

APPENDIX 1

OAK RIDGES MORaine PLANNING AREA DEFINITIONS

For the purpose of assisting in the interpretation of the land use policies within the Oak Ridges Moraine Planning Area, the following definitions are provided:

“*Accessory Use*” means a use of land, building or structure that is normally incidental or subordinate to the principle use, building or structure located on the same lot.

“*Adverse effect*” means any impairment, disruption, destruction or harmful alteration.

“*Agricultural Use*” means

- a) growing crops, including nursery and horticultural crops;
- b) raising livestock and other animals, including poultry and fish for food and fur;
- c) aquaculture; and,
- d) agro-forestry and maple syrup production.

“*Agriculture-related uses*” means commercial and industrial uses that are:

- a) small scale;
- b) directly related to a farm operation; and,
- c) required in close proximity to the farm operation.

“*Application*” includes a matter, proceeding or request;

“*Aquifer vulnerability*” means an aquifer’s intrinsic susceptibility, as a function of the thickness and permeability of overlying layers, to contamination from both human and natural impact on water quality.

“Area of natural and scientific interest” (earth science) means an area that has been;

- a) Identified as having earth science values related to protection, scientific study or education; and
- b) further identified by the Ministry of Natural Resources using evaluation procedures established by that Ministry, as amended from time to time;

“Area of natural and scientific interest” (life science) means an area that has been;

- a) Identified as having life science values related to protection, scientific study or education; and
- b) further identified by the Ministry of Natural Resources using evaluation procedures established by that Ministry, as amended from time to time;

“*Bed and breakfast establishment*” means an establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public in up to three guest rooms within a single dwelling that is the principal residence of the proprietor of the establishment.

“*Connectivity*” means the degree to which Key Natural Heritage Features are connected to one another by links such as plant and animal movement corridors, hydrological and nutrient cycling, genetic transfer, and energy flows through food webs.

“*Development*” means the creation of a new lot, a change in land use, or the construction of buildings and structures, any of which require approval under the Planning Act, the Environmental Assessment Act, or the Drainage Act, but does not include:

- a) the construction of facilities for transportation, infrastructure and utilities uses, by a public body, as described in Section 3.8.8 of the this Plan; or

b) for greater certainty:

- (i) the reconstruction, repair or maintenance of a drain approved under the Drainage Act and in existence on November 15, 2001, or
- (ii) the carrying out of agricultural practices on land that was being used for agricultural uses on November 15, 2001;

“*Dwelling unit*” means one or more habitable rooms, occupied or capable of being occupied as an independent and separate housekeeping establishment in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants.

“*Earth science values*” means values that relate to the geological, soil and landform features of the environment.

“*Ecological features*” means naturally occurring land, water and biotic features that contribute to *ecological integrity*.

“*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, including *hydrological functions* and biological, physical, chemical and socio-economic interactions.

“*Ecological integrity*”, which includes *hydrological integrity*, means the condition of ecosystems in which,

- a) the structure, composition and function of the ecosystems are unimpaired by stresses from human activity;
- b) natural ecological processes are intact and self-sustaining; and,
- c) the ecosystems evolve naturally.

“*Ecological value*” means the value of vegetation in maintaining the health of the Key Natural Heritage Feature and the related *ecological features* and *ecological functions*, as measured by factors such as the diversity of species, the diversity of habitats, and the suitability and amount of habitats that are available for rare, threatened and *endangered species*.

“*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 part of its Ontario range if the limiting factors are not reversed.

“*Existing*” means lawfully in existence on November 15, 2001, and for greater certainty does not include a use, building or structure that is in existence on that date without being lawful.

“*Farm retirement lot*” means a lot that is severed from land that is being used in a farming operation on the application of a person who:

- a) owned and operated the farm operation, as a full-time farmer, for a substantial number of years;
- b) was engaged in farming on January 1, 1994 or on an earlier date set out in the applicable official plan; and,
- c) has reached retirement age and is retiring from active working life.

“*Farm vacation home*” means an establishment that provides sleeping accommodation (including participation in farm activities, meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public in up to three guest rooms within a single dwelling that is located on a farm and is the principal residence of the proprietor of the establishment.

“*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 the life processes, as further identified by the Department of Fisheries and Oceans (Canada).

“*Forest management*” means the management of *woodlands*, including accessory uses such as the construction and maintenance of forest access roads and maple syrup production facilities:

- a) for the production of wood and wood products, including maple syrup;
- b) to provide outdoor recreation opportunities;

- c) to maintain, and where possible improve or restore, conditions for wildlife; and
- d) to protect water supplies.

“*Groundwater recharge*” means the replenishment of subsurface water

- a) resulting from natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes streams and wetlands; and
- b) resulting from human intervention, such as the use of stormwater management systems.

“Habitat of endangered, rare and threatened species” means land that,

- a) is an area where individuals of an endangered species, a rare species or a threatened species live or have the potential to live and find adequate amounts of food, water, shelter, and space needed to sustain their population, including an area where a species concentrates at a vulnerable point in its annual or life cycle and an area that is important to a migratory or non-migratory species;
- b) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

“*Hazardous waste*” has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990.

“*Home Business*” means an occupation that:

- a) involves providing personal or professional services or producing custom or artisan products;
- b) is carried on as a small-scale accessory use within a single dwelling by one or more of its residents; and,

- c) does not include uses such as an auto repair or paint shop or furniture stripping.

“Home Industry” means a business that:

- a) is carried on as a small-scale use that is accessory to a single dwelling or agricultural operation;
- b) provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community;
- c) does not include uses such as an auto repair or paint shop or furniture stripping.

“Hydrological cycle” means the circulation of water from the atmosphere to the earth and back through precipitation, runoff, infiltration, groundwater flow and evapotranspiration, including the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water’s interaction with the environment including its relation to living things.

“Hydrological features” means,

- a) permanent and intermittent streams;
- b) *wetlands*
- c) kettle lakes and their *surface catchment areas*
- d) seepage areas and springs, and
- e) aquifers and recharge areas.

“Hydrological functions” means the functions of the hydrological cycle that include the occurrence, circulation, distribution, and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water’s interaction with the environmental including its relation to living things.

“*Hydrological integrity*” means the condition of ecosystems in which *hydrological features* and *hydrological functions* are unimpaired by stresses from human activity.

“*Impervious surface*” means a surface that does not permit the infiltration of water, such as a rooftop, sidewalk, paved roadway, driveway or parking lot.

“*Kame*” means mound, hummock or conical hill of glacial origin.

“*Kettle lake*” means a depression formed by glacial action and permanently filled with water.

“*Landform features*” means distinctive physical attributes of land such as slope, shape, elevation and relief.

“*Life science values*” means values that relate to the living component of the environment.

“*Lot*” means a parcel of land that is:

- a) described in deed or other document legally capable of conveying an interest in the land, or
- b) shown as a lot or block on a registered plan of subdivision.

“*Liquid industrial waste*” has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990.

“*Major development*” means development consisting of:

- a) the construction of a building or buildings with a ground floor area of 500 m² or more;
- b) creation of major recreation uses as described in Section 3.8.3.4 e).

“*Meander belt*” means the land across which a stream shifts its channel from time to time.

“*Mineral Aggregate*” means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act*, but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, talc, wollastonite, or other material prescribed under that Act.

“*Mineral aggregate operation*” means:

- a) an operation, other than a wayside pit, conducted under a licence or permit under the *Aggregate Resources Act*; and,
- b) associated facilities used in the extraction, transportation, beneficiation, processing or recycling of mineral aggregate or the production or related by-products.

“Natural self-sustaining vegetation” means self-sustaining vegetation dominated by native plant species.

“Net developable area” means the area of a lot or site, less any area that is within a key natural heritage feature or a hydrologically sensitive feature.

“Original half lot” means half of an original lot that contained 80.9 hectares (200 acres) more or less.

“*Original lot*” means a township lot shown on a plan certified by the Surveyor General of Ontario as being the original plan of an original survey.

“*Partial service*” means connections linking a building to:

- a) a communal sewage or water service or a full municipal sewage or water service; and
- b) an individual on-site sewage or water system.

“*Portable asphalt plant*” means a temporary facility, to be dismantled at the completion of a construction project, where,

- a) equipment is used to heat and dry mineral aggregate and to mix it with bituminous asphalt to produce asphalt paving material; and,
- b) bulk materials used in the process described in clause a) are kept.

“*Prime agricultural area*” means an area that is:

- a) designated as prime agricultural land in the relevant Official Plan; or,
- b) identified through an alternative agricultural land evaluation system approved by the Government of Ontario.

“Prime agricultural land means:

- a) land where fruit and vegetables crops and greenhouse crops are grown,
- b) agriculturally developed organic soil land; or,
- c) land with Class 1, 2 or 3 soils according to the Canada Land Inventory.

“*Rapid infiltration basin*” means a basin or system of basins at or below surface grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from *impervious surfaces*.

“*Rapid infiltration column*” means a column or system of columns at or below surface grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from *impervious surfaces*.

“Rare species” means a native species that is not currently at risk of becoming threatened but, because of its limited distribution, small population or specialized habitat needs, could be put at risk of becoming threatened through all or part of its Ontario range by changes in land use or increased in certain types of human activity.

“Residence surplus to a farming operation” means:

- a) if there are two or more farm residences, both built before 1978, on a lot that is being used in a farming operation, one of those residences that is surplus to the farming operation, or
- b) if the owner and operator of a farming operation acquires an additional lot and uses it in the consolidated farming operation, any existing farm residence that is surplus to the consolidated farming operation.

“Rural lot” means a lot that is at least 97.5% of the land that is left in an original lot or an original half lot after the deduction of any land that is:

- a) conveyed at any time for transportation, utilities and infrastructure as described in section 41, whether before, on or after November 16, 2001 or:
- b) validly conveyed before June 27, 1970.

“Sand barrens” means land (not including land that is being used for agricultural purposes and no longer exhibits sand barrens characteristics) that,

- a) has sparse or patchy vegetation that is dominated by plants that are:
 - i) adapted to severe drought and low nutrient levels; and
 - ii) maintained by severe environmental limitations such as drought low nutrient levels and periodic disturbances such as fire;
- b) has less than 25 per cent tree cover;

- c) has sandy soils (other than shorelines) exposed by natural erosion, depositional process or both; and,
- d) has been further identified by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

“*Saturated Zone*” means the zone below the water table where the spaces between soil grains are filled with water.

“*Savannah*” means land (not including land that is being used for agricultural purposes and no longer exhibits savannah characteristics) that,

- a) has vegetation with a significant component of non-woody plants, including tall grass prairie species that are maintained by seasonal drought, periodic disturbances such as fire or both;
- b) has from 25 percent to 60 percent tree cover;
- c) has mineral soils; and,
- d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

“*Self-sustaining vegetation*” means vegetation dominated by plants that can grow and persist without direct human management, protection, or tending.

“*Significant*” means identified as significant by the Ministry of Natural Resources, using evaluation procedures established by that Ministry as amended from time to time.

“*Single dwelling*” means a building containing only one dwelling unit.

“*Site*” means the land subject to an application.

“*Site alteration*” means activities such as filling, grading and excavation that would change the landform and natural vegetative characteristics of land, but does not include:

- (a) the construction of facilities for transportation, infrastructure and utilities uses, by a public body, as described in Section 3.8.8 of this Plan; or
- (b) for greater certainty,
 - (i) the reconstruction, repair or maintenance of a drain approved under the Drainage Act and in existence on November 15, 2001; or
 - (ii) the carrying out of agricultural practices on land that was being used for agricultural uses on November 15, 2001.

“*Subwatershed*” means an area that is drained by a tributary or some defined position of a stream.

“*Surface catchment area*” means the area including and surrounding a kettle land or *wetland*, from which surface runoff drains directly into the kettle lake or *wetland*.

“*Tallgrass prairie*” means land (not including land that is being used for agricultural purposes and no longer exhibits tallgrass prairie characteristics) that,

- a) has vegetation dominated by non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire or both;
- b) has less than 25 per cent tree cover;
- c) has mineral soils; and,
- d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources as amended from time to time.

“Threatened Species” means any native species that is at risk of becoming endangered throughout all or part of its Ontario range if the limiting factors are not reversed.

“*Time of travel*” means the time that is needed for groundwater to travel a specified horizontal distance in the saturated zone.

“*Valleyland*” 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.

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

“*Wayside pit*” means a temporary pit opened or used by or for a public body solely for the purpose of a particular project of road construction and not located on the road right of way.

“*Wellhead protection area*” means the surface and subsurface area surrounding a water well or well field that supplies a public water system and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field.

“*Wetland*” means land such as a swamp, marsh, bog or fen (not including land that is being used for agricultural purposes and no longer exhibits *wetland* characteristics) that:

- (a) is seasonally or permanently covered by shallow water or has the water table close to or at the surface,
- (b) has hydric soils and vegetation dominated by hydrophytic or water tolerant plants, and
- (c) has been further identified, the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

“*Wildlife habitat*” means land that:

- (a) is an area where plants, animals and other organisms live or have the potential to live and find adequate amounts of food,

water shelter and space to sustain their population, including an area where a species concentrates at a vulnerable point in its annual or life cycle and an area that is important to a migratory or non-migratory species; and

- (b) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

“Woodland” means a treed area, woodlot or forested area, other than a cultivated fruit or nut orchard or a plantation established for the purpose of producing Christmas trees.

“Zone of contribution” when used in reference to a period of time, means the area within which the water pumped from a well originates during that time.