

## Appendix 5B

### PROVINCIAL POLICY STATEMENT

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## Preamble

This Policy Statement is issued under the authority of Section 3 of the Planning Act. It provides policy direction on matters of provincial interest related to land use planning and development. The policies focus on the key provincial interests related to land use planning. These policies will be complemented by locally-generated policies regarding matters of local interest.

Section 3 of the Planning Act requires that, in exercising any authority that affects planning matters, planning authorities "shall have regard to" policy statements issued under the Act.

The Policy Statement is intended to promote a policy-led system which recognizes that there are complex inter-relationships among environmental, economic and social factors in land use planning.

A healthy economy is vital to Ontario's ongoing prosperity. Wisely managed growth can result in communities which are economically and environmentally sound, and which meet the full range of needs of their current and future residents. Doing things right the first time can avoid the need for costly remedial measures to correct problems.

The Province's resources - its agricultural land base, mineral resources, natural heritage resources, water supply and cultural heritage resources - provide economic, environmental and social benefits. The wise use and protection of these resources over the long term is a key provincial interest.

Equally, the Province has an interest in protecting the long term health and safety of the population, and the financial and economic well-being of the Province and municipalities.

## Principles

Ontario's long term economic prosperity, environmental health and social well-being depend on:

1. managing change and promoting efficient, cost-effective development and land use patterns which stimulate economic growth and protect the environment and public health;
2. protecting resources for their economic use and/or environmental benefits; and
3. reducing the potential for public cost or risk to Ontario's residents by directing development away from areas where there is a risk to public health or safety or of property damage.

## Policies

It is the policy of the Province of Ontario that:

### 1.1 Developing Strong Communities

1.1.1 Subject to the provisions of policy 1.1.2, cost-effective development patterns will be promoted. Accordingly:

- a. Urban areas and rural settlement areas (cities, towns, villages and hamlets) will be the focus of growth;
- b. Rural areas will generally be the focus of resource activity, resource-based recreational activity and other rural land uses;
- c. Urban areas and rural settlement areas will be expanded only where existing designated areas in the municipality do not have sufficient land supply to accommodate the growth projected for the municipality. Land requirements will be determined in accordance with policy 1.1.2. The policies of Section 2: Resources, and Section 3: Public Health and Safety will be applied in the determination of the most appropriate direction for expansions. Expansions into prime agricultural areas are permitted only where:
  1. there are no reasonable alternatives which avoid prime agricultural areas; and
  2. there are no reasonable alternatives with lower priority agricultural lands in the prime agricultural area;
- d. Development and land use patterns that would hinder the efficient expansion of urban areas or rural settlement areas are not permitted in adjacent areas;
- e. A coordinated approach should be achieved when dealing with issues which cross municipal boundaries, including:
  1. infrastructure and public service facilities;
  2. ecosystem and watershed related issues;
  3. shoreline and river line hazards; and
  4. housing and employment projections, based on housing market areas.

Where upper tier planning takes place, projections for municipalities will be coordinated and allocated by upper tier governments, in consultation with lower tier governments;

- f. Development and land use patterns which may cause environmental or public health and safety concerns will be avoided; and
- g. In territory without municipal organization, the focus of development activity will be resource activities and resource-based recreational activities, with the following restrictions:
  1. The establishment of new permanent townships is not permitted; and
  2. Development other than resource activity and resource-based recreational activity will be restricted in the area adjacent to and surrounding municipalities unless:
    - the area forms part of a planning area; and
    - it has been determined, as part of a comprehensive planning exercise, that the impacts of growth will not place an undue strain on the public service facilities and infrastructure of the adjacent municipality.

1.1.2 Land requirements and land use patterns will be based on:

- a. the provision of sufficient land for industrial, commercial, residential, recreational, open space and institutional uses to promote employment opportunities, and for an appropriate range and mix of housing, to accommodate growth projected for a time horizon of up to 20 years. (However, where a longer time period has been established for specific areas of the Province as a result of a comprehensive provincial planning exercise, such as that coordinated by the Province in the Greater Toronto Area, that time frame may be used for upper and lower tier municipalities within the area);
- b. densities which:
  1. efficiently use land, resources, infrastructure and public service facilities;
  2. avoid the need for unnecessary and/or uneconomical expansion of infrastructure;
  3. support the use of public transit, in areas where it exists or is to be developed;
  4. are appropriate to the type of sewage and water systems which are planned or available; and
  5. take into account the applicable policies of Section 2: Resources, and Section 3: Public Health and Safety;
- c. the provision of a range of uses in areas which have existing or planned infrastructure to accommodate them;
- d. development standards which are cost effective and which will minimize land consumption and reduce servicing costs; and
- e. providing opportunities for redevelopment, intensification and revitalization in areas that have sufficient existing or planned infrastructure.

1.1.3 Long term economic prosperity will be supported by:

- a. making provisions such that infrastructure and public service facilities will be available to accommodate projected growth;
- b. providing a supply of land to meet long term requirements, in accordance with policy 1.1.2;
- c. providing for an efficient, cost-effective, reliable, multi-modal transportation system that is integrated with adjacent systems and those of other jurisdictions and is appropriate to address expected growth;
- d. conserving energy and water by providing for energy and water efficiency;
- e. maintaining the well-being of downtowns and main streets;
- f. optimizing the long-term availability and the use of agricultural and other resources; and
- g. planning so that major facilities (such as airports, transportation corridors, sewage treatment facilities, waste management systems, industries and aggregate activities) and sensitive land uses are appropriately designed, buffered and/or separated from each other to prevent adverse effects from odour, noise and other contaminants.

**To protect airports from incompatible development:**

1. New residential development and other sensitive land uses will be prohibited in areas near airports above 30 NEF/NEP, as set out on maps (as revised from time to time) approved by Transport Canada; but
2. Redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above

30 NEF/NEP if it has been demonstrated that there will be no negative impacts on the long-term function of the airport.

## 1.2 Housing

1.2.1 Provision will be made in all planning jurisdictions for a full range of housing types and densities to meet projected demographic and market requirements of current and future residents of the housing market area by:

- a. maintaining at all times at least a 10-year supply of land designated and available for new residential development and residential intensification;
- b. maintaining at all times, where new development is to occur, at least a 3-year supply of residential units with servicing capacity in draft approved or registered plans;
- c. encouraging housing forms and densities designed to be affordable to moderate and lower income households;
- d. encouraging all forms of residential intensification in parts of built-up areas that have sufficient existing or planned infrastructure to create a potential supply of new housing units available from residential intensification; and
- e. establishing cost-effective development standards for new residential development and redevelopment to reduce the cost of housing.

## 1.3 Infrastructure

### 1.3.1 SEWAGE AND WATER SYSTEMS

1.3.1.1 Planning for sewage and water systems will recognize that:

- a. full municipal sewage and water services are the preferred form of servicing for urban areas and rural settlement areas. In areas serviced by full municipal sewage and water services, lot creation will be permitted only if sufficient reserve water and sewage plant capacity will be available to accommodate it;
- b. communal services are the preferred means of servicing multiple lots/units in areas where full municipal sewage and water services are not or cannot be provided, where site conditions are suitable over the long term; and
- c. lot/unit creation may be serviced by individual on-site systems where the use of communal systems is not feasible and where site conditions are suitable over the long term; but
- d. partial services will be discouraged except where necessary to address failed services, or because of physical constraints.

### 1.3.2 TRANSPORTATION

1.3.2.1 Transportation systems will be provided which are safe, environmentally sensitive, and energy efficient.

### 1.3.3 TRANSPORTATION CORRIDORS AND INFRASTRUCTURE CORRIDORS

1.3.3.1 Corridors and rights-of-way for significant transportation and infrastructure facilities will be protected.

#### 1.3.4 WASTE MANAGEMENT

1.3.4.1 Waste management systems need to be provided that are of an appropriate size and type to accommodate present and future requirements, and will be located and designed in accordance with provincial standards and legislation.

## 2.1 Agricultural Policies

2.1.1 Prime agricultural areas will be protected for agriculture. Permitted uses and activities in these areas are: agricultural uses; secondary uses; and agriculture-related uses. Proposed new secondary uses and agriculture-related uses will be compatible with, and will not hinder, surrounding agricultural operations.

2.1.2 Lot creation in prime agricultural areas is generally discouraged and will be permitted only in the following situations:

- a. new lots for agricultural uses may be permitted provided that they are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operation;
- b. new lots may be permitted for agriculture-related uses; and
- c. new lots for residential uses may be permitted for:
  1. a farm retirement lot;
  2. a residence surplus to a farming operation; and
  3. residential infilling.

Any new lot for residential uses will be limited to a minimum size needed to accommodate the residence and an appropriate sewage and water system.

2.1.3 An area may be excluded from prime agricultural areas only for:

- a. an expansion of an urban area or rural settlement area, in accordance with policy 1.1.1c);
- b. extraction of mineral resources, in accordance with policy 2.2; and
- c. limited non-residential uses, provided that:
  1. there is a demonstrated need for additional land to be designated to accommodate the proposed use;
  2. there are no reasonable alternative locations which avoid prime agricultural areas; and
  3. there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.

Impacts from any new non-agricultural uses on surrounding agricultural operations and lands will be mitigated.

2.1.4 New land uses, including the creation of lots, and new or expanding livestock facilities will

comply with the minimum distance separation formulae.

2.1.5 In prime agricultural areas, agricultural uses and normal farm practices will be promoted and protected.

## 2.2 Mineral Resources: Mineral Aggregates, Minerals, Petroleum Resources

2.2.1 Mineral resources (mineral aggregates, minerals and petroleum resources) will be protected for long term use.

### 2.2.2 MINERALS AND PETROLEUM RESOURCES

2.2.2.1 Mineral mining operations and petroleum resource operations will be protected from activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

2.2.2.2 In areas adjacent to or in known mineral deposits or known petroleum resources, and in areas of mineral potential, development which would preclude or hinder the establishment of new operations or access to the resources will only be permitted if:

- a. resource use would not be feasible; or
- b. the proposed land uses or development serves a greater long term public interest;  
and
- c. issues of public health, public safety and environmental impact are addressed.

2.2.2.3 Rehabilitation to accommodate subsequent land uses will be required after extraction and other related activities have ceased. Progressive rehabilitation will be undertaken where feasible.

2.2.2.4 Extraction of minerals and petroleum resources is permitted in prime agricultural areas, provided that the site is rehabilitated.

### 2.2.3 MINERAL AGGREGATES

2.2.3.1 As much of the mineral aggregate resources as is realistically possible will be made available to supply mineral resource needs, as close to markets as possible.

2.2.3.2 Mineral aggregate operations will be protected from activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing mineral aggregate operations will be permitted to continue without the need for official plan amendment, rezoning or development permit under the Planning Act.

2.2.3.3 In areas adjacent to or in known deposits of mineral aggregates, development which would preclude or hinder the establishment of new operations or access to the resources will only be permitted if:

- a. resource use would not be feasible; or

- b. the proposed land uses or development serves a greater long term public interest; and
- c. issues of public health, public safety and environmental impact are addressed.

2.2.3.4 Wayside pits and quarries and portable asphalt plants used on public authority contracts will be permitted, without the need for official plan amendment, rezoning, or development permit under the Planning Act in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

2.2.3.5 Progressive rehabilitation to accommodate subsequent land uses will be required.

2.2.3.6 In prime agricultural areas, on prime agricultural land, extraction of mineral aggregates is permitted as an interim use provided that rehabilitation of the site will be carried out whereby substantially the same areas and same average soil quality for agriculture are restored.

On these prime agricultural lands, complete agricultural rehabilitation is not required if:

- a. there is a substantial quantity of mineral aggregates below the water table warranting extraction; or
- b. the depth of planned extraction in a quarry makes restoration of pre extraction agricultural capability unfeasible; and
- c. other alternatives have been considered by the applicant and found unsuitable<sup>1</sup>; and
- d. agricultural rehabilitation in remaining areas will be maximized.

## 2.3 Natural Heritage

2.3.1 Natural heritage features and areas will be protected from incompatible development.

- a. Development and site alteration will not be permitted in:
  - o significant wetlands south and east of the Canadian Shield; and
  - o significant portions of the habitat of endangered and threatened species.
- b. Development and site alteration may be permitted in:
  - o fish habitat;
  - o significant wetlands in the Canadian Shield<sup>2</sup>;
  - o significant woodlands south and east of the Canadian Shield<sup>2</sup>;
  - o significant valley lands south and east of the Canadian Shield<sup>2</sup>;
  - o significant wildlife habitat; and
  - o significant areas of natural and scientific interest

if it has been demonstrated that there will be no negative impacts on the natural features or the ecological functions for which the area is identified.

2.3.2 Development and site alteration may be permitted on adjacent lands to a) and b) if it has been demonstrated that there will be no negative impacts on the natural features or on the ecological functions for which the area is identified.

2.3.3 The diversity of natural features in an area, and the natural connections between them

should be maintained, and improved where possible.

2.3.4 Nothing in policy 2.3 is intended to limit the ability of agricultural uses to continue.

## 2.4 Water Quality and Quantity

2.4.1 The quality and quantity of ground water and surface water and the function of sensitive ground water recharge/discharge areas, aquifers and headwaters will be protected or enhanced.

## 2.5 Cultural Heritage and Archaeological Resources

2.5.1 Significant built heritage resources and cultural heritage landscapes will be conserved.

2.5.2 Development and site alteration may be permitted on lands containing archaeological resources or areas of archaeological potential if significant archaeological resources have been conserved by removal and documentation, or preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site will be permitted.

## 3.1 Natural Hazards

3.1.1 Development will generally be directed to areas outside of:

- a. hazardous lands adjacent to the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes which are impacted by flooding, erosion, and/or dynamic beach hazards;
- b. hazardous lands adjacent to river and stream systems which are impacted by flooding and/or erosion hazards; and
- c. hazardous sites.

3.1.2 Development and site alteration will not be permitted within:

- a. defined portions of the dynamic beach;
- b. defined portions of the one hundred year flood level along connecting channels (the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers); and
- c. a floodway (except in those exceptional situations where a Special Policy Area has been approved).

3.1.3 Except as provided in policy 3.1.2, development and site alteration may be permitted in hazardous lands and hazardous sites, provided that all of the following can be achieved:

- a. the hazards can be safely addressed, and the development and site alteration is carried out in accordance with established standards and procedures;
- b. new hazards are not created and existing hazards are not aggravated;
- c. no adverse environmental impacts will result;
- d. vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies; and

- e. the development does not include institutional uses or essential emergency services or the disposal, manufacture, treatment or storage of hazardous substances.

## 3.2 Human-made Hazards

3.2.1 Development on, abutting or adjacent to lands affected by mine hazards or former mineral resource operations will be permitted only if rehabilitation measures to address and mitigate known or suspected hazards are under-way or have been completed.

3.2.2 Contaminated sites will be restored as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effect.

## Implementation/ Interpretation

1. The Provincial Policy Statement came into effect on the date of proclamation of Bill 20, and applies to all applications submitted after that date. Planning authorities "shall have regard to" the policy statement in making decisions on all applications submitted on or after the proclamation date, and to all applications which were commenced on or after March 28, 1995 and in respect of which no decision had been made on the date of proclamation. The Provincial Policy Statement replaces the Comprehensive Set of Policy Statements.

Section 75 of the Planning Act provides when an application is considered to have commenced and when a decision is considered to have been made for the purposes of this section. 2. Nothing in this policy statement is intended to prevent planning authorities from going beyond the minimum standards established in specific policies, in developing official plan policies and when making decisions on planning matters, unless doing so would conflict with any other policy. The Provincial Policy Statement is to be read in its entirety, and all pertinent policies are to be applied to each situation.

3. The Province, in developing and amending provincial plans, will have regard to these policy statements. Provincial plans, such as those adopted under the Ontario Planning and Development Act, 1994 or the Niagara Escarpment Planning and Development Act, which have been approved by the Lieutenant Governor in Council, will take precedence over policies in this statement.

4. These policies are to be applied in dealing with planning matters. Official plans will integrate all applicable provincial policies and apply appropriate land use designations and policies. Since the policies focus on end results, the official plan is the most important vehicle for the implementation of the Policy Statement.

5. Infrastructure may be authorized under legislation other than or in addition to the Planning Act. Other authorizing legislation may include the Environmental Assessment Act, the Ontario Energy Board Act, and the Ontario Water Resources Act. An environmental assessment process may be applied to new infrastructure and modifications to existing infrastructure under applicable legislation. The applicable policies would be considered as part of the evaluation conducted under the relevant environmental assessment process.

6. The Province, in consultation with municipalities, will identify performance indicators for measuring the effectiveness of some or all of the policies, and will monitor their implementation. Municipalities are encouraged to establish performance indicators to monitor the implementation of the policies in their official plans.

## Definitions

### **Adjacent lands:**

means those lands, contiguous to a specific natural heritage feature or area, where it is likely that development or site alteration would have a negative impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or based on municipal approaches which achieve the same objectives.

### **Adverse effects:**

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

- impairment of the quality of the natural environment for any use that can be made of it;
- injury or damage to property or plant and animal life;
- harm or material discomfort to any person;
- an adverse effect on the health of any person;
- impairment of the safety of any person;
- rendering any property or plant or animal life unfit for use by humans;
- loss of enjoyment of normal use of property; and
- interference with normal conduct of business.

### **Agricultural uses:**

means the growing of crops, including nursery and horticultural crops; raising of livestock and other animals for food, or fur, including poultry and fish; aquaculture; agro-forestry; maple syrup production; and associated on-farm buildings and structures.

### **Agriculture-related uses:**

means those farm related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

### **Airports:**

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

### **Areas of archaeological potential:**

means areas with medium or high potential for the discovery of archaeological resources. This potential is based on the presence of a wide range of geographic and historical features which influenced past settlement. Archaeological potential is confirmed through archaeological assessment.

### **Areas of mineral potential:**

means areas favourable to the discovery of mineral deposits due to geology, the presence of known mineral deposits or other technical evidence. Areas of mineral potential are identified using accepted scientific methodology.

### **Areas of natural and scientific interest (ANSI):**

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

**Built heritage resources:**

means one or more buildings, structures, monuments, installations, or remains associated with architectural, cultural, social, political, economic, or military history, and identified as being important to a community.

**Cultural heritage landscape:**

means a defined geographical area of heritage significance which has been modified by human activities. Such an area is valued by a community, and is of significance to the understanding of the history of a people or place.

**Defined portions of a dynamic beach:**

means those portions of the dynamic beach which are highly unstable and/or critical to the natural protection and maintenance of the first main dune feature and/or beach profile, where any development or site alteration would create or aggravate flooding or erosion hazards, cause up drift and/or down drift impacts and/or cause adverse environmental impacts.

**Defined portions of the one hundred year flood level along connecting channels:**

means those areas which are critical to the conveyance of the flows associated with the one hundred year flood level along the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where development or site alteration will create flooding hazards, cause up drift and/or down drift impacts and/or cause adverse environmental impacts.

**Deposits of mineral aggregates:**

means an area of identified mineral aggregates that has a sufficient quantity and quality to warrant present or future extraction.

**Designated and available:**

means, for the purposes of Policy 1.2.1a), designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g. secondary plans) are required before development applications can be considered for approval, only lands that have at least begun the more detailed planning process are considered to be designated for the purposes of this definition.

**Development:**

means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act; but does not include activities that create or maintain infrastructure authorized under an environmental assessment process; or works subject to the Drainage Act.

**Dynamic beach:**

means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes- St. Lawrence River System and large inland lakes. The dynamic beach hazard limit includes the flooding hazard limit plus a dynamic beach allowance.

**Ecological functions:**

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

**Endangered species:**

means any native species, as listed in the Regulations under the Endangered Species Act,

that is at risk of extinction throughout all or a significant portion of its Ontario range if the limiting factors are not reversed.

**Erosion hazards:**

means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using the 100 year erosion rate (the average annual rate of recession extended over a hundred year time span), an allowance for slope stability, and an erosion allowance.

**Essential emergency services:**

means services such as those provided by fire, police and ambulance stations and electrical substations, which would be impaired during an emergency as a result of flooding, the failure of flood proofing measures and/or protection works, and/or erosion.

**Established standards and procedures:**

means the following:

- Flood proofing standard, which means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding, wave up rush and other water related hazards along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, and flooding along river and stream systems.
- Protection works standard, which means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damages caused by flooding, erosion, and other water related hazards, and to allow access for their maintenance and repair.
- Access standard, which means a method or procedure to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of flooding, erosion and/or other water related hazards.

**Farm retirement lot:**

means one lot from a farm operation for a full time farmer of retirement age who is retiring from active working life, was farming on January 1, 1994 or an earlier date set out in an existing official plan, and has owned and operated the farm operation for a substantial number of years.

**Fish:**

means fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

**Fish habitat:**

means the spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

**Flood fringe (for river and stream systems):**

means the outer portion of the flood plain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway. The flood fringe is the area where development and site alteration may be permitted, subject to appropriate flood proofing to the flooding hazard elevation or another flooding hazard standard approved by the Ministry of Natural Resources.

**Flood plain (for river and stream systems):**

means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

**Flooding hazards:**

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

- a. Along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the 100 year flood level plus an allowance for wave up rush and other water related hazards.
- b. Along river and stream systems, the flooding hazard limit is the greater of:
  1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins Storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
  2. the one hundred year flood; or
  3. a flood which is greater than 1) or 2) which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources.

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

**Floodway (for river and stream systems):**

means the portion of the flood plain where development (other than uses which by their nature must be located within the floodway, flood and/or erosion control works, or where appropriate, minor additions or passive, non- structural uses which do not affect flood flows) and site alteration would cause a danger to public health and safety or property damage. Where the one zone concept is applied, the floodway is the entire flood plain. Where the two zone concept is applied, the floodway is the inner portion of the flood plain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the flood plain is called the flood fringe.

**Great Lakes - St. Lawrence River System:**

means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

**Hazardous lands:**

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

the flooding, erosion or dynamic beach hazard limits. Along river and stream systems, this means the land, including that covered by water, to the furthest landward limit of the flooding or erosion hazard limits.

**Hazardous sites:**

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

**Hazardous substances:**

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

**Housing market area:**

refers to an area, generally broader than a lower tier municipality, that has a high degree of social and economic interaction. In southern Ontario, the county or regional municipality will normally serve as the housing market area. Where a housing market area extends significantly beyond county or regional boundaries, it may include a combination of counties and/or regional municipalities.

**Infrastructure:**

means physical structures that form the foundation for development. Infrastructure includes: sewage and water works, waste management systems, electric power, communications, transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.

**Institutional uses:**

means those uses, associated with hospitals, nursing homes, pre-school, school nurseries, day care and schools, where there is a threat to the safe evacuation of the sick, the elderly, the physically challenged or the young during an emergency as a result of flooding, failure of flood proofing measures or protection works, or erosion.

**Large inland lakes:**

means those water bodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

**Mine hazards:**

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

**Mineral aggregate:**

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

**Mineral deposits:**

means an unusually large or rich concentration of valuable minerals identified within a small part of the Earth's crust.

**Mineral aggregate operation:**

means:

- a. lands under license or permit, other than for a wayside pit or quarry, issued in accordance with the Aggregate Resources Act, or successors thereto;
- b. for lands not designated under the Aggregate Resources Act, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c. associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate, or the production of secondary related products.

**Mineral mining operation:**

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

**Minerals:**

means metallic minerals and non-metallic minerals as herein defined, but does not include mineral aggregates or petroleum resources.

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

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

**Minimum distance separation formulae:**

means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

**Multi-modal transportation system:**

means a transportation system which may include several forms of transportation such as automobiles, walking, truck, cycling, bus, rapid transit and rail.

**Natural heritage features and areas:**

means features and areas, such as significant wetlands, fish habitat, significant woodlands south and east of the Canadian Shield, significant valley lands south and east of the Canadian Shield, significant portions of the habitat of endangered and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

**Negative impacts:**

means:

- a. in regard to fish habitat, the harmful alteration, disruption or destruction of fish habitat, except where it has been authorized under the Fisheries Act, using the guiding principle of no net loss of productive capacity.
- b. in regard to other natural heritage features and areas, the loss of the natural features or ecological functions for which an area is identified.

**One hundred year flood (for river and stream systems):**

means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level:

means:

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

**Other water-related hazards:**

means water-associated phenomena other than flooding and wave up rush which act on shorelines. This includes, but is not limited to ice, ice piling and ice jamming.

**Petroleum resource operations:**

means oil, gas and brine wells, and associated facilities, oil field brine disposal wells and associated facilities, and facilities for the underground storage of natural gas and other hydrocarbons.

**Petroleum resources:**

means oil, gas, and brine resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

**Portable asphalt plant:**

means a facility:

- a. with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process;
- b. which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

**Prime agricultural area:**

means an area where prime agricultural land predominates. Prime agricultural areas may also be identified through an alternative agricultural land evaluation system approved by the Province.

**Prime agricultural land:**

means land that includes specialty crop lands and/or Canada Land Inventory Classes 1, 2, and 3 soils, in this order of priority for protection.

**Public service facilities:**

means land, buildings and structures for the provision of public services, but does not include infrastructure.

**Public services:**

means programs and services provided or subsidized by a government or other public body. Examples include social assistance, recreation, police and fire protection, health and educational programs, and cultural services.

**Quality and quantity (of water):**

is measured by indicators such as minimum base flow, oxygen levels, suspended solids, temperature, bacteria, nutrients, hazardous contaminants, and hydrologic regime.

**Reserve water and sewage plant capacity:**

means design capacity in a centralized water and waste water treatment facility which is not yet committed to existing or approved development.

**Residence surplus to a farming operation:**

means one of two or more existing farm residences built prior to 1978 and surplus to the farm, or an existing farm residence that is rendered surplus as a result of farm consolidation (farm consolidation means the acquisition of additional farm parcels to be operated as one farm operation).

**Residential infilling:**

means the creation of a residential lot between two existing non-farm residences which are on separated lots of a similar size and which are situated on the same side of a road and are not more than 100 metres apart.

**Residential intensification:**

means the creation of new residential units or accommodation in existing buildings or on previously developed, serviced land and includes infill, accessory apartments and rooming houses.

**River and stream systems:**

means all watercourses, rivers, streams, and small inland lakes or water bodies that have a measurable or predictable response to a single runoff event.

**Rural areas:**

means lands in the rural area which are not prime agricultural areas.

**Secondary uses:**

means uses secondary to the principal use of the property, including home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.

**Sensitive land uses:**

means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples include: residences, day care centres, and educational and health facilities.

**Sewage and water systems:**

Full municipal sewage and water services:

means piped sewage and water services that are connected to a centralized water and waste water treatment facility.

**Communal services:**

means sewage works and sewage systems, and water works that provide for the distribution, collection or treatment of sewage or water but which:

- are not connected to full municipal sewage and water services;
- are for the common use of more than five residential units/lots; and
- are owned, operated, and managed by:
  - the municipality; or
  - another public body; or
  - a condominium corporation or single owner which has entered into an agreement with the municipality or public body, pursuant to Section 51 of the Planning Act, providing for municipal/public body assumption of the communal services in the event of default by the owner.

**Individual on-site systems:**

means individual autonomous water supply and sewage disposal systems, that are owned, operated and managed by the owner of the property upon which the system is located and which do not serve more than five residential units/lots.

**Partial services:**

means connection to one communal service or full municipal service where the other connection will be to an individual on-site system.

**Significant:**

means:

- in regard to wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ministry of Natural Resources using evaluation procedures established by the province, as amended from time to time.
- in regard to other features and areas in policy 2.3, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. Criteria for determining significance may be recommended by the Province, but municipal approaches that achieve the same objective may also be used.
- in regard to other matters, important in terms of amount, content, representation or effect.

**Significant archaeological resources:**

means the remains of any building, structure, activity, place or cultural feature, which because of the passage of time is on or below the surface of the land or water, and which has been identified and evaluated and determined to be significant to the understanding of the history of a people or place. The identification and evaluation of this resource is based upon an archaeological assessment.

**Site alteration:**

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

**Special policy area:**

means an area within a community that has historically existed in the flood plain and where site specific policies, approved by the Ministers of Natural Resources and Municipal Affairs and Housing, are intended to address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning development.

**Specialty crop land:**

means areas where specialty crops such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

- soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or
- a combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services to produce, store, or process specialty crops.

**Threatened species:**

means any native species that is at risk of becoming endangered through all or a portion of its Ontario range if the limiting factors are not reversed.

**Valley lands:**

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

**Waste management system:**

means sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

**Wave up rush:**

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

**Wayside pits and quarries:**

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

**Wetlands:**

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

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

**Wildlife habitat:**

means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats

of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

**Woodlands:**

means treed areas that provide environmental and economic benefits such as erosion prevention, water retention, provision of habitat, recreation and the sustainable harvest of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance.