

**AMENDMENT NO. 03 TO THE  
OFFICIAL PLAN FOR THE  
TOWNSHIP OF ADJALA-TOSORONTIO**

**OAK RIDGES MORaine  
CONSERVATION PLAN**

**Adopted by Council July 19<sup>th</sup>, 2004  
Approved with modifications by the  
Province of Ontario December 6, 2004 and  
March 9, 2006**

**Prepared by:  
RUDY & Associates Ltd**

**AMENDMENT NO. 03 TO THE  
OFFICIAL PLAN FOR THE  
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**PART A - THE PREAMBLE**

**1. Purpose of the Amendment:**

The purpose of this amendment is to bring the Township of Adjala-Tosorontio Official Plan into conformity with the Oak Ridges Moraine Conservation Plan (Ontario Regulation 140/02) as required by *the Oak Ridges Moraine Conservation Act, 2001*.

**2. Location:**

This amendment affects all lands located in the Township of Adjala-Tosorontio which are subject to the Oak Ridges Moraine Conservation Plan as indicated on Schedule 'E-I', Oak Ridges Moraine, to this Amendment.

**3. Basis:**

On December 14, 2001, the *Oak Ridges Moraine Conservation Act, 2001* received Royal Assent and was deemed to have come into force on November 16, 2001. The legislation provides for the establishment of the Oak Ridges Moraine Conservation Plan by Regulation. On April 22, 2002, Ontario Regulation 140/02 - the Oak Ridges Moraine Conservation Plan, was filed and deemed to come into effect on November 16, 2001.

Through the *Oak Ridges Moraine Conservation Act, 2001*, and the accompanying Conservation Plan, the Province of Ontario has established a policy framework for protecting the Oak Ridges Moraine. Municipal planning decisions are required to conform with the Oak Ridges Moraine Conservation Plan, which prevails over municipal official plans.

The boundary of the Oak Ridges Moraine has been identified by the Province and is based on a number of topographical, geomorphological and geological attributes. This amendment identifies the Oak Ridges Moraine Conservation Plan boundary on Schedule 'E-I', Oak Ridges Moraine and incorporates new map schedules, Schedules E-2, E-3, E-4, E-5, E-6, E-7 and E-8 in the Township of Adjala-Tosorontio.

This amendment changes existing policies and adds a new section to the Township of Adjala-Tosorontio Official Plan by including references to the *Oak Ridges Moraine Conservation Act* and Plan.

Where the ORMCP provides definitions of terminology, these terms have been shown *italicized* in this Plan, readers are directed to the Oak Ridges Moraine Conservation Plan for the definitions.

## **PART B - THE AMENDMENT**

### **1. Introduction**

Prov Mod #1

All of Part B - The Amendment consisting of the following text and Schedules E-1, E-2, E-3, E-4, E-5, E-6, E-7 and E-8 constitutes Amendment No. 03 to the Official Plan of the Township of Adjala-Tosorontio.

### **2. Details of the Amendment**

The Official Plan of the Corporation of the Township of Adjala-Tosorontio is amended as follows:

- 2.1 Schedule E-1 - Oak Ridges Moraine is added to show the boundary of the Oak Ridges Moraine area and the lands affected by the Oak Ridges Moraine Conservation Plan.
- 2.2 Schedule E-2 - Oak Ridges Moraine - Land Use Designations is added to replace the existing land use designations with those of the Oak Ridges Moraine Conservation Plan for the lands located within the Oak Ridges Moraine. Schedule 'E-2' replaces that portion of the existing Schedule A-1, A-2, and A-3 Land Use and Schedule B-1 – Colgan Land Use for lands on the Oak Ridges Moraine.
- 2.3 Schedule E-3 - Oak Ridges Moraine - Significant Woodlands is added.
- 2.4 Schedule E-4 - Oak Ridges Moraine - Wetlands, Streams, and Wellhead Protection Areas is added.
- 2.5 Schedule E-5 - Oak Ridges Moraine - Areas of Natural and Scientific Interest.
- 2.6 Schedule E-6 - Oak Ridges Moraine - Aquifer Vulnerability is added.
- 2.7 Schedule E-7 - Oak Ridges Moraine - Landform Conservation Areas is added.
- 2.8 By replacing the overlay designations that apply to the area of Schedules C-1, C-2, and C-3 Natural Features and Areas of Aggregate Potential with Schedules E-2, E-3, E-4, E-5, E-6, E-7 and E-8 for those lands located on the Oak Ridges Moraine.

Prov Mod #2

Prov Mod #3

### 3. Policies

By adding the following:

Section 1.2.2:

"To conform to the requirements of the Oak Ridges Moraine Conservation Plan to provide land use and resource management for lands located on the Oak Ridges Moraine."

Section 1.3.6:

After the word "designations" add, "except for those lands designated within the Oak Ridges Moraine which are subject to the policies of Section 4.12 as set out in this Plan."

Section 1.3.7:

After the words "within Greenlands" add, "except for those lands designated within the Oak Ridges Moraine which are subject to the policies of Section 4.12 as set out in this Plan."

Section 1.3.8:

"This Official Plan will provide a policy framework to assist in making planning decisions for lands located on the Oak Ridges Moraine."

By adding the following to Section 1.5 Schedules:

"Schedule E-1 - Oak Ridges Moraine"

"Schedule E-2 - Oak Ridges Moraine - Land Use Designations"

"Schedule E-3 - Oak Ridges Moraine - Significant Woodlands"

"Schedule E-4 - Oak Ridges Moraine - Wetlands, Streams, Wellhead Protection Areas"

"Schedule E-5 - Oak Ridges Moraine - Areas of Natural and Scientific Interest"

"Schedule E-6 - Oak Ridges Moraine - Aquifer Vulnerability"

"Schedule E-7 - Oak Ridges Moraine - Landform Conservation Areas"

"Schedule E-8 - Oak Ridges Moraine - Site Specific Land Use Designations".

By adding Section 3.2.6.3:

"To minimize the encroachment and impact of *development* on the *ecological functions* and *hydrological features* of the Oak Ridges Moraine."

By adding Section 3.3.4.2:

"*Development* within the hamlet of Colgan for those areas located on the Oak Ridges Moraine and designated Rural Settlement Area on Schedule 'E-2' to this Plan shall be subject to the policies of Section 4.12 of this Plan."

Further Approval #1

Prov Mod #4

By adding the following to Section 4.1.1.1:  
"Lands located in the Oak Ridges Moraine have been divided into the following Land Use Designations as identified on Schedule 'E-2' of this Plan:

- Natural Core Area
- Natural Linkage Area
- Countryside Area
- Rural Settlement Area

Schedule 'E-8' identifies Site Specific Land Use Designations that are related to proposals under Sections 15 and 17 of the Oak Ridges Moraine Conservation Act.

Prov Mod #5

By adding the following wording to the end of Section 4.1.1.2:  
", and certain lands located within the Oak Ridges Moraine. Such small scale commercial, institutional and light industrial *development* may be permitted in the existing hamlet of Colgan and those lands designated in the Countryside Areas of the Oak Ridges Moraine, subject to the policies of Section 4.12 of this Plan."

By adding the following to Section 4.1.2.2:  
"Schedules E-3, E-4, E-5, E-6, and E-7 show the location of the key *natural heritage features*, the *landform conservation areas*, and the *hydrologically sensitive features* within the Oak Ridges Moraine."

Prov Mod #6

By adding the following to Section 4.1.2.3:  
"For lands located on the Oak Ridges Moraine, an application for development or site alteration with respect to land within the *minimum area of influence* that relates to a *key natural heritage feature*, but outside the *key natural heritage feature* itself and the related *minimum vegetation protection zone* shall be subject to the policies outlined in Section 4.12.7 of this Plan. All development and site alteration with respect to land within a *key natural heritage feature* or the related *minimum vegetation protection zone* is prohibited except for those uses permitted in Section 4.12.7.2 of the Plan."

By adding the following Section 4.2.1.2:  
"It is the intent of this Plan to conform with the requirements of the Oak Ridges Moraine Conservation Plan for all *development* and *site alteration* located within the Oak Ridges Moraine."

By adding the following at the end of Section 4.2.3.1:  
"The construction or expansion of partial services is prohibited for those lands located on the Oak Ridges Moraine as shown on Schedule 'E-1', subject to the policies of Section 4.12.17."

By adding the following to Section 4.3.1.1:

"In addition to Section 4.3, lands used for Agricultural purposes which are located on the Oak Ridges Moraine are also subject to Section 4.12 of this Plan."

By adding Section 4.3.3.6:

"In addition to Section 4.3, applications for *development* and *site alteration* for lands used for Agricultural purposes located on the Oak Ridges Moraine shall be subject to the policies outlined in Section 4.12 of this Plan."

By adding the following to Section 4.3.4.2:

"In addition to Section 4.3, consents proposed for lands located on Schedule 'E-2' shall be subject to the policies outlined in Section 4.12.15 of this Plan."

By adding the following to Section 4.4.1.2:

", and are not located within the Oak Ridges Moraine as shown on Schedule 'E-1' to this Plan."

By adding the following to Section 4.6.1.1:

"A portion of the hamlet of Colgan is located in the Oak Ridges Moraine and designated Rural Settlement Area on Schedule 'E-2' to this Plan. *Development* and *site alteration* proposed on those lands, shall conform to the policies outlined in Section 4.12 of this Plan."

By adding the following new Section 4.7.1.3:

"*Development* and *site alteration* on lands currently used for Open Space Recreation on the Oak Ridges Moraine are subject to the policies of Section 4.12 of this Plan."

By adding the following to Section 4.7.2.3:

", except for those lands located on the Oak Ridges Moraine where low-intensity recreational uses may be located in the Natural Core Area and Natural Linkage Area designations and major recreational uses may be located in the Countryside Area designation, all subject to the policies of Section 4.12 of this Plan."

By adding the following to Section 4.8.1.1:

"Lands currently used for Mineral Aggregate operations located on the Oak Ridges Moraine in the Natural Core Area designation are not permitted to expand beyond the boundary of the area under licence or permit. Mineral Aggregate operations are permitted in all other designations on Schedule 'E-2'. Expansion or *site alteration* of these uses are subject to the policies of Section 4.12 of this Plan."

By adding the following to Section 4.8.2.2:

"Those Mineral Aggregate operations that are located on the Oak Ridges Moraine where the license has been surrendered to the Ministry of Natural

Resources shall be subject to the land use designations of Schedule 'E-2' and their permitted uses, and shall be subject to Section 4.12.12 of this Plan."

Prov Mod #8

By adding the following to Section 4.8.4.1:

"An amendment to this Plan is not required to establish new extractive operations and wayside pits on the Oak Ridges Moraine and shall be subject to the policies of Section 4.12 of this Plan." A new mineral aggregate operation or wayside pit shall not be permitted in the Natural Core Area designation."

By adding the following to Section 4.8.5.1:

"d) The proposed extractive operation(s) and/or wayside pit(s) shall minimize the impact on the *ecological functions* and *hydrological features* for lands located on the Oak Ridges Moraine and shall be subject to the policies of Section 4.12 of this Plan."

Prov Mod #9

By adding the following to Section 4.8.9.1:

"For extractive operations located on the Oak Ridges Moraine, alternate land uses shall be subject to the land use designations of Schedule 'E-2' and their permitted uses."

By adding the following Section 4.9.1.8:

"No new commercial or industrial development shall occur on the Oak Ridges Moraine in the Natural Core Area and Natural Linkage Area designations on Schedule 'E-2'. New small-scale commercial, industrial, and institutional uses may be located in the Countryside Areas and Rural Settlement Area designations subject to the policies of Section 4.12 of this Plan."

By adding the following Section 4.10.4.4:

"Waste management and/or disposal sites and facilities, organic soil conditioning sites and snow storage and disposal facilities along with other such uses are not permitted on the Oak Ridges Moraine in areas of *high aquifer vulnerability* as shown on Schedule 'E-6', and shall be subject to Section 4.12 of this Plan."

By adding the following Section 4.11.7:

"Schedules E-3, E-4, E-5, E-6, and E-7 show the location of the *key natural heritage features*, the *landform conservation areas*, and the *hydrologically sensitive features* on the Oak Ridges Moraine, and shall be subject to the policies of Section 4.12 of this Plan."

By adding the following as

## Section 4.12 OAK RIDGES MORAINÉ CONSERVATION AREA:

### “4.12 Oak Ridges Moraine Area

Prov Mod #10

#### Introduction

The Oak Ridges Moraine is one of Ontario's most significant landforms that has been identified by the Province of Ontario as having a unique concentration of environmental, geological and hydrological features under the *Oak Ridges Moraine Conservation Act, 2001*.

Planning decisions in the Oak Ridges Moraine Conservation Plan Area must conform to the Oak Ridges Moraine Conservation Plan and shall reflect the objectives found in Section 4, of the Oak Ridges Moraine Conservation Act, 2001. The Official Plan of the Township of Adjala-Tosorontio has been amended to bring it into conformity with the Oak Ridges Moraine Conservation Plan. However, these policies must be read in conjunction with the detailed provisions of the Oak Ridges Moraine Conservation Plan, and the Township of Adjala-Tosorontio Zoning By-law.

#### 4.12.1 General Policies

4.12.1.1 The policies in Section 4.12 shall apply to all lands located within the area shown on Schedule 'E-1', unless otherwise noted in this Plan.

4.12.1.2 Through the Oak Ridges Moraine Conservation Act, 2001 and accompanying Conservation Plan, the Province of Ontario has established a framework for protecting the Oak Ridges Moraine. Municipal planning decisions and public works improvements or other undertakings are required to conform with the Oak Ridges Moraine Conservation Plan which prevails in the case of a conflict with an official plan, zoning by-law or a policy statement issued under Section 3 of The Planning Act.

4.12.1.3 Where this Plan in Section 4.12 contains terms that are defined in the Oak Ridges Moraine Conservation Plan, they are *italicized*, and the Oak Ridges Moraine Conservation Plan should be consulted for the specific definition.

#### 4.12.1.4 Transition and Further Approval Applications

- i) Within the Oak Ridges Moraine there are applications under the *Planning Act and Condominium Act*, which, due to their date of commencement, are subject to the transition provisions of Sections 15 and 17 of the *Oak Ridges Moraine Conservation Act, 2001*.

Prov Mod #11



- ii) All applications, as defined under the *Oak Ridges Moraine Conservation Act, 2001*, which commenced on or after November 17, 2001 are required to conform to the Oak Ridges Moraine Conservation Plan.
- iii) All applications, as defined under the *Oak Ridges Moraine Conservation Act, 2001*, in Natural Core Areas, Natural Linkage Areas, Countryside and Rural Settlement Areas, which commenced prior to November 17, 2001, and on November 17, 2001, no decision had been made, shall conform to the prescribed provision under Section 48, of the Oak Ridges Moraine Conservation Plan. This shall include applications where a decision has been made after November 17, 2001 and has been appealed to the Ontario Municipal Board.
- iv) Applications, as defined under the *Oak Ridges Moraine Conservation Act, 2001*, which were commenced and decided upon before November 17, 2001 are not subject to the provisions of the ORMCP provided that the uses, buildings or structures for which the application was intended, is legally existing as of the date of the adoption of this Plan. If subsequent applications are still required in order to establish the intended uses, building or structures, these will be required to conform with the applicable provisions of the ORMCP based on the individual application commencement date, with the exception of those applications under section 4.12.1.4 a) v) of this Plan.
- v) In accordance with Section 17(1) of the Oak Ridges Moraine Conservation Act, 2001, where an application for either a rezoning, site plan, minor variance or the lifting of a holding provision is required as a condition of approval for a plan of subdivision or provisional consent, these applications shall be made in accordance with the same policy and legislative requirements as the plan of subdivision or consent application.
- vi) Official Plan Amendment No. 1 (OPA 1) known as the Ballycroy Resort Development is an application that was decided (as defined in Section 15(5) *Oak Ridges Moraine Conservation Act, 2001*) prior to November 17, 2001, conditional on the approval of a site plan application. Notwithstanding any other provisions of this plan, the land use approvals contained in OPA 1 remain in full force and effect, and the site plan shall not be subject to Section 4.12 of this Plan.
- vii) Official Plan Amendment No. 30 (OPA 30) known as Adjala South Estates was approved by the Ministry of Municipal Affairs and Housing on November 29, 1995. Applications for a zoning by-law amendment and draft plan of subdivision for Adjala South Estates were commenced before November 17, 2001, but no decisions have been made in respect of the applications. As such, in accordance with Section 15(2) of the *Oak Ridges Moraine Conservation Act, 2001*, these applications shall conform to the prescribed provisions in Section 48 of the Oak Ridges Moraine Conservation Plan, as

outlined in Sections 4.12.6, 4.12.7, 4.12.17(i)(b), and 4.12.18(vi) (vii) (viii) of this Plan. In addition to the prescribed provisions, any further approvals related to OPA 30, Adjala South Estates, shall be subject to the applicant providing a potable and sustainable water supply to service future development on the subject lands. Further approvals shall be subject to the "Holding" provision symbolized by the letter "H". The Council of the Township of Adjala-Tosorontio shall not remove the holding symbol unless satisfied that an adequate water supply is available for future development.

#### 4.12.1.5 Oak Ridges Moraine Existing Uses

- i) Nothing in Section 4.12 of this Plan applies to prevent:
- a. the use of any land, building or structure for a purpose prohibited by Section 4.12 of this Plan, if the land, building or structure was lawfully used for that purpose on November 15, 2001 and continues to be used for that purpose; or
  - b. the erection or use for a purpose prohibited by Section 4.12 of this Plan of a building or structure for which a permit has been issued under subsection 8(2) of the Building Code Act, 1992 on or before November 15, 2001 if;
    1. the permit has not been revoked under subsection 8(10) of the Building Code Act, 1992, and,
    2. the building or structure when erected is used and continues to be used for the purpose for which it was erected.
- ii) For subsection 4.12.1.5 of this Plan:
- a. "existing" means lawfully in existence on November 15, 2001, and for greater certainty does not include a use, building or structure that is in existence on that date without being lawful;
  - b. "institutional use" includes, without limitation, a clinic, hospital, school, university or college, church, cemetery, community hall, municipal buildings and works yards.
- iii) Nothing in Section 4.12 of this Plan applies to prevent the expansion of an existing building or structure on the same *lot*, or the expansion of an existing institutional use, if the applicant demonstrates that:
- a. There will be no change in use; and
  - b. The expansion will not adversely affect the *ecological integrity* of the Oak Ridges Moraine Conservation Plan area.

Prov Mod #12

Prov Mod #13

- iv) Despite subsection 4.12.1.5 iii), an existing *mineral aggregate operation* or an existing *wayside pit* within an area designated Natural Core Area on Schedule 'E-2' shall not be expanded beyond the boundary of the area under license or permit.
- v) Nothing in Section 4.12 of this Plan applies to prevent the reconstruction, within the same locations and dimensions, of an existing building or structure that is damaged or destroyed by causes beyond the owner's control, and the reconstructed building or structure shall be deemed to be an existing building or structure if there is no change in use and no intensification of the use.
- vi) Nothing in Section 4.12 of this Plan applies to prevent the conversion of an existing use to a similar use, if the applicant demonstrates that the conversion:
  - a. Will bring the use into closer conformity with this Plan and the Oak Ridges Moraine Conservation Plan;
  - b. Will not *adversely affect* the *ecological integrity* of the Oak Ridges Moraine Conservation Plan Area.
- vii) If an existing use has adverse effects on the *ecological integrity* of the Oak Ridges Moraine Conservation Plan area, any application to expand the building, structure or use or to convert the existing use to a similar use shall be considered with the objective of bringing the use into closer conformity with this Plan and the Oak Ridges Moraine Conservation Plan.

#### 4.12.1.6 Previously Authorized Single Dwelling

- i) In accordance with Section 7 of the Oak Ridges Moraine Conservation Plan, nothing in Section 4.12 of this Plan applies to prevent the use, erection or location of a *single dwelling* if:
  - a. the use, erection and location would have been permitted by the applicable zoning by-law on November 15, 2001; and
  - b. the applicant demonstrates, to the extent possible, that the use, erection and location will not *adversely affect* the *ecological integrity* of the Oak Ridges Moraine Conservation Plan Area.

#### 4.12.1.7 Buildings and Structures Authorized under Section 17(1) of the Oak Ridges Moraine Conservation Act

- ii) In accordance with Section 8 of the Oak Ridges Moraine Conservation Plan, nothing in Section 4.12 of this Plan applies to prevent the use, erection or location of a building or structure if,

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

#### 4.12.1.8 Site Plan Applications

- i) An application for site plan approval under section 41 of the Planning Act is not required to comply with Section 4.12 of this Plan where the application:
  - a. relates to land in respect of which any of the following was commenced before November 17, 2001 and approved after that date:
    - 1. An application for an amendment to a zoning by-law;
    - 2. An application for approval of a plan of subdivision under section 51 of the Planning Act;
    - 3. An application for approval or exemption from approval for a plan of condominium under section 9 of the Condominium Act, 1998.

Prov Mod #14

#### 4.12.2 Natural Core Area

- i) Natural Core Areas are areas with a high concentration of *key natural heritage features, hydrologically sensitive features or landform conservation areas*.
- ii) The purpose of Natural Core Areas is to maintain and where possible improve or restore the *ecological integrity* of the Oak Ridges Moraine Conservation Plan Area. Additional purposes and objectives for Natural Core Areas are also found in Sections 11(1) and (2) of the Oak Ridges Moraine Conservation Plan.
- iii) The following uses are permitted on lands designated Natural Core Area on Schedule 'E-2':
  - a. fish, wildlife and *forest management*;
  - b. conservation projects and flood and erosion control projects;
  - c. *agricultural uses*;
  - d. transportation, infrastructure, and utilities, subject to Section 4.12.16 but only if the need for the project has been demonstrated and there is no reasonable alternative;
  - e. home businesses;
  - f. home industries;

Prov Mod #15 (i)

Prov Mod #15 (ii)

- g. low-intensity recreational uses subject to Section 4.12.13.1
  - h. *unserviced parks*;
  - i. farm vacation homes;
  - j. bed and breakfast establishments
  - k. single dwelling subject to Section 4.12.1.6
  - l. *uses accessory* to the permitted uses set out in paragraphs a. to i.
- iv) Permitted uses accessory to agricultural uses include, but are not limited to the following:
- a. Roadside sale of produce of the farm operation;
  - b. The manufacture of value-added products from produce of the farm operation; and
  - c. A second dwelling that is a temporary, mobile or portable unit, if the applicant demonstrates that the dwelling:
    - 1. Is required to house help that is needed on the farm operation on a seasonal or full time basis;
    - 2. Does not require a consent under section 50 or 53 of the Planning Act, and,
    - 3. Will not adversely affect the *ecological integrity* of the *Oak Ridges Moraine Conservation Plan Area*.

#### **4.12.3 Natural Linkage Area**

- i) Natural Linkage Areas, are areas forming part of a central corridor system that support or have the potential to support the movement of plants and animals among the Natural Core Areas, Natural Linkage Areas, river valleys and stream corridors.
- ii) The purpose of the Natural Linkage Area is to maintain and where possible improve or restore, *the ecological integrity of the Oak Ridges Moraine Conservation Plan Area*, and to maintain, and where possible improve or restore, regional-scale open space linkages between Natural Core Areas and along river valleys and stream corridors. Additional purposes and objectives for Natural Linkage Areas are also found in Sections 12(1) and (2) of the Oak Ridges Moraine Conservation Plan.
- iii) The following uses are permitted on the lands designated Natural Linkage Area on Schedule 'E-2',
  - a. all of the uses listed in 4.12.2 iii) Natural Core Area;
  - b. *wayside pits*

- c. *mineral aggregate operations*
- d. *uses accessory* to the permitted uses set out in a,b,c.

#### 4.12.4 Countryside Area

- i) Countryside Areas are areas of rural land use such as agriculture, recreation, residential development, mineral aggregate operations, parks and open space.
- Prov Mod #17 (i) ii) The purpose of the Countryside Area is to encourage agricultural and other rural uses that support the Oak Ridges Moraine Conservation Plan. Additional purposes and objectives for Countryside Areas are also found in Sections 13(1) and (2) of the Oak Ridges Moraine Conservation Plan, 2001.
- iii) The following uses are permitted on lands designated Countryside Area on Schedule 'E-2',
  - a. all of the uses listed in 4.12.3 iii) Natural Linkage Area;
  - b. small scale, commercial, industrial and institutional uses, subject to Section 4.12.14;
  - Prov Mod #17 (ii) c. agricultural-related uses
  - d. major recreational uses, subject to Section 4.12.13.2;
  - Prov Mod #17 (iii) e. *uses accessory* to the permitted uses set out in paragraphs a. to d.
- iv) New small-scale commercial, industrial and institutional development as described in Section 4.12.14 and new major recreational uses as described in Section 4.12.13.2 shall only be permitted within the Countryside Area shown on Schedule 'E-2', subject to an amendment to the Official Plan.
- v) The uses described in (iii) b. and c. above are not permitted in prime agricultural areas.
- vi) Prime agricultural lands are those lands classified as Class 1 to 3 soils and agricultural capability in the Canada Land Inventory by the Province of Ontario. There are two (2) prime agricultural areas located within the Oak Ridges Moraine and have been identified in the Zoning By-law in the "Oak Ridges Moraine Agricultural (ORMA) Zone".

The two prime agricultural areas are:

1. Part of Lot 11, Concession 6; and,
2. Part of Lot 17, Concession 5.

All other lands on the Oak Ridges Moraine are to be considered as non-prime agricultural or rural.

#### 4.12.5 Rural Settlement Area

- Prov Mod #18 (i) i) The purpose of Rural Settlement Areas on the Oak Ridges Moraine form part of the Countryside Area and are areas of rural land uses such as agriculture, recreation, residential development, mineral; aggregate operations, parks and open space. Additional purposes and objectives for Rural Settlement Areas are also found in Sections 13(1) and (2) of the Oak Ridges Moraine Conservation Plan.
- ii) With respect to land designated Rural Settlement Area on Schedule 'E-2' in Colgan, the permitted uses are:
- Prov Mod #18 (ii) a) all of the uses listed in 4.12.4 iii)a. Countryside Area;
- b) small scale, commercial, industrial and institutional uses subject to all of Section 4.12.14 excluding Section 4.12.14(i)a.(i)c.(ii)a.
- Prov Mod #18 (iii) c) the creation of new residential lots representing minor infill and/or minor rounding out of the Rural Settlement Area as designated in this Plan.
- Prov Mod #18 (iv) d) Major recreational uses, subject to Section 4.12.13.2;
- Prov Mod #18 (v) iii) The uses described in 4.12.5 ii) b and d. are not permitted in prime agricultural areas.
- Prov Mod #18 (vi)

#### 4.12.6 Connectivity

- Prov Mod #19 i) All applications for *development* and *site alteration* in the Natural Core Area, Natural Linkage Area, Countryside Area and Rural Settlement Area shall identify planning and design construction practices that ensure that no buildings or other site alterations impede the movement of plants and animals among *key natural heritage features, hydrologically sensitive features* and adjacent land within Natural Core Areas and Natural Linkage Areas.

#### 4.12.7 Key Natural Heritage Features and Hydrologically Sensitive Features Minimum Vegetation Protection Zones and Minimum Areas of Influence

- Prov Mod #20 i) The Oak Ridges Moraine Conservation Plan establishes minimum areas of influence and minimum vegetation protection zones that relate to *key natural heritage features and hydrologically sensitive features* as shown in Table 1.
- ii) If land falls within more than one feature as identified on Table 1, the provisions that are more restrictive shall apply.

- iii) The *minimum areas of influence* and *minimum vegetation protection zones* from *key natural heritage features* and *hydrologically sensitive features* as shown on Table 1, shall apply to lands designated Rural Settlement Area, Natural Core Area, Natural Linkage Area, and Countryside Area on Schedule E- 2.

**Table 1**  
**Key Natural Heritage Features, Hydrologically Sensitive Features and**  
**Areas of Natural and Scientific Interest (Earth Science): Minimum Areas of**  
**Influence and Minimum Vegetation Protection Zones**

Prov Mod #21

Feature	Minimum Area of Influence	Minimum Vegetation Protection Zone
Wetlands	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 4.12.7.3ii)d. if a natural heritage evaluation is required
Significant portions of habitat of endangered, rare and threatened species	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under section 4.12.7.3.
Fish habitat	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 4.12.7.3ii)d. if a natural heritage evaluation is required
Areas of natural and scientific interest (life science)	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under section 4.12.7.3.
Significant valleylands	All land within 120 metres of stable top of bank	All land within 30 metres of stable top of bank, subject to clause 4.12.7.3ii)d. if a natural heritage evaluation is required
Significant woodlands	All land within 120 metres of any part of feature	All land within 30 metres of the base of outermost tree trunks within the woodland, subject to clause 4.12.7.3ii)d. if a natural heritage evaluation is required
Significant wildlife habitat	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under section 4.12.7.3.
Permanent and intermittent streams	All land within 120 metres of meander belt	All land within 30 metres of meander belt, subject to clause 4.12.7.4ii)c. and subsection 4.12.7.4ii) if a hydrological evaluation is required



Seepage areas and springs	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 4.12.7.4ii)c. and subsection 4.12.7.4ii) if a hydrological evaluation is required
Areas of Natural and Scientific interest (earth science)	All lands within 50 metres of any part of feature	As determined by an earth science heritage evaluation carried out under subsection 4.12.11.2i)
Sand barrens, savannahs and tallgrass prairies	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 4.12.7.3ii)d. if a natural heritage evaluation is required
Kettle lakes	All land within 120 metres of the surface catchment area	All land within the surface catchment area or within 30 metres of any part of feature, whichever is greater, subject to clause 4.12.7.4ii)c. if a hydrological evaluation is required

#### 4.12.7.1 Key Natural Heritage Features and Hydrologically Sensitive Features

- i) *Key Natural Heritage Features* in the *Oak Ridges Moraine Conservation Plan Area* include wetlands, significant portions of habitat of endangered, rare and threatened species, fish habitat, areas of natural and scientific interest (life science), significant valleylands, significant woodlands, significant wildlife habitat, sandbarrens, savannahs and tallgrass prairies.
- ii) Wetlands are designated on Schedule 'E-4' of this Plan.
- iii) Areas of Natural and Scientific Interest (Life Sciences) are designated on Schedule 'E-5'.
- iv) Significant Woodlands are designated on Schedule 'E-3'.
- v) *Hydrologically Sensitive Features* in the Oak Ridges Moraine Conservation Plan Area include permanent and intermittent streams, wetlands and *kettle lakes* and seepage areas and springs.
- vi) Permanent and intermittent streams are designated on Schedule 'E-4'.
- vii) No amendments will be required to Schedules 'E-3', 'E-4', and, 'E-5' where changes to the boundary of *the key natural heritage feature or hydrologically sensitive feature* are based on studies carried out in accordance with this Plan or the Oak Ridges Moraine Conservation Plan, or updated information

from the Province of Ontario, Department of Fisheries and Oceans or their delegate is provided to the satisfaction of the Township of Adjala-Tosorontio.

- viii) Any change to Schedules 'E-4', and 'E-5' which affects the boundary of a *wetland or an area of natural and scientific interest (life science)* or confirmation of the boundaries of a feature not included on the Schedules including *habitat of endangered, rare and threatened species or fish habitat*, will only be made after consultation with the District office of the Ministry of Natural Resources and in the case of *fish habitat*, with the Department of Fisheries and Oceans or their delegate.
- ix) The presence or absence of significant portions of habitat of endangered, rare and threatened species, fish habitat, significant valleylands, significant wildlife habitat, and seepage areas and springs on the lands subject to a development or site alteration application and within 120m of the application, shall be confirmed through Environmental Studies to the satisfaction of the Township of Adjala-Tosorontio in consultation with the appropriate agencies. Upon agency approval, the appropriate map schedules can be revised to reflect the findings of the Environmental Studies. *Key natural heritage features and hydrologically sensitive features* identified on the Oak Ridges Moraine but not shown on Schedules to this Plan, shall be subject to the provisions in Section 4.12.7 of this Plan respecting *key natural heritage features* and hydrologically sensitive features.

#### 4.12.7.2 Key Natural Heritage Features and Hydrologically Sensitive Features Permitted Uses

- i) No *development or site alteration* is permitted *within key natural heritage features or significant hydrological features* or the related *minimum vegetation protection zones* as specified on Table 1 in Section 4.12.7 except for the following:
  - a. forest, fish and wildlife management;
  - b. conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary and in the public interest after all alternatives have been considered;
  - c. transportation, infrastructure, and utilities, but only if the need for the project has been demonstrated and there is no reasonable alternative; and
  - d. *low-intensity recreational uses*.

#### 4.12.7.3 Key Natural Heritage Features Natural Heritage Evaluation

Prov Mod #22 (i)

- i) Applications for *development or site alteration* with respect to land within the minimum area of influence that relates to a *key natural heritage feature*, but outside the *key natural heritage feature* itself and the related minimum vegetation protection zone shall be accompanied by a Natural Heritage Evaluation.

Prov Mod #22 (ii)

- ii) A Natural Heritage Evaluation shall:
  - a. demonstrate that the development or site alteration applied for will have no *adverse effects* on the *key natural heritage feature* or on the related *ecological functions*;
  - b. Identify planning, design and construction practices that will maintain and, where possible, improve or restore the health, diversity and size of the *key natural heritage feature* and its *connectivity* with other *key natural heritage features*;
  - c. In the case of an application relating to land in a Natural Core Area, Natural Linkage Area or Countryside Area, demonstrate how *connectivity* within and between *key natural heritage features* will be maintained and, where possible, improved or restored before, during and after construction;
  - d. If Table 1 in Section 4.12.7 specifies the dimensions of a *minimum vegetation protection zone*, determine whether the specified dimension is sufficient, and if it is not sufficient, specify the dimensions of the required *minimum vegetation protection zone* and provide for the maintenance and, where possible, improvement or restoration of *natural self-sustaining vegetation* within it;
  - e. If Table 1 in Section 4.12.7 does not specify the dimensions of a *minimum vegetation protection zone*, determine whether one is required, and if one is required, specify the dimensions of the required *minimum vegetation protection zone* and provide for the maintenance and, where possible, improve or restoration of *natural self-sustaining vegetation* within it; and
  - f. In the case of a *key natural heritage feature* that is *fish habitat*, ensure compliance with the requirements of the Department of Fisheries and Oceans (Canada).
  - g. In the case of *Areas of Natural and Scientific Interest (Life Science)*, the basis on which the determination and specification of Table 1 Section 4.12.7 is done shall include, without limitation, an analysis of land use, soil type, slope class and vegetation type, using criteria established by the Government of Ontario, as amended from time to time.

Prov Mod #22 (III)

#### 4.12.7.4 Hydrologically Sensitive Feature Hydrological Evaluation

- i) An application for *development* or *site alteration* with respect to land within the *minimum area of influence* that relates to a *hydrologically sensitive feature*, but outside the *hydrologically sensitive feature* itself and the related *minimum vegetation protection zone* shall be accompanied by a Hydrological Evaluation.
- ii) A Hydrological Evaluation shall,
  - a. Demonstrate that the *development or site alteration* will have no *adverse effects* on the *hydrologically sensitive feature* or on the related hydrological functions;
  - b. Identify planning, design and construction practices that will maintain, and where possible improve or restore, the health, diversity and size of the *hydrologically sensitive feature*; and
  - c. Determine whether the *minimum vegetation protection zone* whose dimensions are specified in Table 1 in Section 4.12.7 is sufficient, and if it is not sufficient, specify the dimensions of the required *minimum vegetation protection zone* and provide for the maintenance and, where possible, improvement or restoration of *natural self-sustaining vegetation* within it.
  - d. In the case of permanent and intermittent streams and seepage areas and springs, the basis on which the determination and specification mentioned in Section 4.12.7, is done shall include, without limitation, an analysis of land use, soil type and slope class, using criteria established by the Government of Ontario, as amended from time to time.

Prov Mod #23

#### 4.12.8 Major Development

- i) *Major development* in Section 4.12 of this Plan means *development* consisting of:
  - a. the creation of four or more lots;
  - b. the construction of a building or buildings with a ground floor area of 500m<sup>2</sup> or more, or
  - c. the establishment of a major recreational use as described in Section 4.12.13.2 of this Plan.
- ii) Every application in the Natural Core Area, Natural Linkage Area, Countryside Area and Rural Settlement Area, commenced on or after April 23, 2007 for *major development* as defined in Section 4.12.8i) is prohibited unless:

- a. The watershed plan for the relevant watershed, prepared by the County of Simcoe in accordance with Section 24(3) of the *Oak Ridges Moraine Conservation Plan*, has been completed;
  - b. The *major development* conforms with the watershed plan; and
  - c. A water budget and conservation plan, prepared by the County of Simcoe in accordance with Section 25 of *the Oak Ridges Moraine Conservation Plan* and demonstrating that the water supply required for the *major development* is sustainable, has been completed.
- iii) An application for *major development* commenced prior to April 23, 2007 shall not be approved unless:
- a. The County of Simcoe has completed a water budget and conservation plan, prepared in accordance with Section 25 of the *Oak Ridges Moraine Conservation Plan*, demonstrating that the water supply required for the *major development* is sustainable.

OR

- b. The applicant,
  - 1. Identifies any *hydrologically sensitive features* and related *hydrological functions* on the site and how they will be protected.
  - 2. Demonstrates that an adequate water supply is available for the development without compromising the *ecological integrity of the Oak Ridges Moraine Conservation Plan Area*, and
  - 3. Provides, with respect to the site and such other land as the approval authority considers necessary, a water budget and water conservation plan that:
    - i) Characterizes groundwater and surface water flow systems by means of modeling;
    - ii) Identifies the availability, quantity and quality of water sources, and
    - iii) Identifies water conservation measures.

#### **4.12.9 Subwatersheds**

- i) With respect to land in the Natural Core Area, Natural Linkage Area, Countryside Area and Rural Settlement Area designations, all *development and site alteration* with respect to land in a *subwatershed* are prohibited if they would cause the total percentage of the area of the *subwatershed* that has *impervious surfaces* to exceed:
  - a. 10 percent; or

Prov Mod #24 (i)

b. any lower percentage specified in the applicable watershed plan.

Prov Mod #24 (ii)

- ii) With respect to land in the Natural Core Area, Natural Linkage Area, Countryside Area and Rural Settlement Area designations, in considering applications for *development* or *site alteration* with respect to land in a *subwatershed* the approval authority shall take into account the desirability of ensuring that at least 30 percent of the area of the *subwatershed* has *self-sustaining vegetation*.

Prov Mod #24 (iii)

#### **4.12.10 Areas of High Aquifer Vulnerability**

Prov Mod #25

- i) Schedule 'E-6' Aquifer Vulnerability, is based on mapping provided by the Province of Ontario. No amendment will be required to Schedule 'E-6', where further definition of the boundaries of high aquifer vulnerability areas are proposed in accordance with Section 29 of the Oak Ridges Moraine Conservation Plan.
- ii) Despite anything else in the plan except Section 4.12.1.5 the following uses are prohibited with respect to land in areas of high aquifer vulnerability, as shown on Schedule 'E-6' Aquifer Vulnerability;
- a. Generation and storage of *hazardous waste* or *liquid industrial waste*;
  - b. Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;
  - c. Underground and above-ground storage tanks that are not equipped with an approved secondary containment device;
  - d. Storage of a containment listed in Schedule 3 (Severely Toxic Contaminants) to regulation 347 of the Revised Regulations of Ontario, 1990.

Prov Mod #26

#### **4.12.11 Landform Conservation Areas**

Prov Mod #27

- i) Schedule 'E-7' Landform Conservation Areas, is based on mapping provided by the Province of Ontario.

Prov Mod #28

##### **4.12.11.1 Landform Conservation in Natural Core Area, Natural Linkage Area, Countryside Area and Rural Settlement Area**

Prov Mod #29 (i) (ii) (iii)

- i) An application for *development* or *site alteration*, with the exception of mineral aggregate operations, on lands in the Natural Core Area, Natural Linkage Area, Countryside Area and Rural Settlement Area shall:

- a. With respect to land in a landform conservation area Category 1 on Schedule 'E-7', identify planning, design and construction practices that will keep disturbance to landform character to a minimum, including;
- b. With respect to land in a landform conservation area Category 2 on Schedule 'E-7', identify planning, design and construction practices that will keep disturbance to landform character to a minimum, including:
  1. Maintaining *significant landform features* such as steep slopes, *kames*, kettles, ravines and ridges in their natural undisturbed form;
  2. Limiting the portion of the *net developable area* of the site that is disturbed to not more than 50 percent of the total area of the *site*; and
  3. Limiting the portion of the *net developable area* of the *site* that has *impervious surfaces* to not more than 20 percent of the total area of the *site*.
- c. With the exception of applications for *mineral aggregate operations*, *major development* applications, or *site alterations* with respect to land in a *landform conservation area* of either category shall be accompanied by a site plan that:
  1. Identifies the areas within which all building, grading and related construction will occur;
  2. Demonstrates that building and structures will be located within the areas referred to in clause (1) so as to minimize the amount of *site alteration* required; and
  3. Provides of the protection of areas of natural and scientific interest (earth science) in accordance with Section 4.12.11.2(i).
- d. Where the application is for *major development*, as defined in Subsection 4.12.8 on land in a *landform conservation area* of either Category 1 or Category 2, on Schedule 'E-7', the application shall be accompanied by a landform conservation plan that:
  1. Shows, on one or more maps:
    - i) elevation contours in sufficient detail to show the basic topographic character of the *site*, with an interval of not more that two meters;
    - ii) analysis of the site by slope type (for example, moderate or steep);

- iii) *significant landform features* such as *kames*, *kettles*, *ravines* and *ridges*; and
  - iv) all water bodies including intermittent streams and ponds.
2. Includes a development strategy that identifies appropriate planning, design and construction practices to minimize disruption to landform character, including:
- i) retention of *significant landform features* in an open, undisturbed form;
  - ii) road alignment and building placement to minimize grading requirements;
  - iii) concentration of development on portions of the site that are not significant;
  - iv) use of innovative building design to minimize grading requirements; and
  - v) use of selective grading techniques.

#### 4.12.11.2 Landform Conservation in an Area of Natural and Scientific Interest

- i) An application for *development* or *site alteration* within Natural Core Area, Natural Linkage Area, Countryside Area and Rural Settlement Area designations within an area of *natural and scientific interest (earth science) feature* shown on Schedule 'E-5' or the related *minimum area of influence* which includes all lands within 50 meters of any part of the feature, shall be accompanied by an *earth science heritage evaluation* that:
  - a. identifies planning, design and construction practices that will ensure protection of the geological and geomorphological attributes for which the area of natural and scientific interest was identified; and
  - b. determines whether the minimum vegetation protection zone is required, and if so, specifies the dimensions of that zone and provides for the maintenance and, where possible, improvement or restoration of *natural self-sustaining vegetation* within it.

Prov Mod #30

#### 4.12.12 Mineral Aggregate Operations and Wayside Pits

- i) *Mineral aggregate operations* include:



- an operation, other than a *wayside pit*, conducted under a licence or permit under the Aggregate Resources Act, and,
  - associated facilities used in the extraction, transportation, beneficiation, processing or recycling of mineral aggregate or the production of related by-products.
- ii) No new mineral aggregate operations or wayside pits shall be permitted in the Natural Core Area designation.
  - iii) A *wayside pit* means a temporary pit opened or used by or for a public body solely for the purpose of a particular project of road construction and not located on the road right of way.
  - iv) In Natural Linkage Area, Countryside Area designations and Rural Settlement Area, *mineral aggregate operations*, may be permitted subject to an amendment to the zoning by-law and the applicable policies of this Plan.
  - v) The Township of Adjala-Tosorontio in the review of all applications for *mineral aggregate operations* and *wayside pits*, shall ensure that the applications comply with Section 35 of the Oak Ridges Moraine Conservation Plan to the extent that the provisions can be addressed under the Planning Act and Municipal Act along with all other applicable provisions of this Plan. Under Section 36 of the Oak Ridges Moraine Conservation Plan the municipality and the mineral aggregate industry are encouraged to work together to develop and implement comprehensive rehabilitation plans.

#### **4.12.13 Recreational Uses**

- 4.12.13.1 Low - Intensity Recreational Uses in the Natural Core Area, Natural Linkage Area, Countryside Area and Rural Settlement Area.
  - i) Low-intensity recreational uses are recreational uses that have minimal impact on the natural environment, and require very little terrain or vegetation modification and few, if any, buildings or structures, including but not limited to:
    - a. Non-motorized trail uses
    - b. Natural heritage appreciation
    - c. Unserviced camping on public land
    - d. *Accessory uses*
  - ii) Small-scale structures accessory to low-intensity recreational uses, such as trails, boardwalks, footbridges, fences, docks and picnic facilities, are

permitted only if the applicant demonstrates that the *adverse effects* on the *ecological integrity* of the Oak Ridges Moraine Conservation Plan Area will be kept to a minimum by:

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

Prov Mod #33

#### 4.12.13.2 Major Recreational Uses in the Countryside Area and Rural Settlement Area

i) Major recreational uses are recreational uses that require large-scale modification of terrain, vegetation or both and usually also require large-scale buildings or structures, including but not limited to:

Prov Mod #34

- a. Golf courses;
- b. Serviced playing fields;
- c. Serviced campgrounds;
- d. Ski hills.

Prov Mod #35

ii) An application to establish or expand a major recreational use in the Countryside Area and Rural Settlement Area designation shall be accompanied by:

a. a recreation plan demonstrating that:

- 1. water use for maintenance or snow-making will be kept to a minimum;
- 2. grassed, watered and manicured areas will be limited to sports field surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures;
- 3. crossings of intermittent and permanent streams will be kept to a minimum;
- 4. water-conserving technologies will be used in clubhouses and restaurants;
- 5. water-conserving technologies will be used in irrigation and watering of sports field surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures, and;
- 6. stormwater treatment facilities will be used to capture and treat runoff from areas with *impervious surfaces*.

b. a vegetation management plan demonstrating that:

- 1. the application of fertilizers, pesticides, herbicides and fungicides will be limited to sports field surfaces, golf fairways, tees, greens and landscaped areas around buildings and structures, and, in those locations, will be kept to a minimum;

2. grass mixtures that require minimal watering and upkeep will be used for sports field surfaces and golf fairways; and,
3. wherever possible, intermittent stream channels and drainage swales will be kept in a free-to-grow, low-maintenance condition.

c. demonstration that:

1. The recreational activities on the site:
  - i) will be compatible with the natural character of the surrounding area, and
  - ii) will be designed and located so as not to conflict with adjacent land uses.
2. New technologies relating to construction, grounds maintenance and water conservation will be explored and incorporated, as they become available, to help maintain, and where possible improve or restore the *ecological integrity* of the *Oak Ridges Moraine Conservation Plan Area*.

#### 4.12.13.3 Trail Systems

Prov Mod #36 (i)

- i) It is the objective of the Oak Ridges Moraine Conservation Plan to establish a recreational trail system to provide continuous access and travel along the entire Oak Ridges Moraine Conservation Plan Area, accessible to all including persons with disabilities.

The following uses, buildings and structures are permitted on the trail system:

1. non-motorized trail uses except, for the use of motorized wheelchairs by persons who need them for mobility,
2. parking, signage, washrooms and interpretive facilities to support access to the trail system,
3. fencing to define and protect the trails,
4. works to improve access to the trail system and remove barriers to its use, for the benefit of all including persons with disabilities,
5. works to protect ecologically sensitive portions of the trail system, and,
6. conservation and erosion control to protect or restore key natural heritage features and hydrologically sensitive features and the related ecological functions along the trail system.

Prov Mod #36 (ii)

- ii) The trail system shall,
  1. be designed to maintain and, where possible, improve or restore the ecological integrity of the Oak Ridges Moraine Conservation Plan;
  2. be located in the natural Core Areas and Natural Linkage Areas as much as possible;

3. be located away from unopened road allowances as much as possible.

#### **4.12.14 Small-Scale Commercial, Industrial and Institutional Uses in the Countryside Area**

- i) Small-scale commercial, industrial and institutional uses:
  - a. are supportive of, complementary to or essential to uses that are permitted in Countryside Areas under section 4.12.4 iii) of this Plan;
  - b. do not require large-scale modification of terrain, vegetation or both or large-scale buildings and structures, and;
  - c. include, but are not limited to:
    1. farm implement stores, feed stores and country markets,
    2. portable mineral aggregate crushing plants, portable asphalt plants and composting plants, and,
    3. schools, places of worship, community halls, retirement homes, and cemeteries, intended mainly to serve nearby Rural Settlements within the Oak Ridges Moraine Conservation Plan Area.
- ii) An application for a small-scale commercial, industrial or institutional use with respect to land in the Countryside Area designation shall not be approved unless the applicant demonstrates that:
  - a. the buildings and structures will be planned, designed and constructed so as to not *adversely affect*:
    1. the rural character of the Countryside Areas, and
    2. the *ecological integrity* of the Oak Ridges Moraine Conservation Plan Area.

Prov Mod #37

#### **4.12.15 Lot Creation**

- i) New *lots* may be created in the Rural Settlement Area designation as minor infill, and minor rounding-out and subject to the policies of Sections 4.12.6, 4.12.7, and 4.12.11 of this Plan. Minor rounding-out of a Rural Settlement cannot encroach into a Natural Core Area or Natural Linkage area.
- ii) New *lots* may be created in the Natural Core Area, Natural Linkage Area, and Countryside Area designations subject to the policies of Sections 4.12.6, 4.12.7, and 4.12.11 and for only those circumstances listed in Section 4.12.15 iii) of this Plan.
- iii) A new *lot* may be created only in the following circumstances:
  1. Severance, from a *rural lot*, of a *farm retirement lot* or a *lot for a residence surplus to a farming operation*. The maximum permitted is a cumulative total of one such severance for each *rural lot*. All consents granted on or

Prov Mod #38

after January 1, 1994 are included in the calculation of the cumulative total.

2. Severance from each other of two or more *rural lots* that have merged in title. The severance shall follow the *original lot* lines or *original half lot* lines.
  3. Allowing land acquisitions for transportation, infrastructure, and utilities as described in Section 4.12.16 of this Plan, but only if the need for the project has been demonstrated and there is no reasonable alternative.
  4. The addition of adjacent land to an existing *lot*, but only if the adjustment does not result in the creation of a *lot* that is undersized for the purpose for which it is being or may be used.
  5. Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation.
  6. Severance from each other of parts of a lot that are devoted to different uses, but only if the uses are legally established at the time of the application for severance.
- iv) Subsection 4.12.15 iii) applies whether the transaction takes the form of a conveyance, a lease for twenty-one years or more, or a mortgage.
- v) A *lot* may be created only if there is enough *net developable area* on both the severed *lot* and the remainder *lot* to accommodate proposed uses, buildings and structures and accessory uses without encroachment on *key natural heritage features* or *hydrologically sensitive features*.
- vi) When a *lot* is created, the Township shall enter into a site plan agreement or other agreement with applicant to establish conditions requiring that *natural self-sustaining vegetation* be maintained or restored in order to ensure the long-term protection of any *key natural heritage features* and *hydrologically sensitive features* on the *lot*.
- vii) A *lot* shall not be created if it would extend or promote strip development.

#### **4.12.16 Transportation, Infrastructure and Utilities**

- i) Transportation, infrastructure and utilities uses include:
- a. public highways;
  - b. transit lines, railways and related facilities;
  - c. gas and oil pipelines;

- d. sewage and water service systems and lines and stormwater management facilities;
- e. power transmission lines;
- f. telecommunications lines and facilities, including broadcasting towers;
- g. bridges, interchanges, stations and other structures, above and below ground, that are required for the construction, operation or use of the facilities listed in a. to f. in Section 4.12.16 i); and,
- h. rights of way required for the facilities listed in clauses a. to g. in Section 4.12.16 i).

Prov Mod #39

- ii) Transportation, infrastructure and utilities are permitted in all Oak Ridges Moraine land use designations, subject to Section 41 of the Oak Ridges Moraine Conservation Plan, and prohibited in *all key natural heritage features and hydrologically sensitive features*, unless the provisions of Section 41 of the Oak Ridges Moraine Conservation Plan have been met, including the demonstration of need for the project. Need for a project will typically be assessed and included as part of an *Environmental Assessment Act* process. If such a process does not apply, the requirements of Section 41 will be met through the *Planning Act, Condominium Act, Local Improvement Act processes*, or other applicable approval processes.
  
- iii) An application for a transportation, infrastructure or utilities use in a Natural Linkage Area designation shall not be approved unless:
  - a. the need for the project has been demonstrated and there is no reasonable alternative; and,
  - b. the applicant demonstrates that the following requirements will be satisfied, to the extent that is possible while also meeting the applicable safety standards:
    - 1. The area of construction disturbance will be kept to a minimum.
    - 2. Right-of-way widths will be kept to the minimum that is consistent with meeting other objectives such as stormwater management and with locating as many transportation, infrastructure, and utility uses within a single corridor as possible.
    - 3. The project will allow for wildlife movement.
    - 4. Lighting will be focused downwards and away from Natural Core Areas.
    - 5. The planning, design and construction practices adopted will keep any *adverse effects* on the *ecological integrity* of the Oak Ridges Moraine Conservation Plan Area to a minimum.
  
- iv) An application for a transportation, infrastructure or utilities use in a Natural Core Area designation shall not be approved unless:
  - a. The requirements of Section 4.12.16 ii) have been met;

- b. The project does not include and will not in the future require a highway interchange or a transit or railway station in a Natural Core Area; and,
  - c. The project is located as close to the edge of the Natural Core Area as possible.
- v) An application with respect to land in a *key natural heritage feature* or a *hydrologically sensitive feature* for new or upgraded transportation, infrastructure or utilities uses including the opening of a road within an unopened road allowance shall be prohibited unless the applicant demonstrates that;
- a. the need for the project has been demonstrated and there is no reasonable alternative;
  - b. the planning, design and construction practices adopted will keep any adverse effects on the *ecological integrity* of the Oak Ridges Moraine Conservation Plan Area to a minimum;
  - c. the design practices adopted will maintain, and where possible improve or restore key ecological and recreational linkages, including the trail system referred to in Section 4.12.13.3;
  - d. the landscape design will be adapted to the circumstances of the *site* and use native plant species as much as possible, especially along rights of way; and,
  - e. the long-term landscape management approaches adopted will maintain, and where possible improve or restore, the health, diversity, size and *connectivity* of the *key natural heritage feature* or
  - f. *hydrologically sensitive feature*.
- vi) Service and utility trenches for transportation, infrastructure or utilities uses where permitted in accordance with this Plan shall be planned, designed and constructed so as to keep disruption of the natural groundwater flow to a minimum.

#### **4.12.17 Sewage and Water Services**

- Prov Mod #40
- i) An application for *major development* for all lands identified as Oak Ridges Moraine Conservation Plan Area on Schedule 'E-1' shall be accompanied by a sewage and water system plan that demonstrates:
    - a. that the *ecological integrity* of *hydrological* and *key natural heritage features* will be maintained;
    - b. that the quantity and quality of groundwater and surface water will be maintained;
    - c. that stream baseflows will be maintained;
    - d. that the project will comply with the watershed plan and water budget and conservation plan prepared by the County of Simcoe in accordance with sections 24 and 25 of the Oak Ridges Moraine Conservation Plan.
    - e. that the water use projected for the *development* will be sustainable.

- ii) Water and sewer service trenches shall be planned, designed and constructed so as to keep disruption of the natural groundwater flow to a minimum.
- iii) The construction or expansion of *partial services* are prohibited except where the construction or expansion of *partial services* is necessary to address a serious health concern or environmental concern.
- iv) Section 4.12.17 iii) does not apply to prevent the construction or expansion of partial services if:
  - a. the construction or expansion was approved under the Environmental Assessment Act before November 17, 2001, and,
  - b. the period of time during which the construction or expansion may begin has not expired.

#### **4.12.18 Stormwater Management**

- i) An application for *major development* on all lands identified as Oak Ridges Moraine Conservation Plan Area on Schedule 'E-1' of this Plan shall be accompanied by a stormwater management plan that shall:
  - a. demonstrate that planning, design and construction practices that protect water resources will be used, including,
    - 1. keeping the removal of vegetation, grading and soil compaction to a minimum;
    - 2. keeping all sediment that is eroded during construction within the site;
    - 3. seeding or sodding exposed soils as soon as possible after construction; and,
    - 4. keeping chemical applications to suppress dust and control pests and vegetation to a minimum.
- ii) In considering an application for *development or site alteration*, the Township shall seek to reduce areas with *impervious surfaces* and increase areas retained in a natural undisturbed state, in order to minimize stormwater volumes and contaminant loads.
- iii) The Township development standards shall incorporate planning, design and construction practices that will,
  - a. reduce the portions of *lots* and *sites* that have *impervious surfaces*; and.
  - b. provide the flexibility to use alternative stormwater management techniques such as directing roof discharge to rear yard ponding areas and increasing grassed swales.
- iv) Section 4.12.18 i) ii) and iii) do not apply to applications for *mineral aggregate operations*.

Prov Mod #41



- v) For the purposes of stormwater management, the minimum standard for water quality is that 80 percent of suspended solids shall be removed from stormwater runoff as a long-term average.
- vi) Despite anything else in this Plan, disposal of stormwater into a *kettle lake* is prohibited.
- vii) Despite anything else in this Plan, new *stormwater management ponds* are prohibited with respect to land in *key natural heritage features* and *hydrologically sensitive features*.
- Prov Mod #41 (ii) viii) Despite anything else in this Plan, *new rapid infiltration basins* and *new rapid infiltration columns* are prohibited on lands identified as Oak Ridges Moraine Conservation Plan Area on Schedule 'E-1' of this Plan.
- ix) The objectives of a stormwater management plan are to:
  1. maintain groundwater quantity and flow and stream baseflow;
  2. protect water quality;
  3. protect aquatic species and their habitat;
  4. prevent increases in stream channel erosion; and,
  5. prevent any increase in flood risk.

#### **4.12.19 Wellhead Protection Areas**

- i) *Wellhead Protection Areas* have been identified by the County of Simcoe and have been shown for existing municipal wells on Schedule 'E-4' to this Plan. The *Wellhead Protection Areas* identify:
  - a. a 50 day time of travel;
  - b. a 2 year time of travel;
  - c. a 10 year time of travel, and,
  - d. a 25 year time of travel.
- ii) Within *Wellhead Protection Areas* as shown on Schedule 'E-4' to this Plan, the following uses are prohibited:
  - a. Storage, except by an individual for personal or family use, of,
    1. petroleum fuels;
    2. petroleum solvents and chlorinated solvents;
    3. pesticides, herbicides and fungicides;
    4. construction equipment;
    5. inorganic fertilizers;
    6. road salt; and,
    7. contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.

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- b. Generation and storage of hazardous waste or liquid industrial waste.
  - c. Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.
- iii) Notwithstanding any other provision of this Plan, new uses, which involve the following are prohibited, except by an individual for personal or family use, on lands in the zero to two year time of travel zone in each *Wellhead Protection Area*:
- a. Storage of animal manure;
  - b. Animal agriculture; and,
  - c. Storage of agricultural equipment.
- iv) Every person who carries on a use listed above, as an owner or operator, shall prepare and maintain a site management and contingency plan that is aimed at reducing or eliminating the creation of the materials referred to above, and their release into the environment, which plan shall be reviewed and approved by the County of Simcoe.
- v) The Township shall consider and encourage restrictions on haulage routes for the transportation of chemicals and volatile materials through designated *Wellhead Protection Areas*."

By adding Section 5.3.7 as follows:

"In addition to Section 5 of this Plan, in the consideration of new roads and related infrastructure, lands located on Schedule 'E-1' on the Oak Ridges Moraine shall be subject to the provisions of Section 4.12.16 of this Plan.

By adding the following to the end of Section 5.7:

", and meets the requirements of Section 4.12.16 for those lands on the Oak Ridges Moraine as shown on Schedule 'E-1' to this Plan."

By adding the following Section 8.10.6: "It is the objective of the Oak Ridges Moraine Conservation Plan to establish or extend trails throughout the Oak Ridges Moraine Conservation Plan Area subject to Section 4.12.13.3 of this Plan."

By adding the following to Section 9 INTERPRETATION:

9.3 Where words are italicized in Section 4.12 of this Plan, reference should be made to the definitions included in the Oak Ridges Moraine Conservation Plan, Ontario Regulation 140/02.

- 9.4 Where there is a conflict in the policies in Section 4.12 of this Plan and the balance of this Plan, the more restrictive policies shall apply.
- 9.5 For lands located on the Oak Ridges Moraine where there is a conflict between this Plan and the Oak Ridges Moraine Conservation Plan, Ontario Regulation 140/02, the Oak Ridges Moraine Conservation Plan, Ontario Regulation 140/02, prevails to the extent of the conflict. For purposes of clarification, this Plan does not conflict with the Oak Ridges Moraine Conservation Plan where this Plan is more restrictive.
- 9.6 Despite the policies of this Plan and the Oak Ridges Moraine Conservation Plan, lands located on the Oak Ridges Moraine are also subject to the policies in both the County of Simcoe Official Plan and the Provincial Policy Statement where there is no conflict.
- 9.7 With respect to lands located on the Oak Ridges Moraine, the Province of Ontario has prepared technical papers to provide guidance on the interpretation and application of the provisions of the Oak Ridges Moraine Conservation Plan. These technical papers may be amended from time to time by the Province of Ontario to incorporate new information."

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