after the extraction is completed.

## E4 NATURAL HAZARDS

### E4.1 HAZARDOUS LANDS

- g) *Hazardous lands* are lands that could be unsafe for *development* due to naturally occurring processes. Along the shoreline of Lake Ontario, this means the land, including that covered by water and the furthest landward limit of the *flooding hazard*, *erosion hazard* or *dynamic beach hazard* limits.
- h) Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits.

### E4.2 DEVELOPMENT AND SITE ALTERATION

*Development and site alteration* shall not be permitted within:

- i) The dynamic beach hazard;
- j) Areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard; and,

- k) A *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

### E4.3 ONTARIO REGULATIONS

Certain lands within the County are subject to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourse Regulations* issued by the Province. The Regulation Limit represents a compilation of various information including engineered *floodplain* mapping, estimated *floodplain* mapping and *erosion hazards*. The extent of these regulated areas and features are subject to adjustment as confirmed by site visits and studies. The respective Conservation Authorities should be consulted for details.

*Development* in a regulated area or the straightening, changing, diverting or interfering in any way with the existing channel or a river, creek, stream, watercourse or changing or interfering with a *wetland* shall require permission from the applicable *Conservation Authority*.

### E4.4 KARST TOPOGRAPHY

Karst topography generally forms on limestone and dolostone plains and is marked by sink or karst holes, interspersed with abrupt ridges and irregular protuberant bedrock that is commonly underlain by caverns and solution-enhanced joints and bedding planes that influence the flow of surface and ground waters. Due to the nature of its formation, karst terrains are ephemeral and are controlled by past and present climatic and local weather conditions. Due to its geological nature, karst topography presents a potential hazard to human safety which must be mitigated through development controls and approvals.

Areas shown on **Schedule B-2** to this Plan as being karst topography are considered to be potential development constraint areas. It is recognized that the mapping is approximate and identifies areas of potential environmental constraint to development that must be addressed prior to development occurring. Development shall generally be directed to areas outside of karst topography unless the effects and risk to public safety are minor so as to be managed or mitigated. In areas suspected to have karst topography, an analysis shall be undertaken for any Planning Act or Building Permit application to assess for the presence of karst topography and to mitigate against any potential hazard. The analysis shall be in accordance with the Terms of Reference outlined in Appendix A to this Plan.

### E4.5 WILDLAND FIRES

- a) Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire.
- b) Development may be permitted in lands with hazardous forests types for wildland fire where the risk is mitigated in accordance with wildland fire

assessment and mitigation standards.

## E5 HUMAN-MADE HAZARDS

### E5.1 NEW DEVELOPMENT ON LANDS AFFECTED BY MINE HAZARDS; OIL, GAS AND SALT HAZARDS; OR FORMER MINERAL MINING OPERATIONS, MINERAL AGGREGATE OPERATIONS OR PETROLEUM RESOURCE OPERATIONS

Development on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.

### E5.2 CONTAMINANTS IN LAND OR WATER

Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

### E5.3 DEVELOPMENT ADJACENT TO KNOWN LANDFILL SITES

- a) Known landfill sites are shown on **Schedule B-2** to this Plan.
- b) The *development* of new uses or new or enlarged buildings or structures within an appropriate assessment area may be permitted, provided an assessment is completed to determine:
  - i) Whether the proposed use will be adversely affected by noise, odour, dust or other nuisance factors from the adjacent land use;
  - ii) Potential traffic impacts; and,
  - iii) Whether the proposed use will be adversely affected by ground and surface water contamination.
- c) The *development* of new uses or new or enlarged buildings or structures within an appropriate assessment area of 500 metres from the fill area of an open or closed waste disposal site may be permitted, provided an assessment is completed to determine:
  - i) Whether the proposed use will be adversely affected by noise, odour, dust or other nuisance factors from the *waste disposal site*;
  - ii) Potential traffic impacts;
  - iii) Whether the proposed use will be adversely affected by ground and surface water contamination by leachate migrating from the *waste disposal site*; and,

- iv) The impact of the proposed use on leachate migration from the *waste disposal site*.
- d) The assessment required in sub-sections b) and c) is intended to address these matters and other items outlined in the Province's Guideline D-4, April 1994, or its successor as required to ensure that the proposed land uses are *compatible* in nature and do not adversely impact upon each other.
- e) In order to implement Section E5.3 c) of this Plan, local municipal zoning by-laws shall restrict the *development* of new uses or new or enlarged buildings or structures on lands within the 500 metre assessment area in accordance with this Plan. As an alternative, all lands within the assessment area shall be subject to a Holding provision in the zoning by-law. The lifting of a Holding provision permitting the *development* of any new use or new or enlarged buildings or structures within the assessment area shall not occur until the approval authority is satisfied that all of the studies required have been completed.
- f) In cases where the transfer station is an accessory use, the policies of this section are intended to be modified to the extent necessary to recognize the minimal impact of the accessory use.

## E5.4 CONTAMINATED LANDS

- a) The development or redevelopment of potentially contaminated sites shall be assessed and remediated in a manner consistent with the Environmental Protection Act and relevant regulations, and the relevant Ministry of the Environment and Climate Change (MOECC) guidelines and procedures.
- b) Sites known or suspected to have soils contaminated with residues of current or previous industrial or commercial land uses must have the environmental condition of the site assessed. When managing development on potentially contaminated sites, a Record of Site condition (RSK) either prior to the development approval, at the time of release of conditions of approval, or at the time of issuance of building permits, as required or stipulated by the municipality must be received.
- c) When considering applications for development which include sites suspected or known to be contaminated, the approval authority will require at its discretion that a Phase 1 Environmental Site Assessment be undertaken by the applicant in accordance with Ontario Regulation 153/04. This would require sampling and analysis of the site to confirm and delineate the presence or absence of contamination suspected by the ESA report.
- d) As a condition of approval, the approval authority will require that remediation, where required, is undertaken to appropriate standards of the MOECC, as specified in Ontario Regulation 153/04 and in the guideline Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of

the Environmental Protection Act, or other regulator requirements of the MOECC, as amended from time to time.

- e) Mandatory filing of a Record of Site Condition in the Registry, by a qualified person, as defined in O. Reg. 153/04, as amended, is required for a change in use of a property from industrial or commercial to residential or parkland, as defined in the regulation, and will be acknowledged by the Ministry of the Environment and Climate Change. A site clean-up plan may be required and the site may need to be cleaned-up in accordance with the O. Reg. 153/04, as amended and with MOECC guideline “Records of Site condition – A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site Condition” dated October 2004 or associated guidelines.
- f) A Record of Site Condition may, at the approval authority’s discretion, be a required condition of approval under this Plan. In addition to changes of use prescribed by the Environmental Protection Act as uses for which a Record of Site condition is mandatory (a change of use to a more sensitive land use), the municipality may require a RSC to be filed where the application does not involve a change of use to a more sensitive land use as defined in the Environmental Protection Act.

## **E5.5 DEVELOPMENT ON HAZARDOUS LANDS AND HAZARDOUS SITES**

*Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:

- a) An *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
- b) An *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or
- c) Uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

## **E6 PROMOTING SUSTAINABLE DEVELOPMENT**

It is the intent of the County to continuously require that *development* and *redevelopment* be carried out in a manner that furthers the goals and objectives of this Plan, and particularly those that deal with sustainable *development* and healthy communities. On this basis, the County will apply the policies of this section to *development* and *redevelopment* applications in the County.

In addition to the above, the County in partnership with the local municipalities will also consider developing and implementing a range of appropriate mechanisms and tools to promote and facilitate new *development* and *redevelopment* that addresses the sustainability objectives and policies of this Plan.

## E6.1 HEALTH IMPACT ASSESSMENTS

This Plan recognizes that there is a relationship between land use, *infrastructure* and public health that affects the vitality and resilience of the community. Elements such as built form, community design, road and trail networks, open spaces, the public realm, the *natural heritage system* and *infrastructure* shape citizens' physical and psychological well-being.

To support a health promoting, age-friendly community, the approval authority responsible for plans of subdivision/condominium, Official Plan Amendment or re-zoning may require a Health Impact Assessment in support of *development* applications, which shall address how:

- a) Physical activity and pedestrian mobility is addressed in project designs that are safe and convenient for persons using all modes of travel regardless of age or ability;
- b) The potential health impacts or risks of proposals are mitigated and potential benefits are maximized;
- c) Access to the *natural heritage system*, clean air and clean water is maximized;
- d) Marginalized or *vulnerable* parts of the population may be affected differently in comparison to the broader target population;
- e) Societal and economic risk factors such as income, employment, housing and food security, to name a few, are mitigated; and,
- f) Access to services such as health, transportation and leisure are maximized.

## E6.2 PERFORMANCE CHECKLISTS

- a) Local municipalities are encouraged to consider the adoption of a set of performance measures to guide and monitor *development* in accordance with this Plan and the local Official Plan.
- b) To assist in the implementation of these performance measures, the adoption and use of performance checklists should be considered based on a series of theme areas which may include, but are not limited to, energy use, land use, natural heritage, transportation, built form, air quality, green *infrastructure*, community building, cultural resources, materials and waste, and public spaces.
- c) Such performance checklists are intended to:
  - i) Connect day-to-day decision making with achievement of the Municipality's vision;

- ii) Provide detail on key criteria intended to promote best practice solutions;
  - iii) Challenge stakeholders to provide new and better solutions;
  - iv) Create consistency by ensuring that each development application is assessed using the same evaluation tool;
  - v) Elevate standards through continuous assessment and improvement; and,
  - vi) Present a consistent, transparent and clear assessment of how proposals are evaluated, modified and approved.
- d) Performance checklists may be used when reviewing planning applications, including applications for plan of subdivision, Official Plan and zoning by-law Amendment, and site plan control, to determine how each *development* proposal will assist in achieving the sustainability objectives and policies of this Plan and the policies of the local Official Plan.
- e) To assist in the review of an application, proponents of *development* and *redevelopment* may be required to submit a Sustainability Design Brief that addresses the sustainability objectives and policies of this Plan and the policies of the local Official Plan.
- f) The approval authority may also use performance checklists to prioritize the *development* of certain areas. The intent of prioritizing certain types or locations of *development* is to assist in providing components of community building that will contribute to the goal of creating healthy and complete, sustainable communities. For example, these components could include proposed *development* that provides critical *infrastructure* and densities in intensification areas, servicing *infrastructure* to *employments areas* or district energy to a secondary plan area.

### E6.3 GREEN DEVELOPMENT STANDARDS

Green *development* standards are intended to recognize the importance of and support sustainable site and building design in both the public and private realms. It is a policy of this Plan to:

- a) Encourage the *development* of green *development* standards, in consultation with the *development* industry, to ensure the sustainability goals and policies of this Plan and local Official Plans are addressed through *development* applications;
- b) Encourage all new municipal buildings and projects to meet the minimum standards necessary to satisfy the applicable required elements outlined in the green *development* standards;
- c) Ensure that green *development* standards include, but are not limited to, the following:

- i) Minimum standards for energy efficient building design to achieve reduced energy consumption and demand;
- ii) Minimum standards for water conservation in all buildings, and landscaping and maintenance;
- iii) Green building material requirements to promote durability and reduce the heat island effect;
- iv) Requirements for Dark Sky compliant practices for exterior lighting;
- v) Requirements for waste reduction, reuse and recycling in the construction process;
- vi) Requirements for the application of stormwater management at the site level to maximize infiltration and reduce phosphorus loading; and,
- vii) Recommendations and standards for the installation of on-site renewable energy generation and energy recovery, where practicable.

## **E7 LANDS OWNED BY THE PROVINCIAL AND FEDERAL GOVERNMENTS**

This Plan does not apply to land owned by the Federal or Provincial governments. Certain large areas of Crown Land are shown on **Schedule B-2** for information purposes.

## F GENERAL DEVELOPMENT POLICIES

### F1 SUBDIVISION OF LAND

#### F1.1 PURPOSE OF THIS SECTION OF OFFICIAL PLAN

This section contains policies that are to be considered with every application to develop land in the County through the subdivision, condominium and consent to sever processes. Regard shall also be given to the specific policies dealing with lot creation in each land use designation in addition to other policies in the Plan.

#### F1.2 CONDITIONS OF APPROVAL

The approval authority shall approve only those plans of subdivision, condominium or consent to sever applications, which conform to the provisions of this Plan and the applicable local Official Plan. Under conditions of approval attached to plans of subdivision or condominium pursuant to the Planning Act:

- a) The approval authority shall require that the applicant(s) enter into appropriate agreements with the County and/or local municipality which may be registered against the title of the subject lands and which shall include such matters as services, financial requirements, County road facilities, dedication of land for public uses, exclusive of parks and other requirements to implement the provisions of this Plan; and,
- b) The approval authority may require that the applicant(s) enter into appropriate agreements with local municipalities that shall be registered against the title of the subject lands, and may include such matters as, but not limited to, financial requirements, local roads, drainage, grading and landscaping, sidewalks and dedication of land for public uses and other requirements to implement the provisions of this Plan and the local Official Plan.

#### F1.3 WHEN A PLAN OF SUBDIVISION IS REQUIRED

Lot creation by Plan of Subdivision is generally required if:

- a) The extension of an existing public road or the *development* of a new public road is required to access the proposed lots; or,
- b) The extension of municipal water and/or sewer services is required to service the lands; or,
- c) The area that is proposed to be developed is not considered to be *infilling*; or,
- d) A Plan of Subdivision is required to ensure that the entire land holding or area is developed in an orderly and efficient manner; or,

- e) Unless otherwise specified in the local Official Plan, more than five lots including the retained lands are being created and/or the owner is retaining sufficient lands for the development of additional lots in accordance with the land use designation in the local Official Plan.

## F1.4 SUBDIVISION REVIEW CONSIDERATIONS

Prior to the consideration of an application for Plan of Subdivision, the approval authority shall be satisfied that:

- a) The approval of the *development* is not premature and is in the public interest;
- b) There is *reserve sewage system capacity* and *reserve water system capacity* available in the municipal water and sewage treatment systems, if such services are to be provided;
- c) In areas without full municipal services, the plan can be serviced with an appropriate water supply and means of sewage disposal;
- d) The development will support the achievement of the minimum Greenfield density target for *urban areas* as set out in Section B6 of this Plan;
- e) Stormwater management plans shall be required for any new development consisting of more than four lots or for commercial or industrial developments with large amounts of impervious area. Stormwater management will be undertaken in accordance with MOECC Guideline "Stormwater Management Planning and Design Manual, 2003. The municipality shall require the use of stormwater management facilities downstream of new developments, where appropriate, to mitigate development impacts on stormwater quantity and quality. The municipality shall promote naturalized stormwater management facilities, constructed with gentle slopes. Applications for development shall be required to be supported by a stormwater quality/quantity management study;
- f) The lands will otherwise be appropriately serviced with *infrastructure*, schools, parkland and open space, community facilities and other amenities;
- g) The application, if approved, conforms to this Plan and the lower-tier Official Plan;
- h) The subdivision, when developed, will be appropriately integrated with other *development* in the area; and,
- i) The proposal has regard to Section 51 (24) of the Planning Act, as amended.

Prior to the registration of any Plan of Subdivision, a Subdivision Agreement between the landowner and the local municipality will be required.

## F1.5 NEW LOTS BY CONSENT

The approval of consents to sever land in the County of Northumberland shall be in conformity with the relevant policies contained in this Plan, policies contained in local Official Plans, and the provisions of the Planning Act.

### F1.5.1 General Criteria

Provisional consent may be granted subject to appropriate conditions of approval for the severed and/or retained lot. Prior to issuing provisional consent for a new lot for any purpose, the approval authority shall be satisfied that the lot to be retained and the lot to be severed:

- a) Fronts on and will be directly accessed by a public road that is maintained on a year-round basis unless otherwise permitted in the local Plan;
- b) Does not have direct access to a County Road, unless the County permits a request for access;
- c) Will not cause a traffic hazard;
- d) Has adequate size and frontage for the proposed use in accordance with the local zoning by-law;
- e) Notwithstanding d) above, where a zoning by-law amendment or minor variance is required, approval of such amendment or variance shall be included as a condition of the approval of the consent;
- f) Can be serviced with an appropriate water supply and means of sewage disposal, provided there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services*;
- g) Will not have a *negative impact* on the drainage patterns in the area;
- h) Will not restrict the *development* of the retained lands or other parcels of land, particularly as it relates to the provision of access, if they are designated for *development* by this Plan;
- i) Will not have a *negative impact* on the *significant* features and functions of any natural heritage feature; in this regard, lots should be restricted in size in order to conserve other lands in larger blocks for natural heritage purposes;
- j) Will not have a *negative impact* on the quality and quantity of groundwater available for other uses in the area;
- k) Will not have an adverse effect on natural hazard processes such as flooding and erosion;

- l) Is large enough to support the development of buildings, structures and septic systems that are no less than 30 metres from the high water mark of a lake or cold water stream or as identified in accordance with Policy C5 of this Plan;
- m) Conforms with the local Official Plan; and,
- n) Will conform to Section 51 (24) of the Planning Act, as amended.

### F1.5.2 Boundary Adjustments

- a) A consent may be permitted for the purpose of modifying lot boundaries, provided no new building lot is created.
- b) In reviewing an application for such a boundary adjustment, the approval authority shall be satisfied that the boundary adjustment will not affect the viability of the use of the properties affected as intended by this Plan.
- c) In addition, any boundary adjustment in the Agricultural Area designation must be for *legal or technical reasons* as defined by this Plan.

### F1.5.3 Technical Severances

Consents may be granted for the purpose of creating an easement or right-of-way, where such severance does not result in the creation of a new lot except where the creation of new lots is to correct a situation where two or more lots have merged on title. Such new lots may be permitted anywhere in the County except on lands within the Agricultural Area designation, provided the approval authority is satisfied that:

- a) The merging of the lots was not a requirement of a previous planning approval;
- b) The new lot is generally of the same shape and size as the lot that once existed as a separate conveyable lot;
- c) The new lot can be serviced with an appropriate water supply and means of sewage disposal provided there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity* within *municipal sewage services* and *municipal water services*;
- d) If municipal services are not available, the new lot can be adequately serviced by on-site sewage and water systems;
- e) The new lot fronts on and will be directly accessed by a public road that is maintained year-round by a public authority;
- f) There is no public interest served by maintaining the property as a single conveyable parcel;

- g) The new lot will conform to the access policies of the relevant road authority; and,
- h) The new lot will meet the minimum lot size requirement in the local zoning by-law.

## F2 TRANSPORTATION

### F2.1 OBJECTIVES

It is the objective of this Plan to:

- a) Facilitate the safe and efficient movement of people and goods within the County's communities and to and from adjacent municipalities;
- b) Ensure that County roads continue to be effective corridors for the movement of people and goods in and throughout the County of Northumberland and the Province of Ontario;
- c) Establish an integrated *transportation system* that safely and efficiently accommodates various modes of transportation including trains, automobiles, trucks, air, public transit, cycling and walking;
- d) Develop a transportation system that will encourage unity within the County and will satisfy local municipal transportation demands;
- e) Promote public transit, cycling and walking as energy efficient, *affordable* and accessible forms of travel;
- f) Protect transportation corridors to facilitate the development of a *transportation system* that is *compatible* with and supportive of existing and future land uses;
- g) Ensure that appropriate right-of-way widths for all existing and proposed roads are provided in accordance with the Planning Act;
- h) Ensure that the number of entrances onto the County Road system are kept to a minimum and that only those entrances that comply with standards established by the County of Northumberland and the Ontario Provincial Standards (OPS) are permitted;
- i) Encourage the use of alternative *development* standards for roads, where appropriate;
- j) Encourage the development of a walking and cycling trail system within the open space system that is accessible to the public utilizing trails, paths, streets and other public open spaces;
- k) Encourage the efficient use of land along transportation corridors to

maximize the use of public transit; and,

- l) Support the protection of existing rail lines, promote and protect local rail heritage, and encourage the protection of abandoned railway rights-of-way for public uses such as trails and cycling paths.

## F2.2 ROAD NETWORK

### F2.2.1 Road Classification System

For the purposes of this Plan, all roads in the County are classified as follows:

- a) Provincial Highway;
- b) County Arterial Road;
- c) Arterial Road;
- d) Collector Road; and,
- e) Local Road.

Provincial highways, County Arterial Roads, Arterial Roads and some Local Roads are shown on **Schedule C** to this Plan. Local municipalities may also identify Collector Roads in their Official Plans. The function of all roads except Provincial highways is described on **Table L**.

**TABLE L**  
**Function of Transportation Facilities**

Type of Facility	Function	General Design Guidelines
County Arterial Roads	Connect <i>urban areas</i> and rural <i>settlement areas</i> and Highway 401	Right-of-way width up to 36.5 m - Private driveways discouraged - 2 to 4 travel lanes
Arterial Roads	Provide for travel through <i>urban areas</i> to County Arterial Roads and Highway 401	- Subject to policies of local Official Plan
Collector Roads/Local Roads	Connect <i>urban areas</i> and rural <i>settlement areas</i> to County Arterial and Arterial roads	- Subject to policies of local Official Plan

### F2.2.2 Right-of-Way Widths and Road Widening

- a) The right-of-way width for any public road may allow for the placement of

travel lanes, turning lanes, utilities, *infrastructure*, high occupancy vehicle lanes, sidewalks, paths, bicycle lanes, medians, streetscaping and landscaped boulevards, where appropriate.

- b) The County may, without the need for an amendment to the Official Plan, require the dedication of lands to be used for daylight triangles, to provide sufficient sight distances and turning lanes to provide safe and appropriate access where major traffic generators intersect.
- c) Where additional land is required for intersection improvements, such land shall be dedicated wherever possible, in the course of approving plans of subdivision or condominium, consents or site plan agreements, without amendment to this Plan.
- d) As a condition of a *development* approval, land for road widenings shall be conveyed at no expense to the County or the local municipality in accordance with the provisions of the Planning Act. As a general principle, required road widenings will be taken equally from both sides of the right-of-way. Unequal road widenings may be considered where:
  - i) The area is the site of a topographic feature which is difficult to overcome or costly to develop for road purposes; and/or,
  - ii) The location of an identified cultural heritage resource limits design options; and/or,
  - iii) The presence of a *significant* natural heritage feature limits design options; and/or,
  - iv) The location of mature trees contributes to the character of an area.
- e) Notwithstanding the policies set out in this Plan, the County recognizes that the reconstruction of roads to approved minimum standards in some existing developed areas may not be appropriate from a right-of-way acquisition or community design perspective, or economically or physically feasible. Any attempt to reconstruct such roads to minimize deficiencies shall only be undertaken after a study to determine a right-of-way which will result in a streetscape which minimizes impacts on abutting properties and is appropriate to the character of the area, while serving anticipated traffic volumes. No amendment to the Plan shall be required to implement such a modification to the right-of-way

### F2.2.3 County Road Design Standards

- a) The County of Northumberland Public Works Department is responsible for County Roads located in the County. New *development* that requires access to or fronts on a County Road must satisfy all requirements of the Public Works and Planning Departments.
- b) *Development* adjacent to or impacting on County Roads is subject to the County Roads Policies and entrance standards. In addition, setbacks from County Roads, unless stated elsewhere in a County By-law passed under

the Municipal Act, will be in accordance with the Ministry of Transportation Corridor Control and Permit Procedures Manual.

- c) No *development* or *redevelopment* of lands shall be approved in close proximity to a County Road that is scheduled for improvement until this improvement has been sufficiently designed to determine the land required for such improvement.

#### F2.2.4 Pedestrian and Cycling Routes and Facilities

- a) The County cycling network is shown on **Schedule C** to this Plan. Local municipalities in conjunction with the County are encouraged to develop interconnected systems of cycling and walking routes providing access to major activity and *employment areas* and to future public transit.
- b) In order to plan for and encourage walking and cycling, local municipalities are encouraged to:
  - i) Consider the provision of safe and convenient cycling and walking routes in the review of all *development* applications;
  - ii) Provide for public access to shoreline areas such as Lake Ontario, Rice Lake and the Trent River;
  - iii) Require the provision of sidewalks in *urban areas* and *rural settlement areas*, where appropriate;
  - iv) Investigate and provide for bicycle lanes wherever possible in the construction or reconstruction of roads and bridges;
  - v) Encourage connections along the shoreline of Lake Ontario and between *urban area*;
  - vi) Encourage and support measures which will provide for barrier-free design of pedestrian facilities;
  - vii) Ensure that lands for bicycle/pedestrian paths are included with the land requirements for roads;
  - viii) Ensure that the rights and privacy of adjacent property owners are factored into the design process for pedestrian and cycling routes; and,
  - ix) Ensure that all pedestrian and cycling routes are designed to be safe.
- c) The Trans Canada Trail and the Waterfront Trail are also shown on Schedule C to this Plan. The County recognizes that the establishment of trail systems, in addition to conservation lands, parkland and other open space areas greatly enhance the quality of life for residents of the County. On this basis, the County supports and encourages the:
  - i) The establishment of trails that are aesthetically pleasing, multi-purpose, multi-season and which appeal to all ages and skill levels;

- ii) The formation of partnerships with the public, non-profit and/or private sectors in the provision and operation of trails, where a benefit to a community can be achieved; and,
- iii) The acquisition of lands that can be used for County-wide and local trails systems wherever possible.

### F2.2.5 Private Roads

The development of new private roads or the extension of existing private roads to provide access to a lot that is created pursuant to Section 53 of the Planning Act after the effective date of this Plan is not permitted. The creation of new lots on a private road that existed on the effective date of this Plan is subject to the policies of the local Official Plan. Notwithstanding the above, the creation of private roads in a Plan of Condominium is permitted.

### F2.2.6 Provincial Highways

- a) In addition to all the applicable municipal requirements, all proposed *development* located adjacent to and in the vicinity of a provincial highway within MTO's permit control area under the Public Transportation and Highway Improvement Act (PTHIA) will be subject to MTO approval.
- b) Early consultation with MTO is encouraged to ensure the integration of municipal planning initiatives with provincial transportation planning.
- c) Any new areas in the municipality identified for future development that are located to or in the vicinity of a provincial highway or interchange/intersection within the MTO permit control area will be subject to MTO's policies, standards and requirements. Direct access will be prohibited.
- d) For access connections along municipal crossroads in the vicinity of a provincial highway intersection or interchange ramp terminal, any proposed municipal road must meet MTO's access management practices and principles. MTO approval will be required in these instances.

### F2.2.7 Rail Network

The following policies apply to the rail network in the County:

- a) The County shall work with the Railway Corporations, Federal, Provincial and local governments to establish grade separated railway crossings on major roads wherever possible. Improvements to existing at-grade crossings shall also be encouraged to improve safety.
- b) Industrial uses that are adjacent to existing rail lines will be encouraged to use rail transport for the distribution of goods in order to reduce the burden on the existing highway system and to better utilize existing *infrastructure*. In addition, aggregate extraction operators will be encouraged to utilize rail wherever possible to transport aggregate to market and thereby minimize

the impact to truck travel on residents, businesses and the natural environment.

- c) All proposed *development* adjacent to or in proximity to railway corridors shall be based on the implementation of the recommendations of the required noise and vibration studies as set out in Section F2.4 of this Plan. This shall include the provision of appropriate safety measures such as setbacks, berms and security fencing, mitigating measures, and notices on title to the satisfaction of the approval authority in consultation with the appropriate rail authority.
- d) The County and the local municipalities shall work with the appropriate agencies to develop appropriate strategies to deal with the movement of dangerous goods through the County.

### F2.2.8 Development in Planned Corridors

Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified. New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

## F2.3 NOISE AND VIBRATION

- a) It is a policy of this Plan to minimize any adverse noise and vibration impacts from highways, arterial roads and railways on *sensitive land uses*. To this end, a Noise Impact Study in accordance with Ministry of Environment guidelines shall be undertaken for proposed *development* involving *sensitive land uses* that are adjacent to or in proximity to a highway, arterial road, industrial uses or other stationary point sources of noise to the satisfaction of the approval authority.
- b) The approval of *development* applications shall be based on the implementations of the required study, such as the restriction of new residential and other *sensitive land uses* and the provision of appropriate safety and mitigating measures and notices on title.
- c) A Noise Impact Study shall be required where proposed *development* involving *sensitive land uses* is within 300 metres of a railway right-of-way or 1,000 metres of a railway yard.
- d) A Vibration Study shall be required where proposed *development* involving *sensitive land uses* is within 75 metres of a railway right-of-way.
- e) Noise and vibration studies shall be prepared to the satisfaction of the approval authority in consultation with the appropriate railway agency. The approval of *development* applications shall be based on the implementation

of the recommendations of the required studies, such as the restriction of new residential and other *sensitive land uses* and the provision of appropriate safety measures, such as setbacks, berms and security fencing, mitigating measures, and notices on title.

## F2.4 LAND USE COMPATIBILITY

- a) *Major facilities* and *sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.
- b) Where avoidance is not possible in accordance with sub-section a), planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other *major facilities* that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent *sensitive land uses* is only permitted if potential *adverse effects* to the proposed *sensitive land use* are minimized and mitigated, and potential impacts to industrial, manufacturing or other *major facilities* are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

## F2.5 ENERGY SUPPLY

- a) Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, to accommodate current and projected needs.
- b) Planning authorities should promote renewable energy systems and alternative energy systems, where feasible, in accordance with provincial and federal requirements.
- c) Secondary uses, such as active and passive recreation, agriculture, community gardens, other utilities and uses such as parking lots and outdoor storage that are accessory to adjacent lands uses, are encouraged on hydro corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of the primacy of the electricity transmission and distribution facilities and that secondary uses require technical approval from Hydro One Networks Inc.

## G IMPLEMENTATION AND ADMINISTRATION

### G1 INTRODUCTION

The implementation section contains policies pertaining to the administration and implementation of the Official Plan. The Planning Act contains a number of tools that are intended to be used by municipalities to administer and implement an Official Plan. This section of the Plan contains the policies that set out how these tools are to be utilized by the County to meet the goals and objectives of this Plan.

### G2 OFFICIAL PLAN ADMINISTRATION

- a) It is the intent of this Plan to serve as the basis for managing change in the County until 2051.
- b) Any Amendment to this Plan shall conform to the overall intent of the Official Plan as set out in the community vision, principles and policies of this Plan.
- c) The Plan may be altered to correct errors in the text or schedules without an Amendment to this Plan provided the alterations do not change the effect of the policies of the Plan.
- d) Any changes to road alignments do not require an Amendment to the Plan.
- e) Any changes to the County Road network do not require an Amendment to this Plan.
- f) County Council, following the adoption of this Plan, shall determine the need to revise the Official Plan in whole or in part in consultation with prescribed public bodies and hold a special meeting of *Council* that is open to the public, at intervals of not more than every five years. In considering the need for revisions, the County shall also consider Section 26 of the Planning Act that requires that Official Plans to be revised as necessary to ensure that it:
  - i) Conforms with *provincial plans* or does not conflict with them, as the case may be;
  - ii) Has regard to the matters of provincial interest listed in section 2 of the Planning Act;
  - iii) Is consistent with policy statements issued under subsection 3 (1) of the Planning Act.

### G3 LOCAL OFFICIAL PLAN CONFORMITY WITH COUNTY PLAN

- a) It is the intent of the County, and a requirement of the Planning Act, that local Official Plans shall conform to the County Plan and be one of the primary means of implementing the policies herein.
- b) It is recognized, however, that some time may elapse between the adoption of this Plan and the modification of the local Official Plans to ensure conformity. The modifications may be part of the statutory review process, as defined under the Planning Act.
- c) In the event of a conflict between the provisions of a local Official Plan and the provisions of this Plan in the interim period, the provisions of this Plan shall prevail to the extent of that conflict.
- d) Nothing in this Plan shall prevent the local municipalities from adopting more restrictive policies or standards than those outlined in this Plan, provided such policies are consistent with the general intent of this Plan.

### G4 LOCAL ZONING BY-LAWS

- a) When this Plan or any part thereof takes effect, every local zoning by-law shall be amended by the local municipalities to conform with this Plan pursuant to Section 27(1) of the Planning Act. The Amendments to the zoning by-laws should occur after the local Official Plan has been amended to conform to this Plan.
- b) Notwithstanding the above, this Plan is not intended to prevent the continuation, expansion, or enlargement of uses that do not conform to the designations and provisions of this Plan.
- c) At their sole discretion, Councils of the local municipalities may zone to permit the continuation, expansion or enlargement of legally existing uses, or variations to similar uses, provided that such uses:
  - i) Have no adverse effect on present uses of surrounding lands or the implementation of the provisions of this Plan;
  - ii) Have regard for the MDS Formula as amended from time to time, if applicable; and,
  - iii) Are subject to any conditions that may be contained in a local Official Plan.

### G5 SITE PLAN CONTROL

The use of site plan control is encouraged in local municipalities to implement the policies and provisions of this Plan and the local Official Plans, and to coordinate and *enhance* the physical *development* of the local municipality.

## G6 COMMUNITY IMPROVEMENT PLANS

The goal of any Community Improvement Area shall be to foster and co-ordinate the physical improvements and maintenance of older or dilapidated areas of a community for environmental, social or community economic reasons.

### G6.1 OBJECTIVES

Community Improvement Areas should be intended to achieve one or more of the following objectives, such as:

- a) Encouraging the efficient provision and maintenance of physical infrastructure, public services and utilities to serve present and future needs on a local and regional scale;
- b) Addressing issues that may be particular to one neighbourhood;
- c) Ensuring the maintenance and renewal of older housing stock;
- d) Fostering redevelopment, reuse and/or maintenance of existing *brownfield sites* and/or current industrial sites;
- e) Enhancing retail and downtown commercial areas within the municipalities;
- f) Encourage the preservation and adaptive re-use of built heritage;
- g) Promoting energy efficiency and sound environmental design;
- h) Fostering economic growth within designated areas;
- i) Promoting *intensification* in targeted areas;
- j) Enhancing the visual characteristics of neighbourhoods; and/or,
- k) Encouraging local participation in funding programs.

### G6.2 IMPLEMENTATION

- a) Local municipal councils, under the Planning Act may choose to designate Community Improvement Areas. Identifying a Community Improvement Area shall be carried out through a by-law designating the whole, or any part of the local municipality as a Community Improvement Area. Background studies shall first be completed and made available to the public outlining the need for the Community Improvement Area.
- b) Community Improvement Plans at the local municipal level shall be submitted to the Ministry of Municipal Affairs and Housing for review and comment.

- c) County *Council* may make grants or loans to the council of a local municipality for the purpose of carrying out a Community Improvement Plan that has come into effect, on such terms as to security and otherwise as the Council considers appropriate.
- d) The county may also prepare a Community Improvement Plan for projects involving County infrastructure.

## G7 PHASING OF DEVELOPMENT

- a) It is the intent of this Plan to encourage the timely provision of *infrastructure* as urban *development* occurs. On this basis, the identification of *infrastructure* upgrades and service delivery requirements should be carried out as early in the planning process for new urban expansion areas. This long range planning should take the full build out of the urban expansion area into account and attempt to rationalize how long it will take for the area to be developed. External factors should also be considered, most notably the capacity of arterial roads located within, adjacent to and in the vicinity of the urban expansion area. In addition, population and employment forecasts should also be considered.
- b) It is not the intent of this policy to require the establishment of a rigid set of criteria to be included within a Secondary Plan. Rather, it is to provide a general understanding of how and when *infrastructure* is to be upgraded and when service delivery is to be enhanced. Given that it is at times difficult to anticipate the timing of private *development*, flexibility is required to respond to changing circumstances in a manner that does not affect the basic intent of the overall phasing plan for the urban expansion area and the financial plans and studies that support the phasing plan.

## G8 PUBLIC PARTICIPATION AND CONSULTATION

- a) It is a policy of this Plan that public participation be an integral component of any land use planning process. On this basis, before making any planning decision, the approval authority shall be satisfied that:
  - i) Adequate public notice in accordance with the Planning Act has been given;
  - ii) Enough information to enable a person to reasonably understand the nature of the proposal and its impacts is available prior to any public meeting;
  - iii) All public and agency comments have been assessed and analyzed by staff; and,
  - iv) Their decision will appropriately balance the overall public interest against the private interest expressed in the application.
- b) Proponents shall be encouraged to pre-consult with neighbouring landowners to obtain their views before a formal application is submitted.

- c) The County will consult with First Nations on applications that will have the potential to affect on aboriginal treaty rights and aboriginal interests.

## **G9 COMPLETE APPLICATIONS**

### **G9.1 OVERVIEW**

- a) To ensure that the approval authority can make an informed decision on any Planning Act applications and in order to ensure that the public understands the implications of the application, technical studies are required.
- b) The Planning Act permits municipalities to set out what their requirements are in the form of technical studies and plans to support an application to amend the Official Plan and approve a Plan of Subdivision or Plan of Condominium. Once this required information has been submitted, the application is then deemed to be “complete” in accordance with the Planning Act, with this date being the date on which the processing time frame in the Planning Act begins. In addition, applicants cannot appeal a non-decision on their application once the application is complete until the processing time frames set out in the Planning Act have elapsed.
- c) This section of the Official Plan is specifically intended to implement Sections 22(5), and 51(18) of the Planning Act. These Planning Act sections provide the basis for the inclusion of policies on complete applications in Official Plans. This section also implements Sections 22(3.1), and 51(16.1) of the Planning Act.

These latter sections set out the procedures to be followed when applicants consult with the County before submitting an application specified in this section of the Official Plan.

### **G9.2 MINIMUM SUBMISSIONS REQUIREMENTS**

The following are the minimum submissions requirements for County Official Plan Amendment and Plan of Subdivision/Condominium applications:

- a) The minimum submission requirements for an Official Plan Amendment in accordance with Section 22(4) of the Planning Act are articulated in Schedule 1 of Ontario Regulation 543/06; and,
- b) The minimum submission requirements for a Plan of Subdivision application as set out in Section 51(17) of the Planning Act are articulated in Schedule 1 of Ontario Regulation 544/06.

### **G9.3 SUPPLEMENTAL SUBMISSION REQUIREMENTS**

- a) This section lists the studies, plans or items required to support an application for Official Plan Amendment and Plan of

Subdivision/Condominium. The determination of which studies, plans or items are required shall be made at the pre-consultation phase, as set out in Section G9.4 of this Plan. Regard should also be had to Section G9.5 of this Plan, which provides some flexibility to the approval authority in the consideration of the types of studies, plans or items required to support an application.

- b) The following may be required to support a complete application for a County Official Plan Amendment:
- i) Land Use Planning Report, which includes a review of the proposed density of development;
  - ii) Market Impact Study;
  - iii) Urban Design Report;
  - iv) Agricultural Impact Assessment;
  - v) Environmental Impact Study/Natural Heritage Evaluation;
  - vi) Environmental Site Assessment;
  - vii) Master Servicing Plan;
  - viii) Stormwater Management Report;
  - ix) Site Evaluation Report;
  - x) Servicing Study;
  - xi) Noise/Vibration Study;
  - xii) Hydrogeological Assessment;
  - xiii) Traffic Impact Assessment;
  - xiv) Archaeological Assessment;
  - xv) Cultural Heritage Impact Assessment;
  - xvi) Land Use Compatibility Assessment;
  - xvii) Sub Watershed Study;
  - xviii) Financial Impact Assessment;
  - xix) Local Comprehensive Review;
  - xx) Water Resource Management Report;
  - xxi) Geotechnical Study; and,
  - xxii) Any other studies required by the approval authority that are not reflected in the above list.
- c) The following may be required by the approval authority to support a complete application for Plan of Subdivision/Condominium:
- i) Land Use Planning Report, which includes a review of the proposed density of development;

- ii) Urban Design Plan;
- iii) Agricultural Impact Assessment;
- iv) Environmental Impact Study/Natural Heritage Evaluation;
- v) Stormwater Management Report;
- vi) Site Evaluation Report;
- vii) Servicing Study;
- viii) Traffic Impact Assessment;
- ix) Hydrogeological Assessment;
- x) Archaeological Assessment;
- xi) Cultural Heritage Impact Assessment;
- xii) Environmental Site Assessment;
- xiii) Land Use Compatibility Assessment;
- xiv) Tree Preservation Study;
- xv) Water Resource Management Report;
- xvi) Geotechnical Study; and,
- xvii) Any of the studies required by the approval authority that are not reflected in the above list.

## **G9.4 PRE-CONSULTATION**

- a) Prior to the submission of an application for County Official Plan Amendment, or Plan of Subdivision/Condominium, applicants are required to meet with the approval authority and relevant agencies to determine what studies, plans and items are required to support an application in accordance with this Section of the Official Plan.
- b) The details of the pre-consultation process are spelled out in a by-law passed pursuant to Sections 22(3.1), and 51(16.1) of the Planning Act. The intent of the pre-consultation process is to determine the scale and scope of any required study, plan or item with this scale and scope being dependent on the size of the proposal, its relationship to adjacent land uses and the type(s) of planning approval(s) required.

## **G9.5 FLEXIBILITY**

While it is the intent of this Plan to require the studies, plans and items listed above in support of the applications listed above, this section should not be interpreted as being all-inclusive. On this basis, the specific requirements for a particular application may be modified depending on the scale of the proposal, its location, its location in relation to other land uses and whether the proposal implements other planning approvals that may have been obtained prior to the consideration of the specific application.

## G9.6 QUALITY OF SUPPORTING STUDIES, PLANS OR ITEMS

All studies required by the approval authority in accordance with this section shall be carried out by qualified professionals retained by and at the expense of the proponent. The approval authority may require peer reviews of the studies by an appropriate public agency or by a professional consultant retained by the approval authority at the proponent's expense. Alternatively, studies may be carried out by a qualified professional retained by the approval authority at the expense of the proponent.

## G10 MONITORING

- a) The purpose of monitoring is to evaluate the effectiveness and relevance of the Plan in meeting the vision, principles and policies of this Plan. Monitoring involves recording and appraising the significance of events, trends and decisions in relation to the policies of the Official Plan.
- b) As required, the County may also prepare quarterly and annual briefings or status reports. To assist with monitoring and plan review, the County in cooperation with local municipalities will maintain an information system to allow for appropriate analysis of the changes in the social, economic, environmental and technological conditions in the County.

## G11 DEVELOPMENT CHARGES

The County may pass a *Development Charges By-law* in accordance with the *Development Charges Act*.

## G12 INTERPRETATION

### G12.1 GENERAL

This Plan is a statement of policy. It is intended as a guide to *Council*, however, some flexibility in interpretation may be permitted provided that the general intent is maintained.

In accordance with the Planning Act, in the event of a conflict between the County Official Plan and the Official Plan of a local municipality, the County Plan prevails to the extent of the conflict.

### G12.2 INTERPRETATION OF LAND USE DESIGNATION BOUNDARIES

- a) The boundaries of the *urban areas* and *rural settlement areas* identified on **Schedule A-1** of this Plan are representative of the boundaries as delineated in the local Official Plans and are considered to be firm boundaries.

- b) It is recognized that the boundaries of the Natural Heritage Area One designation and the Natural Heritage Area Two overlay on **Schedule A-2** may be imprecise and subject to change. An amendment to this Plan will not be required if changes to the boundaries of the Natural Heritage Area One designation and the Natural Heritage Area Two overlay are proposed based on new information and are deemed to be appropriate by the approval authority. Changes to the boundaries of *Areas of Natural and Scientific Interest* requires the approval of the Provincial ministry with jurisdiction. Changes to the boundaries of *natural heritage features and areas* and individual supporting features and areas shown on **Schedule B-1** do not require an Amendment to this Plan.
- c) The boundaries of the Agricultural Area designation identified on **Schedule A-2** of this Plan are representative of the boundaries as delineated in the local Official Plans and are considered to be firm boundaries.
- d) The boundaries of the Agricultural Area designation identified on **Schedule A-2** of this Plan can only be changed at the time of a County or local *municipal comprehensive review*, if the change in the boundary is required in conjunction with an expansion to an *urban area* or *rural settlement area*.

### G12.3 LEGISLATION

Where this Plan makes reference to a Provincial Act, an Ontario Regulation, the *minimum distance separation formulae*, the Provincial Policy Statement or a *Provincial plan*, such reference shall include any subsequent amendments or replacements.

### G12.4 ACCESSORY USES

Whenever a use is permitted in a land use designation, it is intended that uses, buildings or structures normally incidental, and accessory to that use are also permitted.

### G12.5 PERMITTED USES

Local municipal Official Plans are not required to permit all of the uses permitted by the Official Plan, unless doing so would conflict with a policy in the Provincial Planning Statement.

### G12.6 MINIMUM STANDARDS

The policies of this Plan represent minimum standards. This Plan does not prevent local municipalities from going beyond the minimum standards established by the Plan in a local Official Plan unless doing so would conflict with a policy in the Plan.

### G12.7 DEFINITIONS

A number of terms in this Plan are defined if they are shown in *italics*. This section

contains the definitions for these terms.

**Active transportation:** means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

**Additional needs housing:** means any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living.

Examples of *additional needs housing* may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons.

**Adjacent lands:** means

- a) For the purposes of Section F2.2.8 of this Plan, those lands contiguous to existing or planned corridors and transportation facilities where development would have a negative impact on the corridor or facility. The extent of the adjacent lands may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives;
- b) For the purposes of Section D6 of this Plan, those lands contiguous to a specific natural heritage feature or area where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives;
- c) For the purposes of Sections E5.3.3 and E4.3 b) of this Plan, those lands contiguous to lands on the surface of known petroleum resources, mineral deposits, or deposits of mineral aggregate resources where it is likely that development would constrain future access to the resources. The extent of the adjacent lands may be recommended by the Province; and
- d) For the purposes of Section E3.5 g) of this Plan, those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan.

**Adverse effects:** as defined in the *Environmental Protection Act*, means one or more of:

- a) Impairment of the quality of the natural environment for any use that can be made of it;
- b) Injury or damage to property or plant or animal life;
- c) Harm or material discomfort to any person;

- d) An adverse effect on the health of any person;
- e) Impairment of the safety of any person;
- f) Rendering any property or plant or animal life unfit for human use;
- g) Loss of enjoyment of normal use of property; and
- h) Interference with normal conduct of business.

**Affordable:** means

- a) In the case of ownership housing, the least expensive of:
  1. Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
  2. Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the municipality;
- b) In the case of rental housing, the least expensive of:
  1. A unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
  2. A unit for which the rent is at or below the average market rent of a unit in the municipality.

**Agricultural condition:** means

- a) In regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained or restored; and
- b) In regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored.

**Agricultural uses:** means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.

**Agri-tourism uses:** means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

**Agriculture-related uses:** means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

**Airports:** means all Ontario airports, including designated lands for future airports, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping.

**Alternative energy system:** means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

**Alvars:** Means naturally open areas of thin or no soil over essentially flat limestone, dolostone, or marble rock, supporting a sparse vegetation cover of mostly shrubs and herbs.

**Archaeological resources:** includes artifacts, archaeological sites, marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.

**Areas of archaeological potential:** means areas with the likelihood to contain *archaeological resources*. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives may also be used. The *Ontario Heritage Act* requires archaeological potential to be confirmed through archaeological fieldwork.

**Areas of mineral potential:** means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

**Areas of natural and scientific interest (ANSI):** means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

**Brownfield sites:** means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

**Built heritage resource:** means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers.

Coastal wetland: means

- a) Any *wetland* that is located on one of the Great Lakes or their connecting

channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or

- b) Any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

**Compact built form:** means a land use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace, and institutional) all within one neighbourhood, proximity to transit and reduced need for *infrastructure*.

*Compact built form* can include detached and semi-detached houses on small lots as well as townhouses, duplexes, triplexes and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and *active transportation*, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads.

**Complete Communities:** means places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, *public service facilities*, local stores and services. *Complete communities* are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations.

**Comprehensive rehabilitation:** means rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations*.

**Conserved:** means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

**Cultural heritage landscape:** means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds,

natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

**Cultural and regenerating woodland:** Means *woodlands* where the *ecological functions* of the site are substantially compromised as a result of prior land use activity and would be difficult to restore and/or manage as a native woodland and which provide limited *ecological function* and ecosystem services. A *woodland* or portion thereof is considered a *cultural and regenerating woodland* if all of the following are met:

- c) The removal of a portion of *woodland* will not result in a *negative impact* to the *ecological functions* of the remaining portion;
- d) There are no other important *ecological functions* that the *woodland* provides (e.g., critical function zone for *wetlands*, etc.);
- e) The woodland or part therefore is not identified as another component of the Natural Heritage System (e.g., significant wildlife habitat, linkage, enhancement area, buffer);
- f) The canopy is dominated by invasive, non-native species including, but not limited to: Norway Maple, Manitoba Maple, Siberian Elm, Scots Pine, European Buckthorn, White Mulberry, Tree-of-heaven, Apple, Black Locust and White Poplar, or any combination thereof;
- g) The area was not treed approximately 20 to 30 years ago as determined through air photo interpretation or other suitable techniques;
- h) The soil is deemed to preclude the development of a native *woodland*; for example: soil that is not native woodland soil or is degraded, soil that is compacted, the top soil has been removed, soil displaying substantial erosion from over-use and/or the woodland is regenerating on fill or spoil that was introduced to the site; and
- i) The *woodland* provides limited social values (e.g., does not contain sanctioned trails, nor currently provides organized research or educational opportunities).

**Defined portions of the flooding hazard along connecting channels:** means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

**Deposits of mineral aggregate resources:** means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that

has a sufficient quantity and quality to warrant present or future extraction.

**Designated and available:** means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

**Designated growth areas:** means lands within *settlement areas* designated for growth or lands added to *settlement areas* that have not yet been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with Section B10 a) as well as lands required for employment and other uses.

**Development:** means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- a) Activities that create or maintain *infrastructure* authorized under an environmental assessment process; or
- b) Works subject to the *Drainage Act*.

**Dynamic beach hazard:** means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

**Ecological function:** means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

**Employment Area:** means those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An *employment area* also includes areas of land described by subsection 1(1.1) of the *Planning Act*. Uses that are excluded from *employment areas* are institutional and commercial, including retail and office not associated with the primary employment use listed above.

**Endangered species:** means a species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources' official Species at Risk list, as updated and amended from time to time.

**Erosion hazard:** means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of

recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

**Essential emergency service:** means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

**Fish:** means fish, which as defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

**Fish habitat:** as defined in the *Fisheries Act*, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly in order to carry out their life processes.

**Flood fringe:** for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the *floodway*.

**Flood plain:** for *river, stream and small inland lake systems*, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*.

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

- a) Along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- b) Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
  1. The flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
  2. The *one hundred year flood*; and
  3. A flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

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

**Floodproofing standard:** means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards, wave uprush and other water-related hazards* along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, and *flooding hazards* along *river, stream and small inland lake systems*.

**Floodway:** for *river, stream and small inland lake systems*, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the *floodway* is the entire contiguous *flood plain*.

Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *flood plain* is called the *flood fringe*.

**Freight-supportive:** in regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

**Ground water feature:** means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

**Habitat of endangered species and threatened species:** means habitat within the meaning of Section 2 of the *Endangered Species Act, 2007*.

**Hazardous lands:** means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard or erosion hazard* limits.

**Hazardous sites:** means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst

topography).

**Hazardous substances:** means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

**Heritage attributes:** means the principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*).

**High quality:** means primary and secondary sand and gravel resources and bedrock resources as defined in the Aggregate Resource Inventory Papers (ARIP).

**Housing options:** means a range of housing types such as, but not limited to single-detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses, multi-residential buildings, including low- and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, *additional needs housing*, multi-generational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or *institutional uses*, such as long-term care homes.

**Hydrologic function:** 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.

**Individual on-site sewage services:** means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located.

**Individual on-site water services:** means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

**Infrastructure:** means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, *waste management systems*, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications including broadband, transit and transportation corridors and facilities, *active transportation* systems, oil and gas pipelines and associated facilities.

**Institutional use:** for the purposes of Section E7.5 of this Plan, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

**Intensification:** means the development of a property, site or area at a higher density than currently exists through:

- a) Redevelopment, including the reuse of brownfield sites and underutilized shopping malls and plazas;
- b) The development of vacant and/or underutilized lots within previously developed areas;
- c) Infill development; and
- d) The expansion or conversion of existing buildings.

**Intermittent streams:** means stream-related watercourses that contain water or are dry at times of the year that are more or less predictable, generally flowing during wet seasons of the year but not the entire year, and where the water table is above the stream bottom during parts of the year.

**Large inland lakes:** means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

**Legal or technical reasons:** means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

**Low and moderate income households:** means a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the municipality; or b) in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the municipality.

**Major facilities:** means facilities which may require separation from *sensitive land uses*, including but not limited to airports, manufacturing uses, transportation *infrastructure* and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

**Major goods movement facilities and corridors:** means transportation facilities, corridors and networks associated with the inter- and intra- provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors used for the movement of goods and those identified in provincial transportation plans. Approaches that are *freight-supportive* may be recommended

in provincial guidance or based on municipal approaches that achieve the same objectives.

**Major transit station area:** means the area including and around any existing or planned *higher order transit* station or stop within a *settlement area*; or the area including and around a major bus depot in an urban core. *Major transit station areas* generally are defined as the area within an approximate 500 to 800-metre radius of a transit station.

**Major trip generators:** means origins and destinations with high population densities or concentrated activities which generate many trips (e.g., *strategic growth areas*, major office and office parks, major retail, *employment areas*, community hubs, large parks and recreational destinations, *public service facilities*, and other mixed-use areas).

**Marine facilities:** means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

**Mine hazard:** means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

**Minerals:** means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral aggregate operation: means

- a) Lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*; and,
- b) Associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

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

Mineral aggregate resource conservation: means

- a) The recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) The wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

**Mineral deposits:** means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

**Mineral mining operation:** means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

**Minimum distance separation formulae:** means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

**Multimodal:** means relating to the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, *higher order transit*, rail (such as freight), trucks, air, and marine.

**Municipal sewage services:** means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

**Municipal water services:** means a municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002*.

**Natural heritage features and areas:** means features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands, fish habitat, significant woodlands and significant valleylands, habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

**Natural heritage system:** means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable *ecological functions* to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative impacts: means

- a) in regard to Section B8.2 potential risks to human health and safety and degradation to the *quality and quantity of water, sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to *fish habitat*, any harmful alteration, disruption or destruction of *fish habitat*, except where an exemption to the prohibition has been authorized under the *Fisheries Act*;
- c) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.
- d) in regard to Section C6, degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or site alteration activities; and
- e) in regard to Section F2.2.8, any *development* or *site alteration* that would compromise or conflict with the planned or existing function, capacity to accommodate future needs, and cost of implementation of the corridor.

**Normal farm practices:** means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

**Oil, gas and salt hazards:** means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

**On-farm diversified uses:** means uses that are secondary to the principal agricultural use of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, and uses that produce value-added agricultural products.

**One hundred year flood:** for *river, stream and small inland lake systems*, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means

- a) For the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) In the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) For large inland lakes, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

**Other water-related hazards:** means water-associated phenomena other than *flooding hazards* and *wave uprush* which act on shorelines. This includes, but is **not limited to ship-generated waves, ice piling and ice jamming.**

Partial services: means

- a) Municipal sewage services or *private communal sewage services* combined with individual on-site water services; or
- b) Municipal water services or *private communal water services* combined with individual on-site sewage services.

**Petroleum resource operations:** means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas and other hydrocarbons.

**Petroleum resources:** means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

**Planned corridors:** means corridors or future corridors which are required to meet projected needs, and are identified through *provincial plans*, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation is actively pursuing the identification of a corridor. Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province.

Portable asphalt plant: means a facility

- a) With equipment designed to heat and dry aggregate and to mix aggregate

with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and

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

**Portable concrete plant:** means a building or structure

- a) With equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) Which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

**Prime agricultural area:** means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A *prime agricultural area* may also be identified through an alternative agricultural land evaluation system approved by the Province.

**Prime agricultural land:** means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

**Private communal sewage services:** means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

**Private communal water services:** means a non-municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

**Protected heritage property:** means property designated under Parts IV, V or VI of the *Ontario Heritage Act*; property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

Provincial and federal requirements: means

Provincial and federal requirements: means

- a) in regard to Section D7.2 c), legislation and policies administered by the

federal or provincial governments for the purpose of fisheries protection (including *fish* and *fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and

- b) in regard to Section D7.2 d), legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

**Provincial plan:** means a provincial plan within the meaning of section 1 of the *Planning Act*.

**Public service facilities:** means land, buildings and structures, including but not limited to schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, child care and educational programs, including elementary, secondary, post-secondary, long- term care services, and cultural services. *Public service facilities* do not include *infrastructure*.

**Quality and quantity of water:** is measured by indicators associated with hydrologic function such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

**Rail facilities:** means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

**Redevelopment:** means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

**Regional market area:** refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

**Renewable energy source:** means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

**Renewable energy system:** means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

**Reserve sewage system capacity:** means design or planned capacity in a waste water treatment facility, within *municipal sewage services* or *private communal sewage services*, which is not yet committed to existing or approved development.

For lot creation using *private communal sewage services* and individual on-site sewage services, reserve sewage system capacity includes approved capacity to treat and land-apply, treat and dispose of, or dispose of, hauled sewage in accordance with applicable legislation but not by land-applying untreated, hauled sewage. Treatment of hauled sewage can include, for example, a sewage treatment plant, anaerobic digestion, composting or other waste processing.

**Reserve water system capacity:** means design or planned capacity in a water treatment facility which is not yet committed to existing or approved development. *Reserve water system capacity* applies to *municipal water services* or *private communal water services*, and not *individual on-site water services*.

**Rural areas:** means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

**Rural lands:** means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

**Rural Settlement Areas:** Means the *settlement areas* in the County that are not considered to be *urban areas*.

**Sand barren:** means land (not including land that is being used for agricultural purposes or no longer exhibits *sand barren* 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 and Forestry or by any other person, according to evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time.

**Savannah:** Means land (not including land that is being used for agricultural purposes or 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
- d) Has been further identified, by the Ministry of Natural Resources and Forestry or by any other person, according to evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time.

**Seepage Areas and Springs:** Means sites of emergence of groundwater where the water table is present at the ground surface.

**Sensitive:** in regard to *surface water features* and *ground water features*, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

**Sensitive land uses:** means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

**Settlement areas:** means *urban areas* and *rural settlement areas* within municipalities (such as cities, towns, villages and hamlets) that are:

- a) Built up areas where development is concentrated and which have a mix of land uses; and
- b) Lands which have been designated in an official plan for development over the long-term planning horizon provided for in Section A1 of this Plan.

**Sewage and water services:** includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, individual on-site sewage services and individual on-site water services, and partial services.

**Significant:** means

- a) in regard to *wetlands*, *coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant using evaluation criteria and procedures established by the Province, as amended from time to time;
- b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using

criteria and procedures established by the Province;

- c) in regard to other features and areas in Section C3 of this Plan, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*; and
- d) in regard to *mineral* potential, an area identified as provincially significant through provincial guidance, such as the Provincially Significant Mineral Potential Index.
- e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*.

Criteria for determining significance for the resources identified in section c)-d) are provided in provincial guidance, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

**Site alteration:** means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

**Specialty crop area:** means areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) Soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) Farmers skilled in the production of specialty crops; and
- c) A long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

**Strategic growth areas:** means within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating *intensification* and higher- density mixed uses in a more *compact built form*.

*Strategic growth areas* include *major transit station areas*, existing and emerging downtowns, lands in close proximity to publicly-assisted post- secondary institutions and other areas where growth or development will be focused, that may

include infill, *redevelopment* (e.g., underutilized shopping malls and plazas), *brownfield sites*, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned *frequent transit* service or *higher order transit* corridors may also be identified as *strategic growth areas*.

**Surface water feature:** means water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

**Tallgrass prairie:** means land (not including land that is being used for agricultural purposes or 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 Minister of Natural Resources and Forestry or by any other person, according to evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time.

**Threatened species:** means a species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources' official Species at Risk list, as updated and amended from time to time.

**Urban Areas:** Means those *settlement areas* in the County that have built boundaries established pursuant to the Growth Plan. These Urban Areas are Brighton, Campbellford, Hastings, Colborne, Cobourg and Port Hope.

**Valleylands:** 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.

**Vulnerable:** means surface and/or ground water that can be easily changed or impacted.

**Waste management system:** means sites and facilities to accommodate solid waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

**Watershed:** means an area that is drained by a river and its tributaries.

**Wave uprush:** means the rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward

rush of water onto the shoreline.

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

**Wetlands:** means lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

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

**Woodlands:** means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the *Forestry Act* definition or the Province's Ecological Land Classification system definition for "forest."

**Woodland enhancement plan:** means a study that is carried out when a proponent proposes to remove a *woodland* or portion of a *woodland*, including *cultural and regenerating woodlands* where the purpose of the *woodland* enhancement is to increase *woodland* cover in the County as part of a longer term perspective. The *woodland enhancement plan* must be prepared to the satisfaction of the approval authority, in consultation with other agencies. As part of requirement for a *woodland enhancement plan* the following should be taken into consideration:

- a) If the removal occurs within a *settlement area* that the enhancement also be provided in the *settlement area*;
- b) If the removal occurs within a developed shoreline areas that was designated and zoned for concentrations of such development as of July 1, 2017 that the enhancement also be provided in the same general area;
- c) That the enhancement be in the form of a *woodland* and not just the planting of individual trees, i.e., street planting or ornamental tree planting in a park

setting is not considered *woodland* enhancement;

- d) The goal of the *woodland* enhancement is it so create a native *woodland* of equal or greater size;
- e) Landscape ecology principles including size, patch shape, connectivity, edge to area ratio should be considered;
- f) Responsibilities will be determined for who will undertake the restoration of the woodland and the schedule for implementing the plan;
- g) The *woodland enhancement plan* includes a program for the long-term maintenance and management of the restoration woodland until such time as it is deemed to be self-sufficient or when a public agency assumes responsibility for it; and,
- h) The plan includes a monitoring plan and periodic reporting to determine if the *woodland* is progressing toward the approved goal(s) and objectives of the Plan.

## PART 3 THE APPENDICIES

### APPENDIX A - KARST TOPOGRAPHY

#### PHASE 1 - DESKTOP STUDY AND SITE VISIT

A desktop evaluation and site visit, undertaken by a qualified geoscientist with knowledge and experience in identification of karst topography, shall be undertaken to determine the potential for the presence of karst hazard. The desktop evaluation shall include but not be limited to the search and review of the following information:

- i) Mapping that shows historic and present day karst, ground and bedrock topography, physiography, hydrology, Quaternary and Paleozoic bedrock geology, glacial tills and partial aquitards;
- j) Existing engineering, geological (including oil / gas and geotechnical well records), hydrogeologic, hydrologic, geographic, agricultural studies and land use publications;
- k) Surface water and groundwater well record data to determine the position of the water table and seasonal fluctuations, rainfall records, river discharge data, water chemistry data;
- l) Comparison of historic and recent air photos and / or satellite imagery to determine changes in the landscape that may have resulted from karstification and subsurface drainage and / or anthropogenic changes;
- m) A visit to the property to provide comparison to historic air photo and / or satellite imagery to evaluate changes in the landscape

If the Phase 1 evaluation determines that karst is not present, no further study of karst is required in support of a Planning Act or building permit application. Should the evaluation identify the presence of karst features and / or karst terrain characteristics, a Phase 2 evaluation will be required.

#### PHASE 2 - FIELD-BASED KARST INVESTIGATION

In areas where a Phase 1 evaluation has identified the presence of karst features and / or karst formation characteristics, a field-based karst evaluation shall be required, to be undertaken by a qualified geologist.

A terms-of-reference shall be completed in consultation with the appropriate approval authority and / or any relevant agencies which outlines the investigation type that will be undertaken for the subject lands. The types of field work required will be determined based on the areal extent and complexity of the proposed

development relative to the risk or potential for impacts related to karst. The types of field work that may be required include, but are not limited to, the following:

- n) Passive Geologic/Geomorphologic Methods – primarily for the detection and mapping of sinkholes and caves;
- o) Soil Probing—to determine the risk of soil subsidence;
- p) Rock Drilling and Well Records– to determine the karstic nature of the bedrock groundwater;
- q) Dye-Tracer Studies– to determine the sources, speed and direction of shallow potable water movement within bedrock.

### **PHASE 3 - MITIGATION**

In areas where a Phase 2 evaluation confirms the presence of a karst hazard, a geotechnical study and land use compatibility study shall be undertaken by qualified individuals. The studies shall be required to:

- r) Assess the impacts and risks to surface and groundwater contamination and/or construction restrictions due to unstable bedrock conditions;
- s) Identify compatible land use activities for which the karst topography does not pose a hazard, including identifying incompatible industrial and waste management uses that may contaminate the groundwater and alter the water table;
- t) Establish any required development restrictions including limiting extensive blasting, intensive construction that would create excessive weight, and the alteration of drainage that could compromise underlying caves or buried sinkholes;
- u) Establish, where necessary, a karst feature buffer to restrict development around a specific hazard.