

COMMITTEE OF THE WHOLE **NOVEMBER 18, 2002**

REGION OF YORK OFFICIAL PLAN AMENDMENT 41
THE OAK RIDGES MORAINÉ CONSERVATION PLAN

Recommendation

The Commissioner of Planning recommends:

1. That the City of Vaughan requests that the Region of York revise OPA 41 in accordance with the recommended revisions as set out in the Staff report.
2. The Council minutes be sent to the Clerk of the Regional Municipality of York as forming the City of Vaughan's comments on OPA 41 to the Region of York Official Plan.

Purpose

To update Council on proposed Region of York Official Plan Amendment 41, the Oak Ridges Moraine Conservation Plan Amendment, and to provide comments to the Region on the proposed amendment.

Background

On December 14, 2001, the Oak Ridges Moraine Conservation Act (ORMCA) received Royal Assent, which was followed by the Oak Ridges Moraine Conservation Plan (ORMCP), filed as Regulation 140/02 on April 22, 2002. The Oak Ridges Moraine Act requires the Regions of York, Peel and Durham to adopt amendments to bring their official plans into conformity with the ORMCP by April 22, 2003.

Proposed Official Plan Amendment 41 to the Region of York Official Plan

On October 2, 2002, the Region of York Planning and Economic Development Committee considered a Staff report on the Region's proposed Official Plan Amendment 41 (Attachments 1 and 2 to this report). On October 17, 2002, Regional Council resolved "That Council release Proposed Amendment 41 to the Regional Official Plan for public review and comment in accordance with the requirements of the Planning Act".

The Region's staff report notes that the Planning Commissioners from York, Peel and Durham met earlier this year with their Provincial counterparts to present and obtain agreement from the Province on the framework for the Regional Amendments. The specific policies in proposed OPA 41 reflect the appropriate sections of the ORMCP and the framework discussed at that meeting.

The Amendment contains three main parts:

1. Policy amendments and additions in other sections of the Plan to recognize the pre-eminent nature of the ORMCP;
2. New policies to replace those currently in Section 2.5 Oak Ridges Moraine of the Regional Plan;
3. Mapping Changes to Regional Official Plan maps to recognize the area of application of the ORMCP, identification of key natural heritage features on Maps 2 and 3, and the inclusion of a new Map 11 - Oak Ridges Moraine Land Use Designations.

The following mapping changes are proposed to the Region of York Official Plan:

1. Maps 2 through 10 are to be amended to show the ORMCP boundary and a screened ORMCP area, as well as the addition of a caveat on the legend referring to the policies of Section 2.5 of the Regional Official Plan and the ORMCP.
2. Map 2 - Significant Natural Features, and Map 3 - Forest Resources will be amended by the identification of key *natural heritage features*, including the following: all wetlands on the Moraine, significant woodlands, Life Science ANSIs, Fish Habitat, when provided by the Ministry of Natural Resources.
3. The addition of a new Map 11 - Oak Ridges Moraine Conservation Plan Land Use Designations, which will identify prescribed ORMCP land use designation locations. The one change proposed in this amendment is that the accepted Regional Official Plan nomenclature for settlement hierarchy (i.e. Urban Area and Towns and Villages) will be used in place of the ORMCP nomenclature of Settlement Area.

The Region of York conducted public information sessions in King Township on the evening of October 16, 2002, and Whitchurch-Stouffville on the evening of October 24, 2002. Vaughan Community Planning Staff attended the King City meeting, which was attended by approximately 75 people. The statutory public hearing required by the Planning Act is scheduled for November 13, 2002. As provided for in the Oak Ridges Moraine Conservation Act, the Minister of Municipal Affairs will have the final approval on the Regional Official Plan Amendment with no appeal to the Ontario Municipal Board, provided the Amendment is adopted prior to April 22, 2003.

Local Official Plans

The Oak Ridges Moraine Conservation Act requires local municipalities to adopt amendments to their official plans and zoning by-laws by October 22, 2003. Vaughan Council considered a Staff report on August 26, 2002, respecting the process to amend the City's official plan and zoning by-law to bring them into conformity with the ORMCP. Council endorsed a timeline which includes a statutory public hearing in February 2003, with the amendments adopted by June 2003.

The Region's proposed OPA 41 will establish a framework for the preparation of the local amendments. The Region's Staff report notes that the Town of East Gwillimbury, with financial and staff assistance from the Province, has started the preparation of their official plan and zoning by-law amendments. The Regional Staff is participating in this process on a Technical Advisory Committee, which will result in model amendments that may be used by other municipalities. As part of the City's amendment process, Vaughan Staff will monitor and review information resulting from the East Gwillimbury process as it becomes available.

Typically, the local official plan sets out land use and development policies in greater detail than the Regional Official Plan, however, the local official plans must conform to the Regional Official Plan. With respect to the Oak Ridges Moraine Conservation Plan, it is also expected that the Regional Plan would be more general than the local official plan.

Recommended Revisions to OPA 41

Planning Staff have reviewed draft OPA 41 in the context of the Oak Ridges Moraine Conservation Act and Plan, with the objective of ensuring clarity in interpretation and consistency with those documents. Given that Vaughan will also be amending its Official Plan and zoning by-law to bring them into conformity with the ORMCP and the Region's Official Plan, it is imperative that the Region's Official Plan be clear as to its intent and interpretation. In this regard, the following revisions are recommended:

1. Section 2.5.2 a) and b) Oak Ridges Moraine, Natural Core and Natural Linkage Areas

The permission for existing uses should be clarified to maintain consistency with the ORMCP, that the permission for existing uses in the Natural Core would only apply to uses lawfully existing on November 15, 2001, and previously authorized dwellings, buildings and structures, as

provided in Sections 6, 7 and 8 of the ORMCP. It is noted that the word, “existing” is defined in the ORMCP. If it is the intent to direct the reader to the ORMCP, then “existing” should be italicized.

2. Sections 2.5.2 c) and d) Oak Ridges Moraine, Countryside Areas and Urban Areas and Towns and Villages

Similar to the Natural Core and Natural Linkage Areas in item 1 above, these sections should also include recognition of the permission for existing uses, previously authorized dwellings, buildings and structures, that are granted in Sections 6, 7 and 8 of the ORMCP.

3. Section 2.5.2 c) Oak Ridges Moraine, Countryside Areas - small scale industrial, commercial and institutional uses

The Oak Ridges Moraine Conservation Plan provides that the Regional and local Official Plans can be more restrictive than the ORMCP with two exceptions, agriculture and aggregate resources. With respect to the permission of small-scale industrial, commercial and institutional uses in the Countryside Areas, OPA 41 appears to be more restrictive than the ORMCP, which permits such uses subject to meeting certain tests in the ORMCP.

The Regional Official Plan currently requires that industrial, commercial and institutional uses in the Rural Policy Areas “shall generally be directed to urban areas”, and that such uses shall only be permitted subject to an amendment to the area municipal official plan and addressing specific tests in the Regional Official Plan. OPA 41 would appear to be largely consistent with the Region’s current policy approach to industrial, commercial and institutional uses in the Rural Policy Area. Vaughan Staff are of the opinion that it is appropriate that the policies respecting such uses in the Rural Policy Area and the Countryside Area of the Region’s Official Plan should be consistent. As such, OPA 41 should be clearer in its requirement for an amendment to the local official plan for industrial, commercial and institutional uses in the Countryside.

4. Section 2.5.2 c) Oak Ridges Moraine, Countryside Areas - recreational uses

The wording in OPA 41 includes that small scale industrial, commercial and institutional uses shall be directed to the Rural Settlements. There is no mention of new recreational uses being permitted in the Countryside designation, although the ORMCP permits *major recreational uses* in the Countryside Areas, subject to them not being included in prime agricultural areas and areas designated primarily for agricultural uses in the applicable official plan. OPA 41 should include wording which recognizes the permission for major recreational uses, subject to the provisions set out in the ORMCP.

5. Section 2.5.4 Oak Ridges Moraine

This section should be expanded to recognize the exception to the *minimum vegetation protection zone*, which is provided in Subsections 21(3) and 21(4) of the ORMCP, applying to lands within a Settlement Area on April 22, 2002. Additional wording, as suggested above, would be consistent with the proposed wording in new Policy 2.2.23 in OPA 41 stating that “.....*Development or site alteration* within these features and within the *minimum vegetation protection zone* surrounding these features is prohibited, except where it meets the intent of the applicable provisions of the Oak Ridges Moraine Conservation Plan.”

6. Map 2 - Significant Natural Features and Map 3 - Forest Resources

The wording in this section includes that Maps 2 and 3 will be amended by the identification of key natural heritage features including the following: identified wetlands, significant woodlands, Life Science ANSIs, Fish Habitat, when provided by MNR. Vaughan Planning Staff note that at

the technical training sessions on the ORMCP conducted by Provincial Staff this fall, mapping of significant portions of the habitat of endangered, rare and threatened species, sand barrens, savannahs, and tall grass prairies were also to be provided by the Province. It is not clear as to why these key natural heritage features are not included in the updated mapping in OPA 41. It is recommended that these features also be identified in OPA 41.

Similarly, OPA 41 does not include any mapping updates to identify the significant hydrological features that the Province will be mapping of permanent and intermittent streams and kettle lakes. These hydrological features should also be identified in OPA 41.

7. Transition Provisions of Oak Ridges Moraine Conservation Act and Prescribed Provisions of the Oak Ridges Moraine Conservation Plan

OPA 41 should include policies that recognize the transition provisions of the Oak Ridges Moraine Conservation Act (Section 15) and prescribed provisions of the Oak Ridges Moraine Conservation Plan (Part V, Section 48), in addressing Planning Act and Condominium Act applications that were commenced and/or decided upon prior to the ORMCA and ORMCP coming into effect.

Conclusion

The Oak Ridges Moraine Conservation Act requires that the Region of York amend its Official Plan to bring it into conformity with the Oak Ridges Moraine Conservation Plan by April 22, 2003. OPA 41 forms the proposed amendment to the Regional Official Plan. Planning Staff have reviewed draft OPA 41 and have recommended some refinements to add clarity and consistency with the Oak Ridges Moraine Conservation Act and Plan and other areas of the Regional Official Plan.

Vaughan is also required to amend its official plan and zoning by-law to bring them into conformity with the ORMCP by October 22, 2003. Vaughan's amendments must also conform to the Region of York Official Plan. The task of amending the City's Official Plan will benefit from Regional Official Plan policies that provide clear direction for the municipalities to follow.

Should Council concur with the refinements that are outlined in the Recommended Revisions to OPA 41 section of the report, the recommendation should be adopted.

Attachments

1. Report of the Commissioner of Planning and Development Services on Proposed Amendment 41 to the Regional Official Plan, The Oak Ridges Moraine Conservation Plan Amendment
2. Proposed Amendment 41 to the Region of York Official Plan

Report prepared by:

Eric Taylor, Senior Planner Environmental, ext. 8214
Marco Ramunno, Manager, Development Planning, ext. 8445

Respectfully submitted,

MICHAEL DeANGELIS
Commissioner of Planning
/LG

JOANNE R.ARBOUR
Director of Community Planning

R:\SER\WORKING\TAYLORE\Region of York OPA 41 COW.doc

ATTACHMENT NO. 1

THE REGIONAL MUNICIPALITY OF YORK

Planning and Economic Development Committee
October 2, 2002
Report of the
Commissioner of Planning & Development Services

PROPOSED AMENDMENT 41 TO THE OFFICIAL PLAN FOR THE REGIONAL MUNICIPALITY OF YORK THE OAK RIDGES MORAINÉ CONSERVATION PLAN AMENDMENT

1. RECOMMENDATIONS

It is recommended that:

1. That Council release Proposed Amendment 41 to the Regional Official Plan for public review and comment in accordance with the requirements of the *Planning Act*.

2. PURPOSE

The purpose of this report is to introduce Proposed Amendment 41 to the Official Plan for the Regional Municipality of York (*Attachment 1*), which is intended to bring the Regional Official Plan into conformity with the Oak Ridges Moraine Conservation Plan.

3. BACKGROUND

On December 14, 2001, the *Oak Ridges Moraine Conservation Act, 2001* was proclaimed by the Province of Ontario and was followed on April 22, 2002, by the filing of Ontario Regulation 140/02, the Oak Ridges Moraine Conservation Plan (ORMCP).

Under the provisions of the *Act*, the Regions of York, Peel and Durham have one year from the filing of the Plan to adopt amendments to bring their official plans into conformity with the ORMCP.

Regional Council has over the past year dealt with a number of reports (December 6, 2001, June 27, 2002, and September 19, 2002) advising them of the requirements of the Oak Ridges Moraine Plan, the progress of the conformity amendment and a process for informing and receiving public input.

Regional staff has met over the summer with their counterparts in Durham and Peel to formulate Official Plan policies for conformity. The intention is to provide the Province with a consistent amendment in so far as provisions and/or wording. This consistency is intended to assist the Regions in implementing the ORMCP and assist the Province in its approval of the Amendments.

The Region of Durham conformity Amendment was introduced at Durham Planning Committee on September 17, 2002 and released for public review and comment. That Amendment will be scheduled for the Statutory meeting in late October. Adoption is anticipated in the New Year. The Region of Peel amendment will be introduced sometime in the future based on local municipal and Regional needs and timing.

4. ANALYSIS AND OPTIONS

In early summer, the Planning Commissioners from York, Peel and Durham met with their Provincial counterparts to present and obtain agreement from the Province on the framework for the Regional amendments. This framework was reported to Planning Committee in the June 12, 2002 staff report and has formed the basis of the Regional amendment work.

As well, Regional staff in York have met with the area municipalities and distributed a draft of the proposed ORM policies. At the date of this report, written comments have been received from staff of the Town of Markham and are included as Attachment 2. Additional comments are expected from other area municipalities and the Ministry of Municipal Affairs and Housing. Once tabled, the Amendment will be circulated widely as discussed in Section 4.2 of this report.

4.1 Details of the Proposed Amendment

The Amendment document contains three main parts:

- Policy amendments and additions in other sections of the Plan to recognise the pre-eminent nature of the ORMCP.
- New policies to replace those currently in Section 2.5- Oak Ridges Moraine of the Regional Plan.
- Mapping changes to existing Regional Official Plan maps to facilitate the recognition of the area of application of the ORMCP, identification of key natural heritage features on Maps 2 and 3 and the inclusion of a new Map 11- Oak Ridges Moraine Land Use Designations.

4.1.1 Policy Changes to other Sections of the Regional Official Plan

The Regional Official Plan is based on three themes of Sustainable Natural Environment, Healthy Communities and Economic Vitality with policies relating to the natural environment occurring in Chapter 2. However, the policies from one section of the plan cannot be read in isolation from other sections; therefore there are a number of sections where cross-references to the Section 2.5 of the Regional Official Plan and the ORMCP are required. These amendments to the Plan are reflected in the Proposed ROPA 41 (*Attachment 1*) Part B items 1 through 3 and 5.

4.1.2 ORM Specific Policies

The Oak Ridges Moraine specific policies reflect the appropriate sections of the Oak Ridges Moraine Conservation Plan and the framework discussed by the three Regional Planning Commissioners and the Province of Ontario in the early summer.

It is proposed to replace the current policies in Section 2.5 of the Regional Plan deal with the ORMCP Land Use designations, policies relating to Groundwater Protection and Implementation. Policies relating to Landform Conservation, and Monitoring have been included as new policy section with existing ROP policy sections dealing with the same issue (Section 2.2 Land and Section 7.4 Monitoring, Plan Review and Updating).

4.1.3 Mapping Changes

In order to implement the Oak Ridges Moraine Conservation Plan, the following changes to Maps in the Regional Official Plan are proposed:

- Existing Maps 2 through 10 in the Regional Official Plan will be amended to show the ORMCP boundary and a screened ORMCP area, as well as the addition of a caveat on legend referring to the policies of Section 2.5 of the ROP and the ORMCP.
- Map 2- Significant Natural Features and Map 3 Forest Resources will be amended by the identification of *key natural heritage features* including the following, all wetlands on the Moraine, significant woodlands, Life Science ANSIs, Fish Habitat, when provided by the Ministry of Natural Resources.

The addition of a new Map 11 – Oak Ridges Moraine Conservation Plan Land Use Designations, which will identify prescribed ORMCP land use designation locations. The one change proposed in this amendment is that the accepted Regional Official Plan nomenclature for settlement hierarchy (i.e. Urban Area and Towns and Villages) be used in place of the ORMCP nomenclature of Settlement Area, Urban Areas and Towns and Villages on the Moraine in York, in all other respects will implement and defer to the Provincial Plan.

4.1.4 Revisions to Introductory Text and Sidebars

Section 1. 4 Organization and Approach, of the Regional Official Plan establishes which parts of the Official Plan document are to be considered legally part of the Plan and which parts are provided for information purposes or are non-operative.

Specifically, the policies, definitions in italics and the attached maps constitute the Official Plan for the Region of York. Tables, graphics and text located in the margins of the Plan as well as introductory paragraphs in each section are illustrative and not legally part of the Plan. Changes to introductory paragraphs, as well as changes to sidebars and diagrams are proposed that do not require an Amendment under the Planning Act. Policy 7.6.1 in the Interpretation section contains a similar policy.

- Attachment 2 to this report provides a list of the locations and wording of changes to these introductory text and sidebars to acknowledge and cross-reference the Oak Ridges Moraine Plan Conservation Plan.

4.2 Next Steps

As indicated in the matrix provided to Planning Committee on September 4, 2002 and Council on September 19, 2002, once Planning Committee and Council receive the proposed Amendment, the document will be circulated to area municipalities, agencies, boards and other stakeholders for their comments and input, a public information program will be commenced as follows:

- Public Information Sessions have been arranged in the Township of King on the evening of October 16, 2002 at the King City High School and the Town of Whitchurch-Stouffville on the evening of October 24, 2002, at Lacham Hall, Stouffville. These meetings were advertised the week of September 23, 2002 in both local papers and the Toronto Star. The Amendment has also been posted to the Region's website with a dedicated Email address provided for comments.
- The Statutory meeting required by the *Planning Act*, will be arranged for an evening during the first two weeks of November at the Regional Administrative Building. Notice of this meeting will also be given in local newspapers and the Toronto Star.

5. FINANCIAL IMPLICATIONS

Preparation of the Proposed Amendment as well as the conduct of Public Information sessions has been accommodated through existing Planning and Development Services budget allocations.

Additional work required to fully implement the ORMCP, through such efforts as the establishment of wellhead protection areas and further watershed planning activities will be accommodated through existing budget allocations as well as through the 2003 and subsequent years budget deliberations.

6. LOCAL MUNICIPAL IMPACT

The Oak Ridges Moraine Conservation Act, 2001, requires area municipalities in York to adopt amendments to their official plans and zoning by-laws by October 22, 2003, unless the Minister has granted an extension. While many area municipalities in York have already started the amendment process, proposed Amendment 41 will establish a framework for the drafting of local amendments. Regional staff has offered co-ordination or assistance where needed. The Town of East Gwillimbury, with financial and staff assistance from the Ministry has started the preparation of their official plan and zoning by-law amendments. This process, with Regional staff participating on a Technical Advisory Committee will result in model Official Plan and Zoning By-laws that may be used by other municipalities.

7. CONCLUSIONS

The attached draft of Proposed Amendment 41 to the Official Plan for the Regional Municipality of York - The Oak Ridges Moraine Conservation Plan Amendment has been prepared following the framework agreed to by the Province and the Planning Commissioners of the three Regions of York, Peel and Durham. Regional staff have also met with area municipalities and will continue to refine the proposed amendment, based on comments from the area municipalities, agencies (including the MMAH) and other stakeholders in the Region.

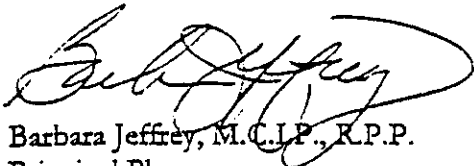
Once released for comment, a formal circulation of the Proposed Amendment will be undertaken. Public information sessions to discuss the ORMCP and the Proposed Amendment have been scheduled. Area municipal planning staff have been asked to participate at these meetings.

**Proposed Amendment 41 to the Official Plan for Regional Municipality of York - The Oak Ridges Moraine
Conservation Plan Amendment**

The Statutory meeting required by the *Planning Act* will be held on an evening during the first two weeks in November and advertised widely.

This report has been reviewed by the Senior Management Group.

Prepared by:

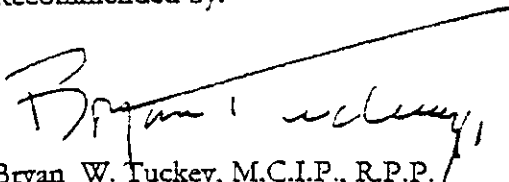


Barbara Jeffrey, M.C.I.P., R.P.P.
Principal Planner



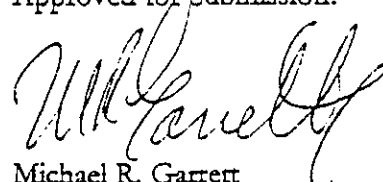
John B. Waller, M.C.I.P., R.P.P.
Director Long Range and Strategic Planning

Recommended by:



Bryan W. Tuckey, M.C.I.P., R.P.P.
Commissioner of Planning and
Development Services

Approved for Submission:



Michael R. Garrett
Chief Administrative Officer

02-09-19

Attachments: 1 - Proposed Amendment 41 to the Official Plan for the Regional Municipality
of York

2 - Appendix 2 - Introductory Text Modifications

BJ

APL:\isp\Policy\PO7 - Planning Committee\October 2, 2002\Oak Ridges Moraine Conservation Plan Amendment.doc

ATTACHMENT NO. 2

**Proposed Amendment
41
to the
Official Plan
for the
Regional Municipality
of York**

PROPOSED AMENDMENT #1 TO THE OFFICIAL PLAN FOR THE REGION OF
YORK

PART A - THE PREAMBLE

1. Purpose of the Amendment:

The purpose of this amendment is to bring the Regional 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 Regional Municipality of York which are subject to the Oak Ridges Moraine Conservation Plan as indicated on Figure 1 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 incorporates the Oak Ridges Moraine Conservation Plan boundary onto all Maps in the Regional Official Plan and incorporates a new Map 11- Oak Ridges Moraine Conservation Plan Land Use Designations in the Regional Official Plan.

This amendment also changes existing ROP policies 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

All of the Amendment entitled PART B - THE AMENDMENT, consisting of the attached Policy and Map changes constitutes Amendment 41 to the Official Plan for the Region of York.

1. Section 2.1 -The Regional Greenlands System, Policy 2.1.11 is amended by the addition of a new sentence as follows at the end of the clause:

“Mineral aggregate operations or wayside pits are permitted within those portions of the Greenlands System designated as Natural Linkage Area on Map 11 - Oak Ridges Moraine Land Use Designation to this Plan and are subject to all applicable provisions of the Oak Ridges Moraine Conservation Plan (ORMCP).”

2. Section 2.2 Land, is amended by the following:
 - a) Policy 2.2.11 is amended by the addition of the words “and *key natural heritage features*”
 - b) Policy 2.2.13, by the addition of a new clause e) as follows:

“e) meets the intent of the ORMCP for those wetlands within the ORMCP area.”
 - c) By the addition of a new Policy 2.2.23 as follows with renumbering of subsequent sections:

“2.2.23 Significant Woodlands on the Oak Ridges Moraine have been identified by the Province of Ontario and are shown on Map 2 to this Plan. *Development or site alteration* within these features and within the *minimum vegetative protection zone* surrounding these features is prohibited, except where it meets the intent of the applicable provisions of the Oak Ridges Moraine Conservation Plan.”
 - d) By the addition of a new Policy 2.2.28 as follows:

“2.2.27 Within the Oak Ridges Moraine, applications for *development or site alteration* proposed in a landform conservation area (category 1 and 2) shall be accompanied by the appropriate study as required by the ORMCP. Planning, design and construction practices for any *development or site alteration* permitted by the ORMCP are required to satisfy the provisions of the Oak Ridges Moraine Conservation Plan.

3. Section 2.3, Water is amended by the addition of a new Policy 2.3.19 as follows:

“2.3.19 Notwithstanding other policies of this section, in the Oak Ridges Moraine Conservation Plan area, reference shall be made to Section 2.5 of this Plan and all applicable provisions of the Oak Ridges Moraine Conservation Plan (ORMCP). Where there is a conflict between this Plan and the applicable provisions of the ORMCP, the more restrictive of the policies shall prevail.”

4. Section 2.5 – Oak Ridges Moraine, is deleted in its entirety to be replaced by the following:

2.5 Oak Ridges Moraine

The Oak Ridges Moraine is one of Ontario's most significant landforms. Located north of and parallel to Lake Ontario, the Moraine in York region, divides the watersheds draining south into Lake Ontario from those draining north into Lake Simcoe. The Moraine shapes the present and future form and structure of the Greater Toronto Region and its ecological and hydrological features and functions are critical to the region's continuing health.

Through the *Oak Ridges Moraine Conservation Act, 2001* and the accompanying Oak Ridges Moraine Conservation Plan (ORMCP), the Province has established the direction for protecting the Oak Ridges Moraine's ecological and hydrological features and functions. The boundary of the ORMCP is shown on all Maps to this Regional Plan. Moraine Land Use designations within the Oak Ridges Moraine are shown on Map 11.

Municipal official plans and zoning bylaws must conform with the ORMCP. Council of the Regional Municipality of York and its area municipalities are committed to the implementation of the Oak Ridges Moraine Conservation Plan. The major provisions of the ORMCP relevant at the Regional level have been incorporated into this section of the Regional Official Plan, however, these policies must be read in conjunction with the detailed provisions of the Oak Ridges Moraine Conservation Plan.

Objective

To protect the unique ecological and hydrological features and functions of the Oak Ridges Moraine in perpetuity.

It is the policy of Council:

1. To recognize the boundary and land use designations shown on Map 11 as the ORMCP area.
2. That applications for *development or site alteration* within the ORMCP area will only be considered where they comply with the ORMCP and the following ORMCP land use designations and permitted uses:

- a) **Natural Core Areas** are areas with a high concentration of *key natural heritage features, hydrologically sensitive features, and/or landform conservation areas* and are critical to maintaining and improving the integrity of the Moraine as a whole.

Existing uses are permitted. New permitted uses are very limited and must be related to conservation and resource management, low intensity recreation, or agriculture subject to other provisions of the ORMCP.

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

Existing uses are permitted. Limited new uses are permitted consistent with those permitted in the Natural Core Area designation as well as aggregate and wayside pits subject to the provisions of the ORMCP.

- c) **Countryside Areas** are areas of existing rural land uses including agriculture, recreation, Rural Settlements, mineral aggregate operations, park and open space. Small scale industrial, commercial, and institutional uses shall be directed to Rural Settlements.

Rural Settlements within the Countryside Area are generally depicted on Map 11, and are intended to provide opportunities for minor residential infill and small-scale industrial, commercial and institutional uses in accordance with local official plans. The boundary of Rural Settlements may be further refined in area municipal official plans, however, the scale of these rural settlements shall reflect the intent of the ORMCP.

- d) **Urban Areas and Towns and Villages** on the Moraine are intended to focus and contain urban growth. These areas permit a range of residential, commercial, industrial, and institutional uses.

The ORMCP designation of Settlement Areas on the Moraine in York includes Urban Areas (Aurora, Newmarket, Vaughan and Richmond Hill) and Towns and Villages (King City, Nobleton, Mt. Albert, and Stouffville). In these areas, existing Regional policies and municipal official plans shall guide development subject to the applicable provisions of the ORMCP.

In the Town of Richmond Hill, the ORMCP provides for the designation of an urban area on the west side of Leslie Street, between Stouffville Road and Bethesda Road. Development of this area shall not be permitted until the community building and servicing policies of section 5.2 of the Regional Official Plan have been satisfied and the provisions of the ORMCP have been satisfied.

3. Transportation, infrastructure and utilities are permitted in all Oak Ridges Moraine Land Use designations, providing the need has been demonstrated and there is no reasonable alternative to the undertaking as identified through an Environmental Assessment process under the *Environmental Assessment Act*.
4. *Development or site alteration* are prohibited within *key natural features* and *hydrologically sensitive features* on the ORM as shown on Map 2 as well as identified within the ORMCP or within the *minimum vegetation protection zone* surrounding such features.

Groundwater Protection

Protection of our water resources is imperative to ensure the health of our residents and the maintenance of our ecosystem. The ORMCP requires comprehensive watershed planning, the establishment of wellhead protection areas and the consideration of the potential for the shallow aquifer to be impacted from land uses

Watershed plans are documents, which inventory aquatic life and aquatic resources within a particular watershed. These plans then assist in the management of land/water interactions and recommend how water resources are to be protected and enhanced in relation to changing land uses to assist in land use planning decisions.

Wellhead Protection areas are zones around wells where land uses must be carefully planned to protect the quality of the water supply. In these areas, it may be necessary to restrict or even prohibit certain land uses from locating due to their potential to impact groundwater. These restrictions will be identified in municipal official plans and the uses restricted through zoning by-laws.

Aquifer vulnerability refers to the shallow groundwater aquifer's susceptibility to contamination from both human and natural sources. Maps identifying the location of areas of aquifer vulnerability are filed at Ministry of Natural Resources offices. These maps shall be consulted in determining whether the Aquifer Vulnerability provisions of the ORMCP apply to specific development applications.

It is the policy of Council:

5. To prepare and implement watershed plans, in consultation with area municipalities and the Conservation Authorities, including water budgets and water conservation plans to meet the requirements of the ORMCP for watersheds having streams originating on the Moraine.
6. To undertake studies and modeling to determine the location and extent of *wellhead protection areas* on the Oak Ridges Moraine for all municipal wells based on the time estimated for a contaminant to travel from its point of origin to the well.
7. To identify and incorporate *wellhead protection area* mapping and policies for lands on the Oak Ridges Moraine into this Plan and area municipal official plans and zoning by-laws, in consultation with area municipalities.
8. To restrict or prohibit the establishment of land uses which involve the storage or manufacture of petroleum based fuels or solvents, pesticides, herbicides, or chlorinated solvents inorganic chemicals, road salt or severely toxic chemicals identified by either Provincial or Federal Statute or Regulation in *wellhead protection areas* and in areas of *high groundwater vulnerability*
9. To investigate the need and potential for undertaking risk management planning including spills response, contaminant recovery and aquifer rehabilitation plans

where land uses involving the storage of potential contaminants in identified *wellhead protection areas*.

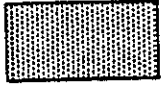
10. To work with the agricultural community in establishing appropriate nutrient management planning for farming operations within *wellhead protection areas* to ensure that animal manure or agricultural operations or the storage of agricultural equipment does not impact the aquifer.

Implementation

11. That where policies in this section of the Plan contain terms that are defined in the ORMCP, these terms are italicized. The ORMCP shall be consulted for the specific definition.
 12. That nothing in this plan prevents an area municipality from being more restrictive in either its official plans or zoning by-laws, except as limited by the ORMCP.
 13. That area municipalities shall be supported in adopting innovative approaches to assist in implementing the ORMCP, including but not limited to the use of development permit or zoning systems.
 14. That the Region will work with area municipalities, the Province and stakeholders in preparing guidelines to assist in understanding and implementing the ORMCP.
5. Section 7 - Implementation, is amended as follows:
- a) Section 7.4 Monitoring , Plan Review and Updating, is amended by the addition of the following new policy 7.4.6:
“That within the Oak Ridges Moraine Conservation Plan area the Region shall:
 - a) In partnership with the Province and other stakeholders, undertake the development and administration of effective and accessible data management systems for natural heritage and groundwater information.
 - b) Work with the Province and other stakeholders to develop a series of programs to monitor the long-term health of the Moraine and to assist in public education respecting the Oak Ridges Moraine”
 - b) Section 7.6 Interpretation, Policy 7.6.3 is amended by the addition of the following at the end of the Policy:
“, except in the case of the Boundary of the Oak Ridges Moraine Conservation Plan. In this case, the boundary may only be clarified through reference to the applicable Ontario Regulation.”
 - c) Section 7.7 Amendments to the Plan, is amended by the addition of a new Policy 7.7.2 as follows:
“7.7.2 That no amendments to land use designations will be considered within the Oak Ridges Moraine Conservation Plan area of the Region of York until April 22, 2012, except as provided for in the ORMCP and the *Oak Ridges*

Moraine Conservation Act, 2001, however, in no case will amendments be considered which would have the effect of removing lands from the Natural Core Area and the Natural Linkage Area designations.”

6. Maps 2 through 10 of the Regional Plan are hereby amended by the addition of the Oak Ridges Moraine Conservation Plan boundary as defined by Ontario Regulation 2, with the area within the boundary on Maps 2, 3 and 5 through 10, shown as a screened tone, and by the addition of the following to the legend of each Map:



“Oak Ridges Moraine Conservation Plan area – lands within the boundary of the Oak Ridges Moraine Conservation Plan, as depicted on this Map and more particularly defined through Ontario Regulation are subject to the policies of Section 2.5 of this Plan and the applicable provisions of the Oak Ridges Moraine Conservation Plan.”

7. That Map 2- Significant Natural Features and Map 3 Forest Resources will be amended by the identification of *key natural heritage features* including the following, identified wetlands on the Moraine, significant woodlands, Life Science ANSIs, Fish Habitat, when provided by the Ministry of Natural Resources.
8. The Official Plan for the Regional Municipality of York is also amended by the addition of a new “Map 11 – Oak Ridges Moraine Land Use Designations”, with identification of the land use designations in the legend of the Map in accordance with the Oak Ridges Moraine Conservation Plan, save and except the term “Settlement Area” which shall be replaced by term “Urban Area” or “Towns and Villages” in accordance with the approved hierarchy of settlements shown on Map 5 – Regional Structure of the Regional Official Plan.



Map 11

Oak Ridges Moraine Conservation Plan Land Use Designations

LEGEND

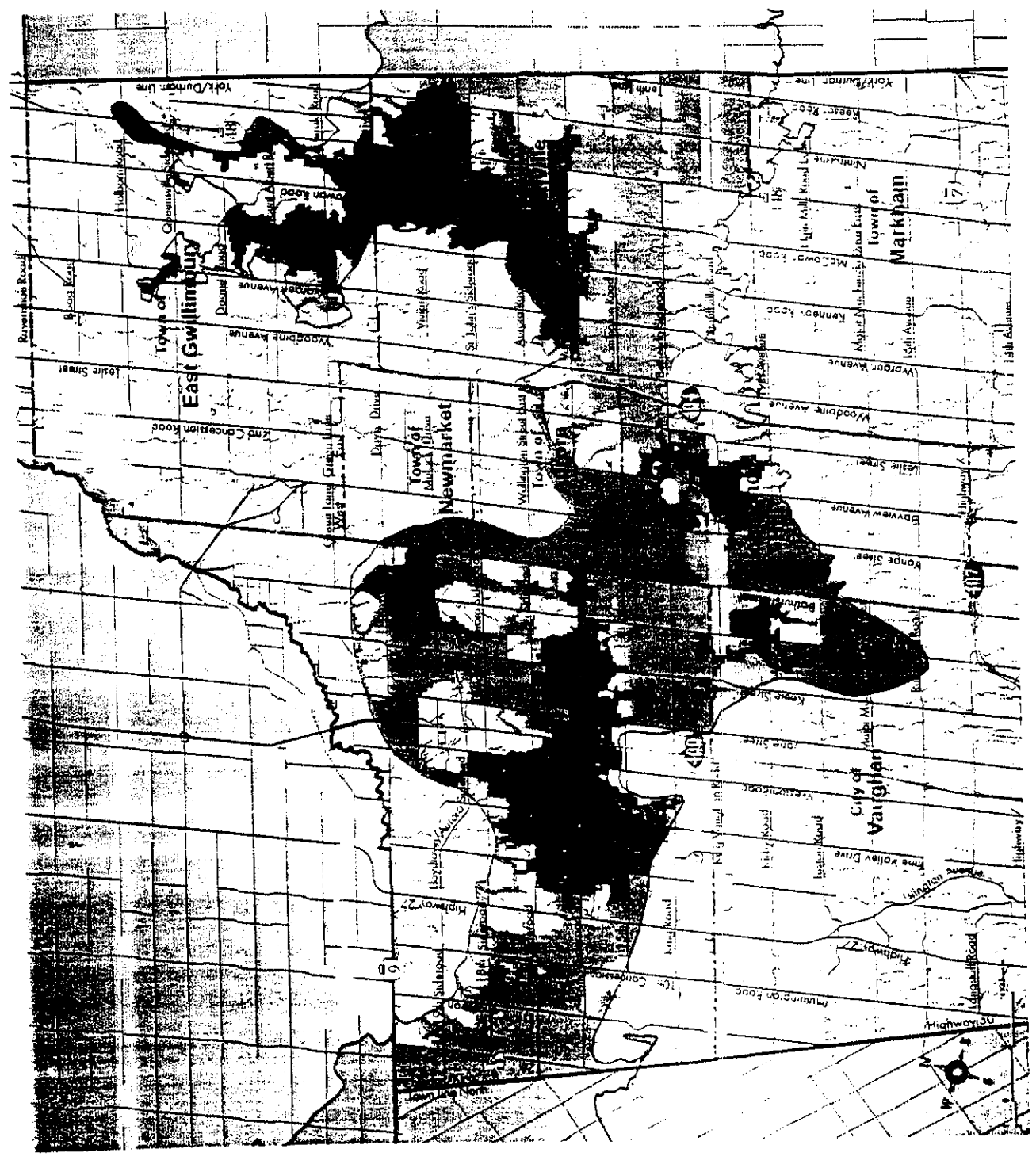
- Multi Lane Provincial Highway
- Road
- Regional Boundary
- Municipal Boundary
- Oak Ridges Moraine Boundary
- River
- Lake
- Regional Municipality A To A

Oak Ridges Moraine Conservation Plan Land Use Designations

- Countywide Area / Rural Settlement
- Platted Area
- Platted Heritage Area
- Urban Area
- Forest and Wetlands

York Region Geomatics

Published by York Region Geomatics, Planning and Development Services Department, 2007. Copyright York Region and York Region Geomatics, 2007.



Introductory Text Modifications

- 1) Section 1.4 Organization and Approach, is modified by the addition of a fifth paragraph as follows:

“ In 2002 the Province of Ontario filed The Oak Ridges Moraine Conservation Plan, an ecologically based land use plan which provides for very limited new uses outside of existing Urban Areas and Towns and Villages on the Moraine. Where development is permitted, the ORMCP requires that development and site alteration meet tests contained in the Moraine Plan to ensure minimal impact to the land and surface and groundwater regimes. The main Regional Plan policies associated with the Oak Ridges Moraine are found in Section 2.5 of the Plan, however all policies should be read in conjunction with the applicable ORMCP provisions.”

- 2) Section 2.1 The Regional Greenlands System, is modified by the addition of the following words at the end of sentence 2, paragraph 2 of the preamble; “...and includes the Oak Ridges Moraine Natural Core Area designation.”

- 3) Section 2.2 Land, is amended by the following:

- a) The preamble to **Environmental Policy Areas** is amended by the addition of a fifth paragraph as follows:

“For lands within the Oak Ridges Moraine Conservation Plan area, the Province has identified or provided criteria to assist in identifying *Key Natural Heritage Features (KNHF)*. The following *KNHFs* on the Moraine are shown on Map 2 – Significant Natural Features: Life Science ANSPs, Wetlands, Significant Woodlands.”

- b) That the preamble to the Landform Conservation Policies of the Plan is modified by the addition of new paragraphs 3 and 4 as follows:

“ Within the Oak Ridges Moraine there are areas of steep slopes and rolling topography that must be protected not only because they represent the defining elements of the Moraine, but because they contribute to ecological integrity and hydrologic function of this area. In these areas, mass grading, compaction of soils and stripping of vegetation is discouraged.

Maps identifying the location of Landform Conservation Areas within the Moraine are filed at Ministry of Natural Resources offices. These maps shall be consulted in determining whether the Landform Conservation provisions of the ORMCP apply to specific development applications.”