

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

**Consolidated Amendment including
Modifications requested by the York
Region (not highlighted if requested
in May 2003), Proposed Minister's
Modifications January 2004 and
those additional modifications
recommended are highlighted**

PROPOSED AMENDMENT 41 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 illustrated on the context map Figure A 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. Ontario Regulation 140/02 – the Oak Ridges Moraine Conservation Plan, came 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.

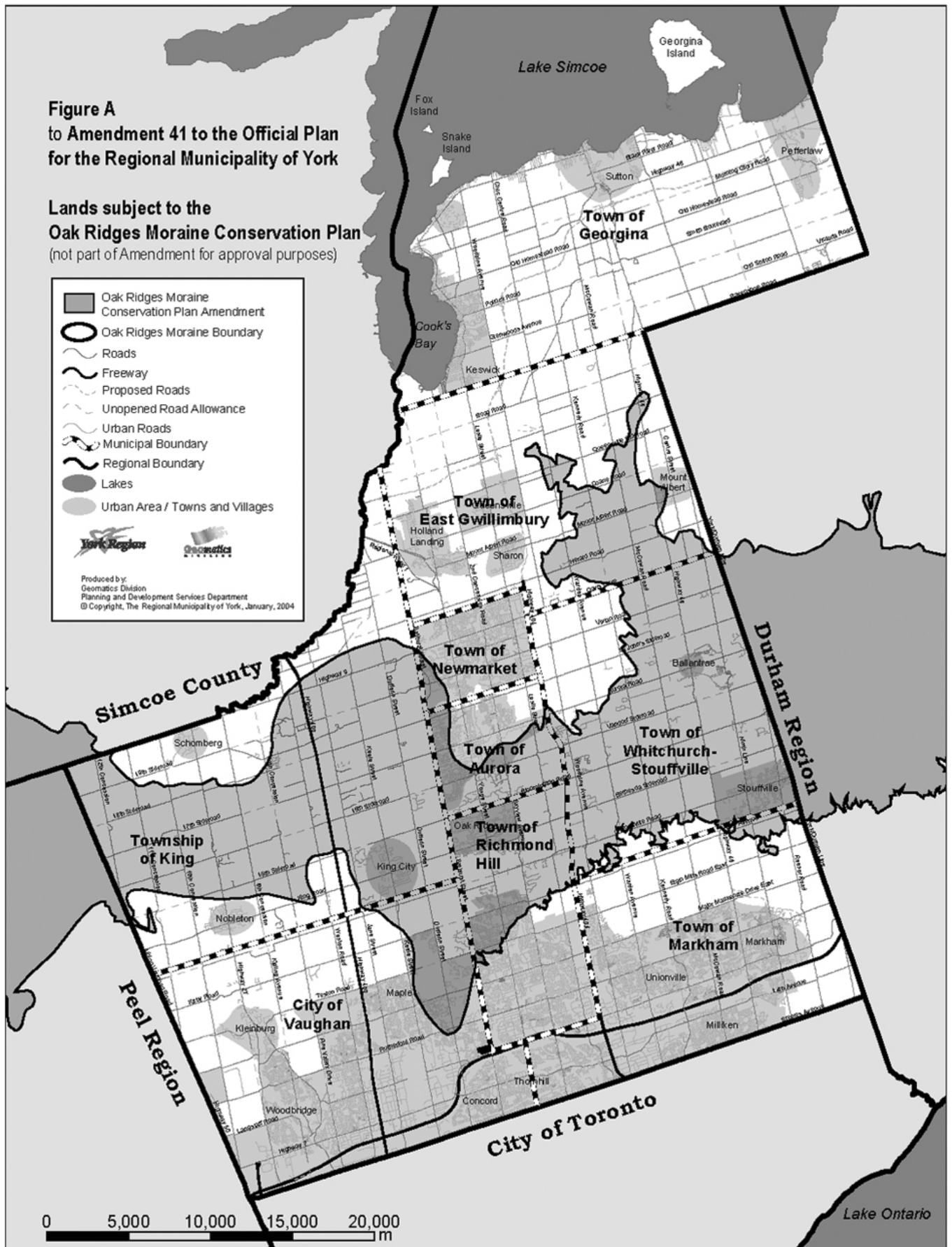
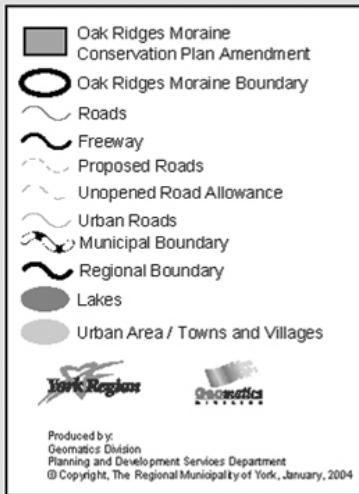
The boundary of the Oak Ridges Moraine has been identified by the Province and is based on a number of topographical, geomorphological and geological attributes. This amendment identifies the Oak Ridges Moraine Conservation Plan area on all Maps in the Regional Official Plan, amends Maps 2, Significant Natural Features, Map 3 Significant Forest Areas and Map 4 Regional Greenlands in so far as areas within the Oak Ridges Moraine are concerned 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 underlined in this Plan, and readers are directed to the Oak Ridges Moraine Conservation Plan for the definitions.



Figure A
to Amendment 41 to the Official Plan
for the Regional Municipality of York

**Lands subject to the
Oak Ridges Moraine Conservation Plan**
(not part of Amendment for approval purposes)



Proposed Ministry Modifications



3

Proposed Regional Modifications



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, is amended by the following:

- a) 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 Regional Greenlands System designated as Natural Linkage Area and Countryside Areas 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).”

- b) A new Policy 2.1.18 is added as follows:

2.1.18 Within the Oak Ridges Moraine Planning Area, the Regional Greenlands System shall be comprised of the ORMCP Natural Core Area and Natural Linkage Area designations and subject to the policies of the ORMCP for these designations These designations are reflected on Map 4 to this Plan.

Within the Urban Area of Richmond Hill and the Towns and Village designation of King City and Stouffville, the Regional Greenlands System shall also be comprised of the Regional Greenlands shown on Map 4 and be further refined through area municipal official plans and zoning by-laws without amendment to this plan. In these communities, the Policy provisions of this Plan or local official plans or secondary plans, whichever are the more restrictive, shall prevail.

Key Natural Heritage and Hydrologically Sensitive Features within the ORMCP area and identified on Maps 2, 3 and 12 of this Plan shall be protected in accordance with the 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) conforms with the applicable provisions 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 Forested Lands (being the same as Significant Woodlands under the ORMCP) on the Oak Ridges Moraine have been identified by the Province of Ontario and are shown on Map 3 to this Plan. 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.”

- d) By the addition of new Policies 2.2.27 through 2.2.30 as follows:

“Oak Ridges Moraine Landform Conservation

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 Section 30 of the Oak Ridges Moraine Conservation Plan.

~~2.2.28 Maps identifying the location of Landform Conservation categories are available at the Region, area municipal offices and the Ministry of Natural Resources. These maps shall be consulted in determining whether the Landform Conservation provisions of the ORMCP apply to specific development applications.~~

2.2.28 Landform Conservation Areas (categories 1 and 2) are shown on Figure 1 to this Plan and shall be consulted whenever development or site alteration is proposed to determine if the Landform Conservation provisions of this Plan and the ORMCP apply.

2.2.29 To require area municipalities to incorporate the Oak Ridges Moraine landform conservation mapping and policies into their official plans and require that applications for development or site alteration in a landform conservation area (Category 1 and 2) identify planning, design and construction practices that will keep disturbance to landform character to a minimum, and subject to the requirements established under Section 30 of the ORMCP.

2.2.30 In accordance with Section 30(7) and (11) of the ORMCP, mineral aggregate operations are not subject to the requirements established under Sections 30(5), (6) and (10).

~~2.2.31 In considering development and site alteration applications in the Urban Areas and Towns and Villages under this Plan, local municipalities shall~~



consider the importance of adopting planning, design and construction practices that will keep disturbance to landform character to a minimum, so as to satisfy the requirements of Section 30 of the ORMCP if possible.

2.2.32 Applications for development and site alteration with respect to lands in an area of natural and scientific interest (earth science) on Figure 1 or the related minimum area of influence as identified in the Table of the ORMCP, shall be accompanied by an earth science heritage evaluation that meets the requirements identified under Section 30(12) of the ORMCP.

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 as shown on Map 11, 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, restoring and enhancing the Oak Ridges Moraine’s ecological and hydrological features and functions. The ORMCP boundary and area is shown on all Maps to this Regional Plan. Land Use designations within the Oak Ridges Moraine Conservation Plan area are shown on Map 11.

Municipal official plans and zoning bylaws must conform to the ORMCP, however, nothing in this Plan prevents an area municipality from being more restrictive in its official plan or its zoning by-law except with respect to agricultural uses, mineral aggregate operations and wayside pits in accordance with Section 33 of 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 and the applicable area municipal official plan and zoning by-law.

Objectives:

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

Through the establishment of this official plan, together with the Oak Ridges Moraine Conservation Plan, it is the goal of the Region of York to ensure, among others, that the following objectives are met in the Oak Ridges Moraine Area:

Deletion of succinct Objective and re-iteration of full ORMCP objectives – **Do Not Support**

- a) protecting the ecological and hydrological integrity of the Oak Ridges Moraine;
- b) ensuring that only land and resource uses that maintain, improve or restore the ecological and hydrological functions of the Oak Ridges Moraine Area are permitted;
- c) ensuring that the Oak Ridges Moraine Area is maintained as a continuous natural landform and environment for the benefit of present and future generations; and
- d) providing for land and resource uses and development/site alteration that is compatible with the other objectives of the Oak Ridges Moraine Conservation Plan, including providing for continued development within existing urban areas and Hamlets

It is the policy of Council:

1. To recognize the boundary and land use designations of the ORMCP area as shown on Map 11. Along the southern boundary of the Moraine, east of Bathurst Street, the ORMCP applies to lands within the Plan boundary and above the 245 metre ASL CGD contour line. In the event of a question regarding plan applicability in this area, the Region will require a topographic survey certified by an Ontario Land Surveyor (OLS), and based on field surveys tied to Ontario Geodetic Datum before planning decisions are made on specific applications.
2. That applications for development or site alteration within the ORMCP area will only be considered where they comply with the provisions of the ORMCP. Within the ORMCP the following land use designations and permitted uses apply:
 - 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.

Do not Support

New permitted uses are very limited and may include among others conservation and resource management, low intensity recreation, or agriculture uses as detailed in 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, Natural Linkage Areas, river valleys and stream corridors.

Limited new uses may include those permitted in the Natural Core Area designation as well as mineral aggregate operations and wayside pits as detailed in the ORMCP.

Do not support
1st and 2nd
modification

- c) **Countryside Areas** are areas of existing rural land uses which may include among others agriculture, major recreation, Hamlets, mineral aggregate operations, park and open space. Small scale industrial, commercial, and institutional uses shall be directed to Hamlets, Towns and Villages and Urban Areas.

Hamlets, designated within area municipal official plans and located 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 Hamlets may shall be further refined in area municipal official plans, however, the scale, development and site alteration within Hamlets shall conform to the ORMCP.~~

Notwithstanding the above permitted uses, major recreational uses are not permitted to locate in prime agricultural areas as shown as Agricultural Policy Area on Map 6 of the Regional Official Plan. Area municipal official plans may further refine the location of prime agricultural lands.

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

The ORMCP designation of Settlement Area 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 provisions of the ORMCP have been satisfied, the community building and servicing policies of section 5.2 of the Regional Official Plan have been satisfied.



Region expressed this provision in the positive not negative. No practical difference in the administration or implementation of the policy with wording change

Do Not Support – text reference deals with un-opened road allowances

3. That transportation, infrastructure and utilities are ~~permitted~~ prohibited in all Oak Ridges Moraine Land Use designations, including all key natural heritage features and hydrologically sensitive features unless the provisions of Section 41 of the ORMCP has been met, including the need for the project has been demonstrated. Need for a project will by typically assessed and included as part of an Environmental Assessment Act process. If an Environmental Assessment Act process does not apply, the requirements of Section 41 will be met through *Planning Act, Condominium Act* and *Local Improvement Act* processes, or other applicable approval processes.

Also, the opening of a road within an unopened road allowances, are prohibited unless all other requirements of the ORMCP are met. Unopened Regional road allowances in the Oak Ridge Moraine Area are shown in Schedule 8 to this Plan.

4. For transportation, infrastructure and utilities uses proposed as part of a secondary planning process in Urban Areas or Towns and Villages or Countryside Areas, Master Environmental Servicing Plans or Functional Servicing Plans may be used to satisfy the requirements of Section 41 of the ORMCP. In such cases, the approval authority shall determine timing of the studies completion.

Key Natural Heritage Features, Hydrologically Sensitive Features

5. ~~That Key Natural Heritage Features and Hydrologically Sensitive Features within the ORMCP refer to:~~

- ~~• significant portions of the habitat of endangered, rare and threatened species;~~
- ~~• fish habitat;~~
- ~~• Areas of Natural and Scientific Interest (life science and earth science);~~
- ~~• significant valleylands;~~
- ~~• significant woodlands;~~
- ~~• significant wildlife habitat~~
- ~~• sand barrens, savannas and tallgrass prairies;~~
- ~~• permanent and intermittent streams;~~
- ~~• wetlands;~~
- ~~• kettle lakes and~~
- ~~• seepage areas and springs.~~

Do Not Support re-ordering of information

5. Key Natural Heritage Features and Hydrologically Sensitive Features found on the Oak Ridges Moraine and identified in the ORMCP include:

Key Natural Heritage Features:

- Wetlands

**Do Not
Support** re-
ordering of
information

- Significant portions of the habitat of endangered, rare and threatened species;
- Fish Habitat;
- Areas of natural and scientific interest (life science);
- Significant Valleylands;
- Significant Woodlands (Significant Forested Lands);
- Significant wildlife habitat; and
- Sand barrens, savannahs and tallgrass prairies.

Hydrologically Sensitive Features:

- Permanent and intermittent streams;
- Wetlands;
- Kettle Lakes; and
- Seepage areas and springs

6. That Environmentally Significant Areas on the Oak Ridges Moraine, identified by the Conservation Authorities, are also considered ~~to be as~~ key natural heritage features, subject to the same requirements for protection and study as those identified in the ORMCP for Areas of Natural and Scientific Interest (life science). For the purposes of this Plan, Environmentally Significant Areas and ANSI's (life science) are shown separately on Map 12.
7. That key natural heritage features, hydrologically sensitive features, earth science areas of natural and scientific interest and environmentally significant areas are shown on Maps 2, 3, 12 and Figure 1 of the Regional Official Plan, save and except for the following features: ~~earth science areas of natural and scientific interest, significant portions of the habitat of endangered, rare and threatened species, significant valleylands, sandbarrens, savannas, and tallgrass prairies, significant wildlife habitat and seepage areas and springs and Fish Habitat Lake.~~ These features shall be identified in accordance with criteria provided by the Province on a site-by-site basis or through the appropriate study such as a watershed plan and/or natural heritage or hydrological evaluations, prior to undertaking any development or site alteration on the Oak Ridges Moraine

Significant portions of habitat for endangered, rare and threatened species have not been shown specifically on either the Maps or Figures. These habitat areas are instead included as part of either a Life Science ANSI or an Environmentally Significant Area.

Fish habitat on the Oak Ridges Moraine includes all hydrologically sensitive features with surface water characteristics.

8. ~~That~~ development and site alteration shall be prohibited within key natural heritage features and hydrologically sensitive features and ~~Environmental Policy Areas~~ Environmentally Significant Areas on the Oak Ridges Moraine and their related minimum vegetation protection zone of 30 metres or as ~~identified~~ required by in the

Table in the ORMCP, except as provided for in sections 22(2), 26(2) and 35(4) of the ORMCP

9. Where new development or site alteration is proposed within the minimum area of influence surrounding a key natural heritage feature and/or a hydrologically sensitive feature, or an ~~Environmental Policy Areas~~ Environmentally Significant Areas; a natural heritage evaluation and/or a hydrological evaluation, as detailed in ORMCP is required. An evaluation may result in the minimum vegetative protection zone greater than that shown in the Table to the ORMCP.
10. ~~Where Site specific studies conducted in accordance with the requirements in the ORMCP or updated information from the Province of Ontario, resulting in minor changes to the extent or presence of key natural heritage or hydrologically sensitive features will not require an amendment to this Plan.~~

However, where a minor change may affect a wetland, life science ANSI, fish habitat or significant portions of endangered, rare or threatened species, confirmation will be required from the Ministry of Natural Resources prior to any development or site alteration occurring in these areas.

Notwithstanding this, local municipalities will be required to amend their official plans and zoning by-laws whenever a change is proposed to the extent of these features.

Do Not Support
Too detailed for Regional Plan – Ministry still discussing

11. No new agricultural uses and/or agriculture-related uses and accessory uses shall be permitted within a key natural heritage feature and/or a hydrologically sensitive feature and their associated minimum vegetation protection zone if the lands were not being used for that use on November 15, 2001.
12. In Urban Areas and Towns and Villages, designated on April 22, 2002 and shown on Map 11, where secondary plans or Master Environmental Servicing or Functional Servicing Plans are approved based on environmental studies that have identified minimum vegetative protective zones or minimum areas of influence that are ~~setbacks, buffer zones or standards~~ different from those identified in the ORMCP, then the standards established within those plans shall prevail.
13. Every application for development or site alteration shall identify planning, design and construction practices that ensure that no buildings or other site alterations impede the movement of plants and animals among key natural heritage features, hydrologically sensitive features and adjacent lands within Natural Core Areas and Natural Linkage Areas.

Groundwater Protection GROUNDWATER AND SURFACE WATER 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, identification of high aquifer vulnerability areas, the establishment of wellhead protection areas and the assessment of potential impact of land uses to the shallow aquifer aquifers, groundwater and surface water features and functions.

Watershed plans are comprehensive management strategies that seek to understand the interconnections between terrestrial and aquatic components of the natural system. In addition to achieving a better understanding of overall ecosystem function, watershed plans support change through and an ecosystem-based approach to land-use planning.

These plans assist in the management of land/water interactions and land use planning decisions and direct recommend how water resources are to be protected and enhanced in relation to changing land uses.

Watershed Plans have already been commenced for watersheds in the Region whose headwaters are within the Oak Ridges Moraine. Where necessary, updates and addenda to these plans to ensure their compliance with the requirements with the Oak Ridges Moraine Conservation Act will be undertaken within the timeframes established in the ORMCP.

14. To complete 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.
15. To require area municipalities and the Region to incorporate by official plan amendment, the applicable objectives and requirements of a completed watershed plan and the results of related environmental studies and monitoring plans into their planning documents as appropriate.
16. To prohibit all development and site alteration in a subwatershed, on the Oak Ridges Moraine, except in an Urban Area or Towns and Villages, if it would cause the total percentage of the subwatershed area on the Oak Ridges Moraine having impervious surfaces to exceed 10 percent, or any lower percentage specified in an approved watershed or subwatershed study.
17. To prohibit the approval of major development on the Oak Ridges Moraine after April 23, 2007, unless the relevant requirements of Section 24 of the ORMCP have been satisfied.

Wellhead Protection areas are zones around wells where land uses must be carefully planned to protect the quality of the water supply. Wellhead Protection areas are based on the time estimated for a contaminant to travel from its point of origin to the well. 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 Regional and area municipal official plans and the uses restricted through zoning by-laws.

18. To undertake studies and modeling to determine the location and extent of wellhead protection areas on the Oak Ridges Moraine for all municipal wells.
19. 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.
20. To incorporate minimum “times of travel” of 0 to 150 days; 0 to 2 years; 2 to 10 years and 10 to 25 years in the identification of wellhead protection areas in area municipal plans and zoning by-laws.
21. To prohibit or restrict the establishment of land uses which involve the storage or manufacture of petroleum based fuels or solvents, pesticides, herbicides, fungicides or chlorinated solvents, inorganic chemicals, road salt or severely toxic chemicals identified by either Provincial or Federal Statute or Regulation in wellhead protection areas in accordance with Section 28 of the ORMCP
22. 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.
23. To prohibit the storage of animal manure, animal agriculture and the storage of agricultural equipment for other than personal or family use within the 0 to 2 year time of travel zone in wellhead protection areas.
24. To require area municipal official plans and by-laws to contain specific policies which implement the wellhead protection policies of the ORMCP and to assist area municipalities in the review and approval of site management and contingency plans as required by the ORMCP.
25. 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

Aquifer Vulnerability refers to the shallow groundwater aquifer’s susceptibility to contamination from both human and natural sources. Map 13 identifies the location of areas of high and low aquifer vulnerability. This Map shall be consulted in determining whether the Aquifer Vulnerability provisions of the ORMCP apply to specific development and site alteration applications. ~~A Map identifying the location of areas of high and low aquifer vulnerability is available for information purposes, at the Region, area municipal offices and the Ministry of Natural Resources. These maps shall be~~



~~consulted in determining whether the Aquifer Vulnerability provisions of the ORMCP apply to specific development applications.~~

26. In areas of high aquifer vulnerability, to prohibit or restrict the generation and storage of hazardous waste or liquid industrial waste; waste disposal sites and facilitates; organic soil conditioning sites and snow storage and disposal facilities; underground and above ground storage tanks that are not equipped with an approved secondary containment device; and storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Ontario Regulation 347.

Do not
support
deletion

- 27 To require that area municipal official plans contain mapping and applicable policies that prohibit or restrict uses in areas of aquifer vulnerability in accordance with the requirements of the ORMCP. ~~Area municipalities, in consultation with the Region, may establish a process for site specific confirmation of aquifer vulnerability~~

Existing Uses

28. Uses, buildings and structures, legally existing on November 15, 2001 are permitted in every land use designation. Area municipalities, as part of their conformity exercise shall determine the ultimate zoning of such uses. ~~Where expansion of such uses is applied for, the applicant shall demonstrate that the expansion will not adversely affect the ecological integrity of the ORMCP area.~~
29. Existing institutional uses and their expansions are permitted subject to Section 6 of the ORMCP and local official plans and zoning by-laws. Where expansion of such uses is applied for, the applicant shall demonstrate that the expansion will not adversely affect the ecological integrity of the ORMCP area and may require additional studies as identified in Part III ~~and IV~~ of the ORMCP.

Transitional Provisions and Further Approvals

~~Within the Oak Ridges Moraine, there are applications under the Planning Act and Condominium Act, which, due to their date of commencement and decision, are subject to the Transition provisions of Sections 15 and 17 of the Oak Ridges Moraine Conservation Act, 2001.~~

29. Applications, as defined ~~Nothing in this Official Plan alters this transition status nor 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.~~

30. Applications, as defined ~~in the Oak Ridges Moraine Conservation Act, 2001, under the Planning Act or the Condominium Act, which were commenced but not decided upon prior to November 17, 2001 are subject to the transition provisions of the Oak Ridges Moraine Conservation Act, 2001 and any prescribed provisions under Section 48 of the ORMCP. It is recognized however, that all applications are subject to good planning based on the other policies of this Plan.~~



26. Where an application is made for an approval that is required as a specific condition in a decision that was made before the *Oak Ridges Moraine Act, 2001* came into effect, then the decision in respect of the application shall be made in accordance with the same requirements of the *Oak Ridges Moraine Conservation Act, 2001* that applied to the original decision.

Within the Oak Ridges Moraine there are applications under the Planning Act and Condominium Act, which, due to their date of commencement and decision are subject to the Transition provisions of the Oak Ridges Moraine Conservation Act, 2001.

30. 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 ORCMP.

31. Applications in Natural Core, Natural Linkage or Countryside Areas/Hamlets, that were commenced but were not decided prior to November 17, 2001, as defined in the *Oak Ridges Moraine Conservation Act, 2001* are required to conform to the prescribed provisions under Section 48 of the ORMCP.

32. Applications in Natural Core and Natural Linkage Areas that were commenced and decided before November 17, 2001 as defined in the *Oak Ridges Moraine Conservation Act, 2001*, are not subject to the provisions of the ORMCP provided that the use, building or structure for which the application was intended, is legally existing as of the date of adoption of this Plan. Similar applications in Settlement Areas Urban Areas and Towns and Villages and Countryside Areas are subject to Section 18(6) and Section 17 of the ORMCP, as appropriate.

33. Notwithstanding policies 30, 31 and 32, where a planning application is submitted after November 17, 2001 as a direct result from a condition attached to a provisional consent, a draft plan of subdivision or a draft plan of condominium, such an application shall be completed under the same system in effect as the original approval in accordance with Section 17(1) of the *Oak Ridge Moraine Conservation Act, 2001*. In addition, any development permission established by such a further approval shall be recognized in the local municipal official plan and zoning by-law, as appropriate.

Major Development

34. Applications for major development as defined under the ORMCP are required to meet additional provisions, particularly as it relates to Section 43 (water and sewer services) and Sections 45 and 46 (stormwater management). These requirements shall be considered in addition to all other provisions of the ORMCP.”



Implementation

35. Nothing in this Plan prevents area municipal official plans and zoning by-laws from being more restrictive than **this Plan or** the Oak Ridges Moraine Conservation Plan, except in-so-far as agricultural uses, mineral aggregate operations and wayside pits are concerned. In the event of a conflict the more restrictive policies shall apply.
36. To require area municipalities to develop appropriate policies in their official plans and zoning by-laws to implement and refine the requirements of the ORMCP. Policies include, but are not limited to those addressing the continuation of existing uses, permitting residential dwellings on existing lots of record, addressing accessory structures, the applicability of the Table in Part III of the ORMCP to existing uses, second dwellings, lots of record, approved uses, consents, and permitted uses.
37. 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.

38. That the Region will work with area municipalities, adjacent Regions, the Province and stakeholders in assisting in understanding and implementing the ORMCP.

Support if specific reference to *Municipal Act* sections deleted

39. That area municipalities shall adopt site alteration and tree-cutting by-laws in conformity with **Sections 223.1 and 223.2 of the *Municipal Act*** in accordance with the *Oak Ridges Moraine Conservation Act, 2001*.

40. Certain planning and technical terms as underlined in this Plan have been specifically defined under the Oak Ridges Moraine Conservation Plan. These definitions shall be consulted as part of the Region's review of future planning applications.

Do Not Support covered in other sections of ROP

41. Despite all other applicable policies in this Plan, in the event of conflict, the policies under Section 2.5 of this Plan and the ORMCP shall prevail.

5. Section 5.8 Mineral Aggregate Resource Areas, is amended by the addition of a new policy 5.8.16 as follows:

"5.8.16 Within the Oak Ridges Moraine, existing and new mineral aggregate operations shall comply with the provisions of the ORMCP, **particularly Sections 35 and 36.**"

6. Section 5.10 Consents is amended by the addition of a new Policy 5.10.2. All subsequent subsections are also renumbered:

"5.10.2 Within the Oak Ridges Moraine, consents will be permitted only where they conform to the Oak Ridges Moraine Conservation Plan and the area municipal Official Plans and Zoning By-laws. In the event of a conflict, the more restrictive of the Policies shall apply."



7. Chapter 6 Regional Infrastructure, Section 6.1 The Road Network is amended by the addition of a new policy 6.1.20 as follows:

“6.1.20 Within the Oak Ridges Moraine Conservation Plan area, all improvements to the Regional Transportation and Roads Network, including the opening of a road within an unopened road allowance shall conform to the tests contained in Section 41 of the ORMCP. These tests will be met through the *Environmental Assessment Act* process for infrastructure.

In planning for the Regional Transportation and Roads network, the Region will consider restrictions to haulage routes for transportation of chemicals and volatile materials in wellhead protection areas and in areas of high aquifer vulnerability.

8. Section 6.7 Water and Sewer Strategies is amended by the addition of new policies 6.7.21 and 6.7.22 as follows:

“6.7.21 Within the Oak Ridges Moraine Conservation Plan area, all improvements to sewer and water infrastructure systems shall conform to the tests contained in section 41 of the ORMCP. These tests will be met through the normal *Environmental Assessment Act* process for infrastructure.

6.7.22 The construction or expansion of partial services is prohibited in the Oak Ridges Moraine Conservation Plan area unless: ~~it is deemed necessary to address a serious health or environmental concern~~

- 1) it has been deemed necessary to address a serious health or environmental concern identified by the local Medical Officer of Health or other designated authority; or
- 2) if the construction or expansion was approved under the Environmental Assessment Act before November 17, 2001 and the period of time during which the construction or expansion may begin has not expired.

9. Chapter 7 - Implementation, is amended as follows:

- a) Section 7.6 Interpretation, is amended by the addition of a second clause to Policy 7.6.1 as follows:

“Figures show factual and/or conceptual information available at the time of the preparation of the Plan, and are included in the Plan for illustrative purposes and to show the categories of areas typically subject to specific policies of the Plan. Information shown on Figures may be changed or updated from time to time by Regional Council, without requiring an amendment to this Plan.”



- b) 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.”

- c) Section 7.4 Monitoring , Plan Review and Updating, is amended by the addition of the following new policy 7.4.6:

“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 (including conservation authorities and area municipalities) and other stakeholders to develop a series of programs to monitor the long-term health of the Moraine, including the completion of groundwater, natural heritage, land use and surface water studies and to assist in public education respecting the Oak Ridges Moraine”

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- d) 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.”

10. 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 01/02, with the area within the boundary on Maps 2, 3, 4 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 - Refer to Section 2.5 of this Plan and all other applicable sections of this Plan as it relates to the Oak Ridges Moraine, including the Oak Ridges Moraine Conservation Plan itself



11. That Map 2- Significant Natural Features is amended by deleting those Environmental Policy Area and wetlands designations within the Oak Ridges Moraine Conservation Plan Area to be replaced by the attached key natural heritage and hydrologically sensitive features and ~~Environmental Policy Areas~~ environmentally significant areas shown on Map '2' and '12' to this Amendment.

12. That Map 3- Significant Forest Resources is amended by deleting those Significant Forested Land designations within the Oak Ridges Moraine Conservation Plan Area to be replaced by the attached Significant Forested Land designations shown on Map '3' to this Amendment.

13. That Map 4 – The Regional Greenlands System is amended by deleting those Regional Greenlands designations and the Oak Ridges Moraine trail designation within the Oak Ridges Moraine Plan Area, to be replaced by the designations and legend shown on the attached Map 4.

~~14. That Map 4 – Regional Greenlands System is amended by the following:~~

- ~~(i) Deletion of the identification of the Oak Ridges Trail on the Map and from the legend;~~
- ~~(ii) Deletion of the “Connecting Links” identification within the Oak Ridges Moraine on the Map;~~
- ~~(iii) By the addition of the ORMCP Natural Core Area designation to the Regional Greenlands System and the identification of the ORMCP Natural Linkage Area designation on Map 4 as a linkage area with a specific reference to the Natural Linkage area designation in the legend as follows:~~



~~“In the ORMCP, Natural Linkage Area designation, opportunities will be pursued to enhance and remediate these areas to provide large-scale landscape connections in accordance with the intent of the ORMCP.”~~

14. That Map 5 – Regional Structure, be amended by the following:

- (i) Identification of the Community of Ballantrae consistent with the designation established on Map 11; ~~in the ORMCP;~~
- (ii) Identification of an Urban Area designation on the west side of Leslie Street north of Stouffville Road in the Town of Richmond Hill; and
- (iii) Identification of a Town or Village designation for the Community of Nobelton consistent with the designation established in the ORMCP.
- (iv) Redesignation of that portion of the lands known municipally as 14425 Bayview Avenue in the Town of Aurora from Countryside Area to Urban Area, consistent with the designation established on Map 11.



15. That Map 6 – Agriculture and Rural Policy Area be amended by deleting the Agriculture Policy Area and Rural Policy Area designations from the following:
- (i) Within the specific boundaries for the Community of Ballantrae consistent with the boundary established on Map 11;
 - (ii) Within the Urban Area designation on the west side of Leslie Street north of Stouffville Road in the Town of Richmond Hill; and
 - (iii) Identification of a Town or Village designation for the community of Nobelton consistent with the designation established in the ORMCP; and,
 - (iv) That portion of the lands known municipally as 14425 Bayview Avenue in the Town of Aurora consistent with the designation established on Map 11
16. That a new map, “Map 11– Oak Ridges Moraine Land Use Designations”, be added to the Region of York Official Plan 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; and redesignation of that portion of the lands known municipally as 14425 Bayview Avenue in the Town of Aurora from Countryside Area to Urban Area, consistent with the designation established on Map 11.
17. That a new Figure, “Figure 1 - -Oak Ridges Moraine Landform Conservation Areas”, be added to the Region of York Official Plan.
18. That a new Map, “Map 12 - -Oak Ridges Moraine Significant Natural Features: Life Science Areas of Natural and Scientific Interest and Environmentally Significant Areas”, be added to the Region of York.
19. That a new Map, “Map 13 - -Oak Ridges Moraine Aquifer Vulnerability Areas”, be added to the Region of York Official Plan.

