

# OFFICIAL PLAN



**DRAFT: December 18, 2025**

## **Part 1: Introductory and General Policies**

The following text and schedules constitute the Official Plan (hereafter referred to as the 'Plan') of the Township of Mulmur (hereafter referred to as 'the Township') for the Mulmur Planning Area, as first defined by the Minister of Municipal Affairs on November 16, 1961.

### **1.1 Purpose of the Plan**

This Plan establishes the planning framework for the Township from 2026 to 2051.

The policies in this Plan are intended to: guide local decisions on *development applications*, implement Provincial and County and local planning policy; ensure that *development* is logical, efficient, and cost effective; respect the natural, cultural, social and built environments and to minimize the potential for land *use* conflicts.

### **1.2 Garden Township**

The policies set out in this Plan have been established through a process of background review and public consultation. Throughout the *development* of this Plan, the public indicated a strong desire to maintain the Township's *rural character* and the open landscape and protect *significant* environmental and agricultural areas, and natural and scenic resources that facilitate its' unique environment of beauty and spirit.

The overarching vision of a *Garden Township* is derived from the origins of a garden as a guarded or protected place and incorporates the various definitions and perspectives of a garden including: farmland, natural areas, recreational areas, landscaped spaces, and limited built-up areas.

Creating Mulmur's *Garden Township* requires land *use* policies and patterns that acknowledge, protect, and enhance the Township's inherent beauty and the need to live in harmony with nature. This approach will protect Mulmur's *rural character* and agricultural landscape and promote a serene lifestyle where people live, work, learn, and play.

Within the *Garden Township* there will be smaller, individual gardens, each with its own specific characteristics and features. The combined garden network is intended to create a more defined sense of place and community, essential for a prosperous and sustainable society.

The greatest challenge for the Township over the next 30 years will be balancing the demands for resources, growth, and the global climate crisis with the need to protect all things that make Mulmur a *Garden Township*.

### **1.3 Vision Statement**

Mulmur will be a *Garden Township*, committed to protecting the environment and agriculture, and providing for balanced and sustainable *development* while nurturing its *rural character*.

#### 1.4 **Guiding Principles**

The following principles will guide decision making to support the *Garden Township* vision, while protecting what is important, sustainable, and fiscally responsible.

1. Mulmur will protect agricultural land and *uses*, supporting the concept of an *agricultural system* approach.
2. Mulmur will embrace protection of the Niagara Escarpment as a World Biosphere, echoing the protection of viewsheds and scenic qualities.
3. Mulmur will honor its heritage by protecting its *Rural Character*.
4. Mulmur will support appropriate *development* that provides for *complete communities* where the quality of life is maintained or enhanced so that residents can live, work, play and learn locally.
5. Mulmur will consider the *scale of development* and the provision of appropriate service levels, facilities and *infrastructure* that are compatible with surrounding land uses and provide for a diversified and sustainable local economy.
6. Mulmur will champion the protection of a sustainable *natural heritage system*.
7. Mulmur acknowledges that there are *impacts of a changing climate* and will make decisions that aim to reduce climate change hazards.
8. Mulmur will protect its resources and promote their wise management by supporting phased extraction in an environmental manner, and to support the road needs for residents.
9. Mulmur will encourage *developments* that provide economic opportunities and benefits for residents and contribute positively to the community or where the non-financial benefits outweigh the costs.
10. Mulmur will support *development* of the Mansfield North Recreational Area to provide recreational options to residents, grow the local residential support area, and provide an economic benefit to the broader community.
11. Mulmur will protect the Primrose Business Park as a large-scale opportunity for jobs and an industrial tax base.

12. Mulmur will support *development* that is serviced in a sustainable and cost-effective manner and will not result in new financial responsibility for water or sewage *infrastructure*.

13. Mulmur will consult with the community and ensure that this plan remains relevant and moves towards the vision of the *Garden Township*.

## **1.5 Legislative Authority**

This Plan has been prepared in accordance with the requirements of the *Planning Act* and regulations thereunder, as of the approval date of this plan. At the time of approval, the policies and provisions of this Plan are consistent with the Provincial Planning Statement and are in conformity, or do not conflict with the Provincial plans.

## **1.6 General Notes to Reader**

The Township may apply stricter or more detailed policies than the Province or Dufferin County to ensure appropriate *development*.

This Plan shall be read in its entirety and all relevant policies are to be applied to each *application, development and use*.

The appendices to this plan are for reference only, and may be updated without amendment to this plan.

Italicized terms and words are defined in section 9 of this plan.

Where this plan is produced in colour, text shown in green font are direct or paraphrased policies from the Provincial Planning Statement.

## **Part 2: Growth Management**

### **2.1 Growth Projections**

Consistent with section 2.1 of the *Provincial Planning Statement (PPS)*, the Township's population and employment growth forecasts are based on Ontario Population Projections published by the Ministry of Finance, and appropriately disaggregated in the County of *Dufferin Land Needs Analysis (DLNA, 2022)*, and as summarized below:

	<b>People</b>	<b>Dwelling units</b>	<b>Jobs</b>
<b>2021</b>	3700 (DLNA) 3571 (Census)	1680 (Census)	900 (DLNA)
<b>2025</b>	3830	1750	950
<b>2051</b>	4500 (DLNA)	1980 (DLNA)	1300 (DLNA)
<b>Annual Increase (DLNA)</b>	32	10 (73% in <i>settlement areas</i> )	13

#### **2.1.1 Designating Sufficient Lands**

The *DLNA* found there to be sufficient land *designated* in Mulmur for the 25-year projection.

Consistent with section 2.1.3 of the *PPS*, “sufficient land shall be made available to accommodate an appropriate range and mix of land *uses* to meet projected needs for a time horizon of at least 20 years, but not more than 30 years, informed by provincial guidance.” Planning for *infrastructure* and *public service facilities* may extend beyond this time horizon.

Consistent with section 2.1.4 of the *PPS*, in order to “provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *Regional Market Area*” the Township shall “maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are *designated and available* for residential *development*; and maintain at all times where new *development* is to occur, land with servicing capacity sufficient to provide at least a three-year supply of *residential units* available through lands suitably zoned, including units in draft approved or registered plans.”

#### **2.1.2 Growth Analysis and Demographic Forecasting**

Growth analysis and demographic forecasting may be required to support settlement expansions, subdivision *development*, and large-scale *development applications*.

## 2.2 **Complete Communities**

Consistent with section 2.1.6 of the *PPS*, Mulmur will aim “to support the achievement of *complete communities*, by:

1. accommodating an appropriate range and mix of land *uses*, *housing options*, transportation options with *multimodal* access, employment, *public service facilities* and other *institutional uses* (including, *schools* and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other *uses* to meet long-term needs;
2. improving accessibility for people of all ages and abilities by addressing land *use* barriers which restrict their full participation in society, through the Township’s Multi-Year Accessibility Plan; and,
3. improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.”

## 2.3 **Settlement Areas**

### 2.3.1 **General Polices for *Settlement Areas***

Consistent with section 2.3.1.1, 2.3.1.2 and 2.5.2 of the *PPS*, “settlement areas shall be the focus of growth and *development*” and “shall be based on densities and a mix of land *uses* which:

1. efficiently use land and resources;
2. optimize existing and planned *infrastructure and public service facilities*;
3. support *active transportation*” and
4. “are *freight-supportive*.”

“*Settlement areas* shall be the focus of growth and *development* and their vitality and regeneration shall be promoted.” Mulmur will support optimization of existing infrastructure, protection of the natural environment and agricultural areas through focused growth.

Mulmur has delineated the settlement *areas*:

<b>Settlement Area</b>	<b>Name</b>	<b>Schedule</b>	<b>Corresponding Policy Section</b>
Primary Rural Settlement Area	Mansfield	A2	5.6
Rural Settlement Area	Terra Nova	A3	5.7
Rural Settlement Area	Honeywood	A4	5.7
Rural Settlement Area	Violet Hill	A5	5.7
Rural Settlement Area	Rosemont	A6	5.7

Employment Settlement Area	Primrose Business Park	A7	5.11
Rural Recreational Settlement Area	Recreational Community	A8	5.7 5.12

The Mansfield North Recreational Area is delineated on Schedule A1 and Schedule A8. The Recreational Community within the Mansfield North Recreational Area was delineated as a rural settlement area and policies updated through the 2026 planning document update.

### 2.3.2 Intensification, Infill and Redevelopment

Consistent with section 2.3.1.3 of the *PPS*, Mulmur supports general *intensification*, *infilling* and *redevelopment* to support a range and mix of *housing options* and prioritizing planning and investment in necessary *infrastructure* and *public service facilities*, within settlement areas.

Respecting section 2.3.1.4 of the *PPS*, Mulmur will encourage intensification and redevelopment after consideration of the provision of appropriate servicing levels, compatibility and the *rural character* of the settlement area. It is noted that the overall minimum *intensification* target for Dufferin County is 40 percent.

### 2.4 New Settlement Areas and Boundary Expansions

Consistent with section 2.3.2 of the *PPS*, Mulmur shall consider the following when supporting a new *settlement area* or allowing a *settlement area* boundary expansion:

1. “the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
2. if there is sufficient capacity in existing or planned *infrastructure* and *public service facilities*;
3. whether the applicable lands comprise *specialty crop areas*;
4. the evaluation of alternative locations which avoid *prime agricultural areas* and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
5. whether the new or expanded settlement area complies with the *minimum distance separation formulae*;
6. whether impacts on the *agricultural system* are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance; and,

7. the new or expanded settlement area provides for the phased progression of urban *development*.”

Section 2.3.2.2 of the PPS allows the Township to identify a new *settlement area* only where it has been demonstrated that the *infrastructure and public service facilities to support development* are planned or available. The Township is focused on its Primary Settlement Area and has not identified a need for additional *settlement areas* within the time horizon of this Plan. The Township will explore the expansion of existing *settlement areas* prior to considering a new settlement area.

A comprehensive review shall be undertaken prior to expanding a settlement boundary or considering a new *settlement area*. Such comprehensive review must include background studies to assess demographics, constraints, resources, planning options, asset management, servicing and a detailed review of the applicable planning framework.

Expanding Rural Settlement Area boundaries will not be encouraged, especially where abutting *prime agricultural areas*. Settlement expansion to consolidate and incorporate highly fragmented areas may be considered through a settlement boundary expansion process as outlined above.

The creation of new settlement areas will require an amendment to the Mulmur Official Plan in conjunction with an amendment to the County Official Plan.

#### **2.4.1 Removal of Land from *Prime Agricultural Areas***

Consistent with policy 4.3.4.1 of the PPS, Mulmur will only exclude land from *prime agricultural areas* for expansions of or identification of *settlement areas* in accordance with the policies of section 2.3.2 of the PPS.

### **2.5 Lot Creation, Subdivisions and Condominiums**

#### **2.5.1 General Lot Creation**

In addition to the criteria of the *Planning Act* and designation specific policies, the following policies apply to all land division in the Township:

1. Where a *lot* is proposed in more than one designation that permits severances, the severance policy of the least restrictive designation may be applied. Such *lot* shall comply with the Township’s *Zoning By-law* and include sufficient and appropriate land outside of the Environmental Protection designation;
2. The requirements for road frontage, road access, sight triangle, entrance permits, road widenings and *infrastructure* upgrades shall be determined in accordance with policies of Part 3 of this Plan.



3. The schedules and appendices to this Plan shall be used to identify where a *lot* is proposed within or in proximity to a resource, feature or hazard and determine the applicable policies and study requirements; Impacts of development shall comply with the policies of this Plan;
4. New *lots* shall not be permitted to create a *lot* for a dwelling unit that was created as a result of a temporary use agreement for a garden suite or was approved as farmer workers housing, or an additional dwelling unit; and,
5. Generally, *lots* shall be a financially beneficial to the Township. *Lot* sizes should reflect the amount of land required for the use and servicing and weigh the benefits to the environment over the tax levy implication.
6. New *development* within existing *settlement areas* shall generally occur by Plan of Subdivision. New *development* outside of existing *settlement areas* may generally occur by consent if a plan of subdivision is not necessary for the proper and orderly *development*, in accordance with section 53(1) of the *Planning Act*.
7. Cumulative impacts shall be assessed.
8. The *application* shall conform to all other applicable policies of this Plan.
9. The area, configuration and characteristics provide the best financial opportunities and minimize municipal servicing and maintenance costs.

The Township may impose conditions as per the *Planning Act*.

### **2.5.2 Lot Creation in Agricultural Designation**

Consistent with sections 4.3.3.1 and 4.3.3.3 of the *PPS*, the creation of new residential *lots* in *prime agricultural areas* shall not be permitted, and *lot* creation in the Agricultural designation is discouraged and may only be permitted for:

1. *agricultural uses*, provided that the *lots* are of a size appropriate for the type of *agricultural use(s)* common in the area and are sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operations, and are a minimum of 40 hectares;
2. *agriculture-related uses*, provided that any new *lot* will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;
3. *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way, and the lot is limited to a minimum size needed to accommodate the infrastructure; and

4. one *residence surplus to an agricultural operation* per farm consolidation, provided that:

- a. the new *lot* will be limited to the minimum size needed to accommodate the surplus residential use and appropriate *sewage and water services*, taking into consideration environmental and topographic features; and shall not include farm fields, or any agricultural (livestock and implement) buildings except small accessory buildings and *structures*, and shall be a maximum of 1.0 hectares.
- b. the new dwellings and additional dwelling units are prohibited on any remnant parcel of farmland created by the severance, with the preferred approach to be legal parcel consolidation where *agricultural operations* are adjoining, and restrictive zoning where the other *agricultural operations* are not adjoining;
- c. the agricultural operation severing the *lot* must have an agricultural operation elsewhere in the Township or in an immediately adjacent Township;
- d. the severance complies with the minimum distance separation requirements, and may include the requirement for livestock facility or implement sheds to be demolished as a condition of approval; and
- e. such severances will be considered only on the basis of one per original *lot* of approximately 40 hectares (Township half-*lot*) and where no more than one *lot* has been previously created by severance.

In accordance with 4.3.3.1b, a severance for an agriculture-related use or an agricultural use on less than 40 hectares may only be permitted through an amendment to this Plan. Such *application* shall be supported by an *agricultural impact assessment*, minimum distance separation calculation, agrologist report confirming the lower soil value, detailed topographical mapping. An economic impact assessment or business plan supporting the long-term use and contribution to the agricultural community may also be required. Such severance may be conditional on demolishing a residential use and/or prohibiting a residential use in conjunction with the agricultural use or agriculture-related use and would be limited in size.

### 2.5.3 Lot Creation in Rural Designation

Consistent with section 2.6.1 of the *PPS*, in the Rural designation, *lot creation* for residential *development* may be permitted where site conditions are suitable for the provision of appropriate *sewage and water services* and in accordance with the following policies:

- 1. A maximum of three new *lots* may be created from an original 40 hectare *lot*;
- 2. *Rural character* will be maintained, including providing for variation in *lot* sizes and configurations and visual buffering is implementable;

The creation or acquisition of lands by a public body that creates a remnant parcel will only be considered a previous severance if the remnant lands are a buildable *lot*.

An original 40 ha *lot* may be re-created along the original *lot* and concession lines where the re-created parcels will comply with the maximum severances permitted in the applicable designation. The consent must comply with all other applicable policies of this plan, at the time of *application*.

#### **2.5.4 Lot Creation in the Environmental Protection Designation, Natural Heritage System and Hazards**

The creation of new *lots* that extend into or through *wetlands*, the habitat of *endangered or threatened species*, or *significant woodlands*, is not permitted.

*Lot* lines through natural hazard areas, or sites that pose a significant safety threat shall be prohibited.

The creation of new *lots* that extend into or through other areas *designated* Environmental Protection or the *Natural Heritage System* shall be discouraged, and are further protected in Part 4 of this Plan. However, provided no new building *lot* is created, a severance may be considered to correct conveyances, enlarge an existing *lot*; and/or for a non-developable purpose.

#### **2.5.5 Lot Adjustments, Technical and Boundary Corrections**

Technical or boundary correction severances are generally permitted, provided that they do not result in the creation of a new *lot*. *Lot* enlargements and boundary line adjustments are generally permitted, provided the purposes and overall intent of this Plan are maintained. Where two *lots* have inadvertently been merged, special consideration may be given to re-create the original *lots*.

Consistent with section 4.3.3.2 of the *PPS*, “*lot* adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.”

### **2.6 Employment Areas**

For the purposes of protecting industrial lands, the Township will apply the policies of Section 2.8.1.3 and 3.5 of the *PPS* for *employment areas*, to the Employment Settlement Areas, being that “on lands within 300 metres of *employment areas*, *development* shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long term economic viability of employment uses within existing or planned *employment areas*, in accordance with provincial guidelines.” Consistent with section 2.8.1.1 of the *PPS*, the Township shall encourage economic *development* and competitiveness by:

1. providing for an appropriate mix and range of employment, institutional, and broader mixed *uses* to meet long-term needs;
2. providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment *uses* which support a wide range of economic activities and ancillary *uses*, and consider the needs of existing and future businesses;
3. identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
4. encouraging *intensification* of employment *uses* and *compatible*, compact, mixed-use *development* to support the achievement of *complete communities*;
5. addressing land *use* compatibility adjacent to *employment areas* by providing an appropriate transition to *sensitive land uses*; and
6. protecting and preserving employment areas and the Primrose Business Park.

## **2.7 Employment Area Conversion**

While the Primrose Business Park is not considered an *employment area* as defined by the PPS, the Township will continue to protect and promote the Employment Settlement Area for “employment, institutional and broader mixed uses.”

The Township identified the Primrose Business Park as an ideal location after having completed a variety of professional reports and background studies, and its proximity to a *Major Goods Movement Facilities and Corridors*. The conversion of land within the Primrose Business Park for any other purpose is strongly discouraged. Based on the 2022 *DLNA*, no need to remove land has been identified for the 2025-2051 planning horizon and any proposed boundary adjustment must include a Land Needs Assessment.

Boundary adjustment and expansions to the Employment Settlement Area or the identification of an additional Employment Settlement Area shall only be done at the time of a municipal-wide Official Plan update.

## **2.8 Housing Options**

Consistent with section 2.2(1) of the *PPS*, Mulmur will provide for an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents of Dufferin County (being the *Regional Market Area*) by:

1. acknowledging Dufferin County establishing a “minimum target for the provision of housing that is *affordable to low and moderate income household*” of 20%, applicable to new residential developments by plan of subdivision;
2. “supporting a range of *housing options* to meet the social, health, economic and well-being requirements of current and future residents, including *additional needs housing* and needs arising from demographic changes and employment opportunities; and
3. permitting residential *intensification*, including the *development* and *redevelopment* of underutilized commercial and institutional sites for residential *use, development* and introduction of new *housing options* within previously developed areas, and *redevelopment* which results in a net increase in *dwelling unit*”.

The Township supports the *development* of housing which is *affordable to low and moderate income households* through a variety of *housing options*.

The Township supports the concept of “visitable” housing, which is not necessarily fully accessible housing but generally is accessible without steps to and within the main living area and has wider doorways. All new development shall consider options to include a “visitable” design with main floor step-free access and wider doorways.

### 2.8.1 Additional Dwelling Units

Within *settlement areas*, and subject to servicing, the Township supports the *development* of a range of housing forms, including units which are designed to facilitate additional attached units, such as purpose-built basement apartments, to assist meeting Dufferin County’s affordability target.

Outside of *settlement areas*, the *development* of *additional dwelling units* may be considered where a dwelling unit is permitted, subject to the following criteria:

1. the permissions and provisions provided in the Comprehensive Zoning By-law, including maintaining appropriate *lot* coverage, yard setbacks, and floor areas;
2. providing adequate services and *infrastructure*;
3. limiting future fragmentation and preserving *rural character*;
4. compatibility with adjacent land *uses*; and,
5. consistency with any applicable legislation and other matters as deemed appropriate.

Permissions for additional dwelling units in *prime agricultural areas* and rural areas are provided in Part 5: Land Use Designations.

## **Part 3: Infrastructure and Facilities**

### **3.1 General Policies for Infrastructure and Public Service Facilities**

Consistent with section 3.1.2 of the *PPS*, the *use* of existing *infrastructure and public service facilities* should be optimized and opportunities for adaptive re-use should be considered, where feasible, before consideration is given to developing new *infrastructure and public service facilities*.

Consistent with section 3.1.1 of the *PPS*, *infrastructure and public service facilities* shall be provided in an efficient manner while accommodating projected needs. Planning for *infrastructure and public service facilities* shall be coordinated and integrated with land use planning and growth management so that they:

1. are financially viable over their life cycle, which may be demonstrated through asset management planning;
2. leverage the capacity of *development* proponents, where appropriate; and
3. are available to meet current and projected needs.

Consistent with section 3.1.3 of the *PPS*, “*infrastructure and public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety”.

Consistent with section 3.1.4 of the *PPS*, *public service facilities* should be planned and co-located with one another, along with parks and open space where appropriate, to promote cost-effectiveness and facilitate service integration, and *active transportation*.

Consistent with section 3.1.5 of the *PPS*, in collaboration with *school* boards, the Township will consider and encourage innovative approaches in the design of *schools* and associated child care facilities.

Consistent with section 2.2.1(c) of the *PPS*, Mulmur will promote new housing *developments* to explore “servicing options which efficiently use land, resources, *infrastructure* and support the use of *active transportation*” within *settlement areas*.

#### **3.1.1 Engineering Studies and Design Standards**

All *development applications* shall include consideration of adequate *infrastructure*, facilities and services necessary to support the maximum anticipated *use* and may require the submission of studies and plans to support such *application*.

All *development applications* shall be reviewed with respect to the Township's Guidelines and Standard Drawings and in some instances a detailed engineering design submission may be required.

An Environmental Assessment may be required for all new and reconstructed transportation and *utility* facilities in accordance with the Environmental Assessment Act and to assess the impact on the environment, the community and be consistent with the objectives and policies of this Plan.

## **3.2 Transportation Infrastructure**

Consistent with *section 3.2 of the PPS*, *transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs, and support the *use* of zero- and low- emission vehicles.

Efficient *use* should be made of existing and planned *infrastructure*, incorporating "transportation *demand management* strategies, where feasible. As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be planned for, maintained and, where possible, improved including connections which cross jurisdictional boundaries.

A land *use* pattern, density and mix of *uses* should be promoted that minimizes the length of trips and number of vehicles.

Consistent with section 3.3.1 of the *PPS*, Mulmur will plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, future transit and electricity generation facilities and transmission systems to meet current and projected needs.

Consistent with section 3.3.2 and 3.3.3 of the *PPS*, *major goods movement facilities and corridors* shall be protected for the long term. The Township will not permit *development* in *planned corridors* that could preclude or negatively affect the *use* of the corridor for the purpose(s) for which it was identified. New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be *compatible* with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate *negative impacts* on and *adverse effects* from the corridor and transportation facilities.

Consistent with section 3.3.4 and 3.3.5 of the *PPS*, the preservation and *reuse* of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible. The co-location of linear *infrastructure* should be promoted, where appropriate.

### **3.2.1 Road Classification and Reclassification**

Schedule C1 illustrates road classifications of all original surveyed road allowances, as well as roads forced and deviated roads, according to their function, standard of construction, maintenance standard, and anticipated level of service.







Reclassification may be required following an upper tier rationalization or reclassification study, an amendment to Schedule C1, a *development* which generates high volumes of traffic or a *development* that increases industrial traffic.

### **3.2.2 Access and Development on a Year-Round Maintained Road**

Direct access to a Year-Round Maintained Road is required for all new *uses* in the Township, with the exception of forestry, *resource management* and *agricultural uses with no residential use*. The conversion from a seasonal residential use to a year-round residential use shall be considered a new use and shall require direct access to a Year-Round Maintained road.

Common driveways may be permitted where recommended by the approval authority and the concerns of the Township can be adequately addressed.

Existing *lots* may be developed on existing Privately Maintained roads in accordance with the requirements of this Plan, the *Zoning By-law* or the Niagara Escarpment Plan.

The *use* of a portion of a Seasonally Maintained road or road allowance as a private driveway may be permitted for *development* of existing *lots* of record, provided an agreement acceptable to the Township has been executed and registered against the lands served by the driveway for road upgrading and maintenance.

Except as may otherwise be provided in this Plan, or by site-specific amendment to this Plan, the creation of new *lots* is not permitted on Privately Maintained Roads, or on seasonally maintained or unmaintained public roads.

A Privately Maintained road may be considered through an *application* for a draft plan of subdivision or draft plan of condominium. An amendment to this Plan is required for a *development* to be served by a Privately Maintained road under any other *development* process and shall address the provision of ongoing private maintenance.

### **3.2.3 Road Improvements**

The Township will not generally up-grade or maintain any Unmaintained, Seasonally Maintained or Privately Maintained roads.

The Township may enter into an agreement with one or more landowners to bring an Unmaintained or Seasonally Maintained Road up to Township standards, at the expense of the owner(s). In such instances, the owner(s) shall make provisions acceptable to the Township for the subsequent maintenance of the road. The Township may enter into an agreement with the owner(s) to *use* its best efforts to re-apportion and recover costs from other non-participating, benefiting landowners.

### **3.2.4 Traffic Impact Study (TIS)**

Any *development application* shall include consideration of traffic impacts and may require the submission of a Traffic Impact Study including a road condition assessment.

A Traffic Impact Study shall address impacts on existing and anticipated future traffic patterns, including weekend and tourist travel, an identification of the road classifications including any haul routes, an evaluation of the adequacy of roads, including bridges, an identification of all required improvements and a calculation of the capital contribution(s) required to accommodate the additional traffic resulting from the *use*, the impacts on adjoining roads as a result of the diversion of traffic, and confirmation of the availability of an entrance permit.

### **3.3 Land Use Compatibility**

Any *development application* shall include consideration of land use compatibility and may require the submission of studies and plans to assess compatibility based on the Provincial D-Series Guidelines. Reference in a planning report or a separate professional report may be required to assess compatibility and environmental considerations and requirements for industrial land use, sensitive lands, *sewage and water services* and individual on-site wells.

Consistent with section 3.5 of the *PPS*, “*major facilities and sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.”

Where avoidance is not possible Mulmur shall protect the long-term viability of existing or planned industrial, manufacturing or other *major facilities* that are *vulnerable* to encroachment by ensuring that the planning and development of proposed adjacent *sensitive land uses* is only permitted if potential *adverse effects* on the proposed *sensitive land use* are minimized and mitigated and potential impacts to industrial, manufacturing or other *major facilities* are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

#### **3.3.1 Industrial Facilities and Emissions (D-6)**

Any new *development* or *use*, involving the generation of *significant* noise, or any other emission, including dust, odour, particulates, vibration or which generated any other potential annoyance or disturbance shall be subject to the requirement of an assessment report which clearly demonstrates that all reasonable measures have been taken to minimize impacts, and the impacts are minor and acceptable. The proponent shall consult the Ministry of Environment to identify required study and other technical approvals.

### 3.3.2 Noise Study

The Township may require any *application* be supported by a noise study to protect *sensitive land uses* from the adverse impacts of noise. Noise studies may also be required for commercial, industrial, extractive, recreational and *institutional uses* that are anticipated to generate noise impacts.

### 3.3.3 Landscaping Plan

All *applications* for commercial, industrial, and institutional *developments*, plans of subdivision and site plan approvals shall include a landscaping plan to the satisfaction of the Township, and may also be used to provide buffering and address compatibility.

### 3.3.4 Lighting Study

The Township will limit light pollution and conserve energy by protecting a dark-sky. A lighting study is required for *development applications* where there is a potential for dark-sky infringement and to address compatibility.

### 3.3.5 Visual Impact Assessment

A visual impact assessment or viewshed analysis may be required for any *development* proposals where there is a potential for visual impacts, to ensure that the built form does not predominate over the natural environment, to protect *rural character* and to ensure compatibility between *uses*. The assessment shall demonstrate that the visual impacts are minor and do not significantly reduce the scenic quality and maintains the *rural character* of the community.

## 3.4 Water and Sewage Servicing

Consistent with section 2.2.1(c) of the *PPS*, Mulmur will encourage new housing *developments* to explore “servicing options which efficiently *use* land, resources, *infrastructure* and *public service facilities*” within *settlement areas*. Opposed to setting a numerical density target, Mulmur will support increasing densities to that which has been engineered to be sustainable.

Consistent with section 3.6.1 of the *PPS*, in planning for *sewage and water services* Mulmur shall:

1. accommodate forecasted growth in a timely manner that promotes the efficient *use* and optimization of existing municipal services and existing *private communal sewage services* and water services; and
2. ensure that these services are provided in a manner that:
  - a. can be sustained by the water resources upon which such services rely;

- b. is feasible and financially viable over their life cycle;
- c. protects human health and safety, and the natural environment, including the *quality and quantity of water*; and
- d. aligns with comprehensive municipal planning for these services, where applicable.
  - i. promote water and energy *conservation* and efficiency;
  - ii. integrate servicing and land *use* considerations at all stages of the planning process; and
  - iii. consider opportunities to allocate, and re-allocate if necessary, the *unused* system capacity of *municipal water services* and *municipal sewage services* to support efficient use of these services to meet current and projected needs for increased housing supply; and may develop a policy with criteria to determine the process for removing allocation from a *development property*.

#### **3.4.1 Municipal Water System (Mansfield) and On-Site Sewage Services**

Consistent with Provincial preferred form of servicing in section 3.6.2 of the *PPS*, *municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety.

*Municipal water services* only are available within the Primary *settlement area* of Mansfield, where the preferred form of servicing is *municipal water services* and *individual on-site sewage services* for individual *lots*.

Consistent with section 3.6.7 of the *PPS*, in *settlement areas*, where municipal services exist or are planned, *lot* creation may occur only where there is confirmation of sufficient *reserve water system capacity*, and the Township is satisfied with the approach to sewage servicing.

Consistent with sections 3.6.4 and 3.6.5 of the *PPS*, Mulmur has assessed the long-term impacts of the servicing options and *partial services*, may be permitted “within *settlement areas*, to allow for infilling and minor rounding out of existing *development*” provided that “site conditions are suitable for the long-term provision of such services with no *negative impacts*” and “within rural *settlement areas* where new *development* will be serviced by *individual on-site water services* in combination with *municipal sewage services* or *private communal sewage services*”. An expansion to the Mansfield settlement area will require an amendment to this Plan.

### 3.4.2 Communal Water Systems and Responsibility Agreements

The Township acknowledges that in accordance with section 3.6.3 of the *PPS*, *that where municipal sewage services and municipal water services are not available, planned or feasible, that private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development.*

Within Mansfield and rural *settlement areas*, the Township will consider *private communal sewage services* for *developments* of less than 10,000L/day capacity, generally being equivalent to five *dwelling units* or less.

*Municipal communal sewage services and communal water services* providing for greater than 10,000L/day capacity are not planned and are not feasible. Mulmur will not enter into a responsibility/default agreement for communal water or communal sewage services. An amendment to this Plan would be required to consider communal services for a *development* providing for greater than 10,000L/day capacity. Notwithstanding the foregoing, where the Township considers a communal servicing option, it shall do so only on the basis of an agreement being registered on the title of the lands which shall ensure that there are adequate financial securities in place and provision for maintenance and operation of those services to minimize the possibility of the municipality having to assume the operations of the communal systems at some time in the future.

### 3.4.3 Individual Services

Consistent with section 3.6.4 of the *PPS* where *municipal or private communal services* are not available, planned or feasible, *individual on-site sewage services and individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

#### 3.4.3.1 Services on All other Lands (outside of Mansfield Settlement Area)

In the Rural *Settlement Areas*, *Mansfield North Recreational Area*, *Primrose Business Park* and on lands outside of Mansfield, *individual on-site sewage services* and individual on-site water services continue to be the preferred form of servicing for small-scale *development* and are anticipated to be provided where site conditions are suitable for the long-term provision of such services. The minimum *lot* size shall not be less than that required for the safe and efficient operation of on-site services for water and *waste* management on the site.

Consistent with section 3.6.6 of the *PPS*, in *rural areas*, where *partial services* have been provided to address failed services, “infilling on existing *lots* of record may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*”.

### **3.4.4 Water and Sewage Servicing Studies**

Any *development application* shall include consideration of functional servicing and hydrogeological conditions through the appropriate studies.

Without limiting the forgoing, any *application* for *development* shall be supported by sufficient data to identify the appropriate form of servicing and ensure that there is a potable water supply and suitable area for individual on-site sewage disposal to the satisfaction of the Chief Building Officer and the Township. Confirmation that interference with adjacent wells will not compromise other existing individual on-site or municipal water supplies in the area, nor impact groundwater is required.

#### **3.4.4.1 Functional Servicing**

*Applications* involving all *uses* which are likely to use more than 4,500L of water per day or generate more than 10,000 litres of *waste* per day shall be supported by an engineering report containing sufficiently detailed information to permit a meaningful evaluation of the servicing options, functional servicing and feasibility of water and sewage systems.

#### **3.4.4.2 Individual On-Site Sewage Systems (D-5-4)**

A D-5-4 Study shall be submitted for any *development* proposal likely to generate more than 10,000L of waste per day.

A Hydrogeological Report, Nitrate Loading Report and Septic System Design may also be required.

#### **3.4.4.3 Water Supply Assessment (D-5-5)**

A D-5-5 Study shall be submitted for any *development* proposal to use more than 4,500 L of water per day

#### **3.4.4.4 Hydrogeological Report**

Detailed hydrogeological assessment based on information obtained from existing wells and, where necessary, test wells installed at appropriate locations shall be carried out where necessary prior to the approval of new *developments* to ensure that impacts on surface water, groundwater and supply systems are acceptable.

#### **3.4.4.5 Hydrology Study**

A hydrology study may be required to assess potential impact of withdrawing water from a source, like a river or stream or watercourse on the surrounding environment. The Township may require a Hydrology Study for any *development application* which also requires a Provincial permit to take water (PTTW). The study aims to determine if the proposed water taking will cause unacceptable impacts to existing water users, water

supply, supply systems, the ecosystem, natural water functions and assess the impacts to an overall water budget.

#### 3.4.4.6 Water Resource Management Report (WRM)

A *Water Resource Management* (WRM) Report may be required to implement the findings and recommendations of any required hydrogeology studies submitted in support of a *development application* and which also demonstrates how the potential impacts on water quality and quantity are to be addressed by:

1. maintaining natural hydrological characteristics including baseflow of watercourses;
2. maintaining *sensitive* groundwater recharge/discharge areas, aquifer and headwater areas;
3. requiring the *development* and monitoring of water budgets at a scale appropriate for the proposal;
4. protecting *fish* and *wildlife habitat*;
5. maintaining existing drainage patterns and/or restoring natural drainage patterns where possible; and
6. protecting *significant* recharge areas and *highly vulnerable aquifers*.

#### 3.4.4.7 Water for Fire Suppression

Any development application shall consider on-site water supplies to provide adequate fire suppression capabilities for the proposed *use*. Limitations of the existing municipal fire fleet shall also be assessed in relation to a proposed *development*. *Uses* which require extraordinary firefighting capabilities will only be permitted where an on-site water storage facility of sufficient capacity to provide adequate fire suppression capability for the *development*, and/or other enhanced on-site fire suppression capacity, is designed to the satisfaction of the Township. A fire suppression assessment shall include an assessment of water quantity and pressure, fire hydrant locations, emergency accesses and routes.

### 3.5 Stormwater Management

Any *development application* shall include consideration of stormwater management including water run-off quality and quantity.

Consistent with section 3.6.8 of the *PPS*, *Stormwater Management Plans* shall:



1. be integrated with planning for *sewage and water services* and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;
2. minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;
3. minimize erosion and changes in water balance including through the *use of green infrastructure*;
4. mitigate risks to human health, safety, *property* and the environment;
5. maximize the extent and function of vegetative and pervious surfaces;
6. promote best practices, including stormwater attenuation and re-use, water *conservation* and efficiency, and *low impact development*; and
7. align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from *development* on a *watershed* scale.

### **3.6 Energy Supply and Conservation**

Any *development application* shall include consideration of Green Initiatives and Energy Options or Low Impact Design. This evaluation shall assess conformity with the Dufferin County's Green Initiatives Guideline, *development* standards and the policies of this Plan. A Lighting Study may also be required to limit light pollution, conserve energy, and implement a dark-sky.

The Township is committed to advancing green initiatives and will encourage County initiatives. The Township will encourage the integration of green initiatives into *affordable* housing projects, with a focus on solutions that reduce long-term housing costs and enhance feasibility.

#### **3.6.1 Energy Conservation, Air Quality and Climate Change**

Consistent with section 2.9 of the *PPS*, Mulmur "shall plan to reduce *greenhouse* gas emissions and prepare for the *impacts of a changing climate* through approaches that:

1. support the achievement of compact and *complete communities*;
2. incorporate climate change considerations in planning for and the *development of infrastructure*, including stormwater management systems, and *public service facilities*;
3. support energy *conservation* and efficiency;



4. promote *green infrastructure, low impact development, and active transportation, protect the environment and improve air quality*”;
5. encourage additional approaches that help reduce *greenhouse* gas emissions and build community resilience to the *impacts of a changing climate*.”

Mulmur will promote design and orientation which maximize the *use* of alternative or *renewable energy sources* and the mitigating benefits of vegetation.

### **3.6.2 Energy Supply**

Consistent with section 3.8 of the *PPS*, Mulmur will provide opportunities for the *development* of energy supply including electricity generation facilities and transmission and distribution systems, *energy storage systems*, district energy, and *renewable energy systems* and *alternative energy systems*, to accommodate current and projected needs.

### **3.6.3 Alternative and Renewable Energy Projects**

The following shall apply to alternative and *renewable energy source* projects:

1. Alternative and *renewable energy source* projects present unique land *use* compatibility concerns. Due to their prominence, alternative and renewable energy source projects have the potential to *significantly* impact, or even define, the character of a community. Site locations and site layouts must recognize the primary nature of existing land *uses* within the Township and must limit impacts to *agricultural uses, sensitive* neighboring *uses*, visual landscape, the natural environment and potential *uses* on neighboring properties;
2. All alternative and *renewable energy source* projects shall only be permitted through a site specific amendment to the Zoning By-law, with established distance separation for alternative and renewable energy source projects from *sensitive land uses*;
3. Ground mounted solar *renewable energy* facilities of up to 10 kilowatts are permitted in *prime agricultural areas* as an *on-farm diversified use*. Facilities in excess of 10 kilowatts shall not be located in *prime agricultural areas*;
4. Small scale solar panels that provide electricity for *use* on the same *property* will be considered *accessory uses*;
5. Roof mounted solar generating facilities of all sizes will be encouraged subject to meeting applicable building code requirements; and
6. Any *application* for an alternative energy project shall assess:

- a. Potential noise from turbines and humming of any substations or power lines;
- b. Impacts to agriculture including drainage, soil *conservation* and productivity, number of acres taken out of production, and field fragmentation;
- c. Visual impact including lighting, colouring, blade glint, shadow flicker, overshadowing and impacts on natural landscapes and general visual amenity;
- d. Location of *utility* lines and any associated *utility buildings*, substations, etc, and landscaping and screening of same;
- e. Impacts to the natural environment including but not limited to migration routes, *significant* natural areas, new waterway crossings, geotechnical concerns;
- f. Whether utilities should be buried or overhead, and impacts on watercourse crossings of *utility* lines and access roads;
- g. Impacts to cultural and built heritage, archeological resources and recreational areas;
- h. Impacts to local *infrastructure* through delivery, construction and operation of the project;
- i. Site safety including falling ice, tower collapse, fencing, guy wires markings and climbing prevention;
- j. Aircraft safety and impacts to private airstrips; and
- k. Potential electromagnetic interference to communications *infrastructure*.

### 3.7 **Public Spaces, Recreation Parks, Trails and facilities**

Any *development application* for a new *public or commercial recreational use* shall be supported by appropriate studies, reports and plans.

Consistent with section 3.9 of the *PPS*, “healthy, active, and inclusive communities should be promoted by:

1. planning public streets, spaces and facilities to be safe, meet the needs of *persons* of all ages and abilities, including pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
2. planning and providing for the needs of *persons* of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources; and

3. recognizing provincial parks, *conservation* reserves, and other protected areas, and minimizing *negative impacts* on these areas.

### 3.7.1 Recreational *Developments*

Recreational uses are categorized as *Personal Use*, *Public* and *Commercial*, as described in the following table.

Categories	Description	Policy Reference
Personal Use	Many types of recreational activities located on private land and used by the residents of the <i>property</i> are not intended to be regulated by the Township, although they may be regulated by other agencies. They are <i>accessory</i> to a residential use, generally smaller scale and have limited impact on abutting land uses and are not operated on a commercial basis. Examples include private swimming pool, hot tub, archery range, trails, skating rink, courts or playing fields.	These are generally <i>personal</i> recreational uses and facilities, and permitted in all designations, as provided for in Part 5 of this Plan.
Public	Public Recreation Uses are typically on public lands. They may be included in a Recreational designation, especially passive uses such as the Bruce Trail or the County Forests. Other Public Recreational facilities, such as the Arena or parks with recreational facilities may be included in an institutional designation. Examples of public recreational <i>developments</i> include Bruce Trail, parks, swimming pools, greenhouses, playing fields, skating rinks, bandstand, municipal arena, conservation areas open to the public, community centres and public forests.	These uses are generally permitted in the Recreational Designation, provided for in Part 5 of this Plan.
Commercial	Recreational <i>developments</i> that are a principal use of land or a building are generally of a larger scale and operated on a commercial basis. Examples include: indoor recreational facilities, outdoor recreational facilities,	These uses are generally permitted in the Commercial or Recreational designations, and in accordance with the Mansfield North

	swimming pool, downhill or cross-country ski centre, tracks, commercial trails centre, outdoor education centre, golf course, vehicle track, mini-golf, driving range, gymnasium, shooting or gun range, paintball or arena.	Recreational Area in Part 5 of this Plan.
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New *commercial recreational uses* shall generally be encouraged to locate within *Settlement areas*, Mansfield North Recreational Area and in the Primrose Business Park. A limited range of uses may also be considered in the Rural and Recreational designations.

An amendment to this Plan is required where the predominant *use* of accommodation facilities does not relate directly to the principal recreational *uses* permitted on the same *lot*. Such *developments* as hotels, motels, health spas, conference centres and similar establishments shall therefore require an amendment to this Plan and the *Zoning By-law*.

### 3.8 **Telecommunication Facilities**

Telecommunication facilities fall under the Federal authority of Canada. New telecommunication facilities are encouraged to comply with the Township's Telecommunications Protocol, as amended or replaced.

The location of existing telecommunication facilities in the Township are shown on Schedule C2 of this Plan, which may be updated as any new facilities established in the Township, without amendment to this plan.

### 3.9 **Waste Management**

#### 3.9.1 **Waste Management Sites**

Consistent with section 3.7 of the *PPS*, "*waste management systems* need to be planned for and provided that are of an appropriate size, type, and location to accommodate present and future requirements, and facilitate integrated waste management."

The existing Active Waste Management and Former *Waste Management Sites* in the Township are identified on Schedule C1 as WM and FWM respectively.

#### 3.9.2 **Waste Reduction and Recycling**

The Township encourages the re-use, reduction and recycling of *wastes* wherever possible and practical. New *development* shall incorporate such measures as conditions of *development* approval, where appropriate.

### **3.9.3 Waste Management Studies and Plans**

Any *development application* shall include consideration of waste management and may require the submission of studies and plans, and illustrate conformity with any County of Dufferin Guidelines.

Any *development application* within 500 metres of an active or former *waste management site*, shall include a study prepared in accordance with D-Series Guidelines, addressing water quality and assessing impacts, including but not limited to leachate, gases, pollutants and contaminants, and rodents or vermin.

## **Part 4: Resources**

### **4.1 Natural Heritage**

Any *development application* shall include consideration of natural heritage through the appropriate studies, including but not limited to an Environmental Impact Study.

Consistent with section 4.1.1 of the *PPS*, natural features and areas within the Township shall be protected for the long term.

The Township recognizes natural features and areas function as a part of a natural system that provides ecological services, including climate regulation, soil retention, natural water filtration, flood mitigation, habitat for fauna, *fish*, flora, and fowl, and nutrient re-cycling.

The Township will consider the health and integrity of the natural features or *ecological functions* for which an area is identified, due to single, multiple or successive *development* or *site alteration* activities when reviewing planning *applications* and undertaking public works. This may include consideration of the *impacts of a changing climate*.

Consistent with section 4.1.2 of the *PPS*, the diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *Natural Heritage Systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas*, *surface water features* and *ground water features*.

#### **4.1.1 Natural Heritage System**

The Township will implement the *Natural Heritage System* established in this Plan, as well as those of Provincial Plans and the Dufferin County Official Plan.

The Dufferin County Official Plan implements a *Natural Heritage System* that includes lands within the Township identified as Escarpment Natural Area and Escarpment Protection Area in the Niagara Escarpment Plan as well as lands within Provincial *Natural Heritage Systems*.

The Township will implement Provincial Plan and Dufferin County *Natural Heritage Systems* as overlays to the land *use* designations shown on Schedules A1 to A7. Provincial Plan and Dufferin County *Natural Heritage Systems* are mapped in Appendix 1 for information purposes only. Copies of these plans currently in effect should be consulted where applicable.

The Township *Natural Heritage System* includes the following as overlays to the land *use* designations on Schedules A1 to A7:

Category 1 Features

1. Provincially *Significant Wetlands*;
2. Other *Wetlands* (unevaluated or regionally or locally *significant*);
3. *Habitat of endangered species and threatened species; and*
4. *Fish habitat*.

#### Category 2 Features

1. *Significant Areas of natural and scientific interest (ANSI)*;
2. *Significant Woodlands*;
3. *Significant Valleylands*;
4. *Significant Wildlife habitat; and*
5. Lands Adjacent to Category 1 features and adjacent to certain Category 2 features as noted in these policies.

#### Category 3 Features

1. Lands adjacent to other Category 2 features;
2. Corridors and Linkage Features;
3. *Highly vulnerable aquifers*;
4. *Significant Groundwater Recharge Areas*;
5. Other *Surface water features*;
6. *Woodlands* other than *Significant Woodlands*;
7. Other Locally *Significant* Natural Features, Areas or Landforms; and,
8. Other *Wildlife habitat*.

These features may overlap or be coincident. Some features require further work to identify or constitute *sensitive* information that cannot be displayed on Schedules to this Plan. All natural features and areas identified in the Natural Heritage policies of this Plan are to be protected where they are present within the Township in accordance with the policies of this Plan, the Provincial Planning Statement, applicable Provincial Plans, and the Dufferin County Official Plan.

All natural features identified on Schedules of this Plan should be considered schematic and subject to confirmation by an Ecological Site Assessment and possible refinement of boundaries by an Environmental Impact Study.

Protection of natural features and areas is typically achieved by prohibiting *development* and *site alteration* within them and on lands adjacent to them. Some natural features and areas are a greater constraint than others when considering land *use planning applications*.

1. For Category 1 features, no *development* or *site alteration* is permitted, except in the case of *fish habitat* and habitat of *endangered species* or *threatened species*, *development* may be permitted in accordance with *provincial and federal requirements*. *Infrastructure* may also be permitted in some circumstances in accordance with applicable legislation and regulations;

2. For Category 2 features, *development* and *site alteration* may be permitted if it can be demonstrated through an Environmental Impact Study that no *negative impacts* on the features or their associated *ecological functions* will result; and
3. For Category 3 features, *development* and *site alteration* are subject to policies in this Plan directed at improving the overall health of the Township's *Natural Heritage System*, including restoration and enhancement of natural features and areas, including the improvement of linkages within corridors.

Consistent with section 4.1.9 of the *PPS*, nothing in the policies of this Plan are intended to limit the ability of *agricultural uses* to continue. Further, the Township will encourage and promote agricultural practices that reduce impacts on natural features and the environment generally.

#### **4.1.2 Identification of the Township Natural Heritage System**

The *Natural Heritage System* is identified on Schedule B1 and is to be considered an overlay to the land *use* designations on Schedules A1 to A7 of this Plan. Despite the designation that lands may have on Schedules A1 to A7 of this Plan, *development* of lands will be generally directed away from the *Natural Heritage System* and/or subject to such evaluations or conditions as required by the policies of this Plan and the Dufferin County Official Plan.

Note: the *Natural Heritage System* includes lands *designated* Natural Areas on Schedules A1 to A7 of this Plan.

#### **4.1.3 Identification of Natural Heritage Features and Areas**

Components or individual natural features of the *Natural Heritage System* are identified on Schedule B2 to B4 and are to be considered as overlays to the land *use* designations on Schedules A1 to A7 of this Plan. Despite the designation that lands may have on Schedules A1 to A7 of this Plan, *development* of lands will be generally directed away from natural features and areas and/or subject to such evaluations or conditions as required by the policies of this Plan and the Dufferin County Official Plan.

#### **4.1.4 Natural Heritage Features and Areas**

The Township has many natural features and areas that are important for their environmental and social values. Collectively they represent the legacy of natural landscapes in the area. The *Natural Heritage System* is made up of these natural features and areas in accordance with terminology and policy direction from the Province and Dufferin County.

##### **4.1.4.1 Wetlands**



All *Wetlands* shall be protected from the *negative impacts* of *development* or *site alterations*. The responsibility for establishing criteria which determines the significance of *wetlands* rests with the Province of Ontario. The evaluation and delineation of Provincially *Significant Wetlands* can only be completed by a Certified Ontario *Wetland* Evaluator. *Wetlands* will be shown on Schedule B2 as identified and delineated by the Province and Certified Ontario *Wetland* Evaluators.

*Negative impacts* are all impacts that result in degradation that threatens the health and integrity of the *wetland* or its *ecological functions* due to single, multiple or successive *development* or *site alteration* activities.

Consistent with section 4.1.4.b of the PPS, *development* and *site alteration* shall not be permitted in *Significant Wetlands*. *Development* and *site alteration* shall not be permitted on *adjacent lands* to *significant wetlands* unless the *ecological function* of the *adjacent lands* has been evaluated, through an Environmental Impact Study, and it has been demonstrated that there will be no *negative impacts* on the *wetland* or on its *ecological functions*, and addresses the criteria identified in this Section. For all *significant wetlands*, a minimum 30 metre vegetation protection zone shall be established and maintained.

Except as outlined above for *significant wetlands*, *development* adjacent to and within 30 m. of *wetlands* shall only be permitted if it can be demonstrated, through an Environmental Impact Study, that it will not result in any of the following:

1. loss of *wetland* functions;
2. subsequent demand for future *development* which will negatively affect existing *wetland* functions;
3. conflict with existing site specific *wetland* management practices; and
4. loss of contiguous *wetland* area.

#### 4.1.4.2 Areas of Natural and Scientific Interest

*Areas of natural and scientific interest* (ANSIs), are of two types, earth science ANSIs and life science ANSIs. A further distinction is made to define those ANSIs which are considered to be “provincially *significant*” from those that are considered to be “regionally or locally *significant*”.

ANSIs are identified on Schedule B3.

Consistent with section 4.1.5.e of the PPS, *development* and *site alteration* will not be permitted within or adjacent to an ANSI unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions* through the preparation of an Environmental Impact Study.

Lands within 50 metres of a *Significant ANSI* – Earth Science or within 120 metres of a *Significant ANSI* – Life Science shall be considered *adjacent lands*.

#### 4.1.4.3 Fish Habitat

Consistent with section 4.1.6 of the *PPS*, *development* and *site alteration* will not be permitted in or adjacent to *fish habitat* except in accordance with *Provincial and Federal requirements*.

Lands within 120 metres of *Fish habitat* shall be considered *adjacent lands*.

Where *development* and *site alteration* is permitted, the best available construction and management practices shall be *used* to protect water quality and quantity, both during and after construction. Treatment of surface run-off to maintain water quality and hydrological characteristics in receiving watercourses shall meet the standards established by the Province and the *Conservation Authority*.

#### 4.1.4.4 Habitat of Endangered Species and Threatened Species

The *habitat of endangered species and threatened species* is not shown on Schedules of this Plan, since species and habitat information is limited or not published. *Habitat of endangered species and threatened species* are listed or categorized on the Province of Ontario official Species at Risk list, as updated and amended from time to time. The Province administers the *Endangered species Act*, 2007 (ESA) to protect and *conserve* species at risk and their habitats. Under the ESA, the Ministry of Natural Resources and Forestry is responsible for identifying and approving general and regulated habitat, as well as giving technical advice on species at risk and their habitats. The technical advice provided under the ESA supports the implementation of natural heritage policies found within the Provincial Policy Statement. For the purposes of the Provincial Policy Statement, the Ministry of Natural Resources and Forestry is responsible for approving the delineation of habitat for endangered and *threatened species*.

Consistent with section 4.1.7 of the *PPS*, *development* and *site alteration* will not be permitted in or adjacent to *habitat of endangered species and threatened species*, except in accordance with *Provincial and Federal requirements*.

Lands within 120 metres of *Significant Habitat of Endangered and Threatened species* shall be considered *adjacent lands*.

#### 4.1.4.5 Wildlife Habitat

Wildlife of many varieties abounds in the Township, particularly within the rural and natural areas, the Pine and Boyne River valleys and the Niagara Escarpment Plan Area. Many species are very common, whereas some others are considered rare, *vulnerable*,

threatened or even endangered. All species, and the protection of *significant* habitats are vital to the diversity and health of the Township's ecosystems.

*Wildlife habitat* includes those areas of the natural environment where plants, animals, and other organisms, excluding *fish*, live, and find adequate amounts of food, water, shelter and space needed to sustain their populations, including 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.

Where permitted by this Plan, *development* and *site alteration* in *wildlife habitat* shall be designed so as to:

1. minimize the impacts on wildlife and *wildlife habitat*;
2. maintain corridors and linkages with adjacent areas; and,
3. enhance habitat wherever possible.

Consistent with section 4.1.5.d of the *PPS*, *development* and *site alteration* will not be permitted within or adjacent to *significant wildlife habitat* unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions* through the preparation of an Environmental Impact Study.

*Significant wildlife habitat* may include areas where there are: seasonal concentrations of animals; rare vegetation communities and specialized habitats for wildlife; habitats of species of "special concern" and other *significant wildlife habitat*, or animal movement corridors.

Lands within 120 metres of *Significant Wildlife habitat* shall be considered *adjacent lands*.

#### 4.1.4.6 Woodlands

The intent of this Plan is to *conserve* existing *Woodlands* and vegetation and prohibit *incompatible* land *uses* that deter their long-term benefits. *Woodlands* are mapped on Schedule B4. The exact boundaries of wooded areas may change over time. *Woodlands* mapped on Schedule B4 should be regarded as schematic and subject to verification by an Ecological Site Assessment or Environmental Impact Study.

#### 4.1.4.7 Significant Woodlands

Consistent with section 4.1.5.b of the *PPS*, *Development* and *Site alteration* is not permitted within or adjacent to *Significant Woodlands* unless an Environmental Impact Study has demonstrated that there will be no *negative impacts* on natural features or their *ecological functions*.

*Significant Woodlands* shall be identified in accordance with criteria provided in the Dufferin County Official Plan. *Woodlands* over 10 hectares in size are identified on Schedule B3.

Lands within 120 metres of *Significant Woodlands* shall be considered *adjacent lands*.

#### 4.1.4.8 Valleylands

*Valleylands* may have a combination of natural features warranting protection, and physical constraints from which new *development* should be protected.

For the purposes of this Plan, *valleylands* are broken into two distinct categories, according to their natural heritage values, and their physical constraints.

*Valleylands* with important natural features and/or functions include the following:

1. a riparian habitat zone within 30 m. of each side of all coldwater streams and permanently flowing rivers and streams with a drainage area of more than approximately 125 ha.;
2. lands within *wetlands* associated with all such rivers and streams and including their associated *wetland* buffers; and
3. other forested areas that are contiguous with the above, generally to, but not beyond the valley rim.

*Valleylands* with hazards and/or physical constraints to *development* include the following:

1. the channels and *flood plains* of rivers and streams with a drainage area greater than 125 ha.;
2. the meander belt associated with all such rivers and streams; and
3. steep slope areas that are contiguous with the above, generally to the valley rim.

These areas, as defined in the above text have not been shown separately on the schedules to this Plan, as no reliable and sufficiently accurate mapping currently exists. However, the above parameters make it relatively easy to identify where *valleylands* exist within the Township, based on the mapping of other features that are components of *valleylands* (*wetlands*, steep slopes) included on Schedules and Appendices of the Plan

The most important valley and stream corridors in the Township are generally already *designated* as Escarpment Natural Areas in the Niagara Escarpment Plan or as Natural Areas in this Plan.

*Development* within *valleylands* shall not be permitted, if there is a conflict with Provincial Policies, or the policies of this Plan or the Niagara Escarpment Plan (generally those *developments* proposed in close proximity to rivers and streams, within *wetlands*, floodplains and areas with unstable soils or slopes).

In other valleyland areas with natural features and functions, proposed *development* and *site alterations*, supported where necessary by an Environmental Impact Study, following consultation with other commenting agencies and approval authorities, may be permitted.

Appropriate *development* set-backs from rivers and streams, *wetlands*, contiguous forested areas or from *significant* features within such forested areas, may be established in such studies, and enforced through conditions of *Planning Act application* approval.

In other valleyland areas with hazards and physical constraints, proposed *development* and *site alterations*, supported where necessary by a Slope Stability Study acceptable to the Township and the *Conservation* Authority, may also be permitted.

Appropriate set-backs from rivers and streams and from the top and/or toe of slopes may be established in such studies, and enforced through a zoning by-law amendment where required, or as conditions of *Planning Act application* approval.

The Township shall also consider the impacts of *development* and *site alterations* on steep slopes in relation to the desire to maintain the predominantly open, rural and natural appearance and scenic values of the landscape in the immediate area, and the *rural character* of the Township generally.

#### 4.1.4.9 Significant Valleylands

For the purposes of this Plan, *significant valleylands* are those lands along the main channels of the Boyne River, the Pine River and Black Bank Creek, and including the associated floodplains, meander belts and *wetlands*. The boundaries of *significant valleylands* shall be identified on the schedules to this Plan when further information becomes available, through a site-specific amendment, if required for individual *developments* or through a municipally initiated amendment. Other areas may be added if it is determined through subsequent studies that such areas constitute *significant valleylands*.

Consistent with section 4.1.5.c of the *PPS*, unless it has been demonstrated through an EIS that there will be no *negative impacts* on the natural features or their *ecological functions*, *development* and *site alteration* shall not be permitted in *significant valleylands*. *Negative impact* is defined as degradation that threatens the health and integrity of the natural features or *ecological functions* for which the valleyland is identified due to single, multiple or successive *development* or *site alteration* activities.

*Development and site alteration shall not be permitted on adjacent lands to significant valleylands unless the ecological function of the adjacent lands has been evaluated through an EIS, and it has been demonstrated that there will be no negative impacts (as defined in Section 13 of this Plan) on the significant valleyland or on its ecological functions. adjacent lands are defined, for the purposes of this section, as lands within 120 metres of significant valleylands.*

#### 4.1.4.10 Forest Resources

Forests in Mulmur are generally managed for recreation, *conservation* and wood production purposes. Forested areas contribute positively to the scenic beauty and *rural character* of the Township and provide important environmental, visual screening and buffering benefits.

It is therefore important that existing forested areas generally be maintained in order to preserve the rural character and maintain the environmental health and integrity of the Township.

The management of productive forests, particularly those of high capability for the continuous production of good quality timber on a sustainable basis, and for their associated wildlife, water *conservation*, recreation and aesthetic benefits, will be encouraged.

Outside of *Prime Agricultural areas*, tree planting and reforestation shall continue to be encouraged, particularly where native tree species are *used* and a natural ecosystem approach, as opposed to a monoculture (plantation), is adopted.

The preservation of existing forests and reforestation will be promoted in headwaters and groundwater infiltration areas critical to the maintenance of the quality and quantity of natural streams and water supplies, stream valleys, along stream banks, in areas with shallow and unstable soils, steeply sloped areas, on cut over areas and on abandoned and marginal farmlands.

In considering proposals for the *development* of forested lands, regard shall be had to:

1. the role that the forests of the site play in maintaining the character of the Township as a scenic and desirable area for recreational, rural residential and tourism *development*;
2. the importance of maintaining and enhancing (and, where necessary, compensating for the loss of) tree cover on the site, for *conservation* and environmental purposes;
3. the importance of retaining forests considered suitable for future commercial forest production; and
4. the appropriateness of the proposal in *significant woodlands*.

New *development* should preserve trees and wooded areas as much as possible and practical, and the disturbance of treed areas should be minimized.

Existing tree cover or other stabilizing vegetation shall generally be maintained on slopes in excess of 30 per cent, and preserved wherever possible and practical on slopes between 15 percent and 30 percent. Trees to be retained should be protected by means of snow fencing, wrapping, or other acceptable means during construction (e.g. tree wells), where necessary.

Unless specifically exempted by the Township's By-law to Prohibit or Regulate the Destruction or Injuring of Trees in the Township, all cutting of trees requires permit approval from the Township. The approval of the Niagara Escarpment Commission is also required for tree cutting or clearing within the Niagara Escarpment Plan Area unless exempt under RRO 1990 Regulation 828, as amended or replaced.

The policies of this Section shall be applied by the Township at the *Planning Act applications* stage, where and as applicable. The cutting of trees for new *development* shall not be approved in advance of the approval of the *development*.

Approval to cut trees for an approved *development* shall generally be conditional upon:

1. using tree cutting methods designed to minimize *adverse effects* on the natural environment including surface drainage and groundwater;
2. minimizing disruption of habitats for plants and animal species occurring in the area;
3. retaining the diversity of tree species;
4. aiming, over the long term, to retain or enhance the quality, appearance and productivity of the forest site; and
5. minimizing cutting within highly *sensitive* areas such as steep slopes, unstable soils, stream valleys, *wetlands* and areas of *significant* groundwater recharge and discharge.

#### 4.1.4.11 Fish and Wildlife Resources

The *fish* and wildlife resources of the Township are an important indicator of its environmental quality and health. The presence of such resources adds substantially to the quality of life and the experience of being in the Township, whether as a resident or visitor. The Township shall encourage the preservation and protection of these valued resources and, where necessary, their management to sustain and enhance existing populations.

#### **4.1.5 Corridors and Linkage Features**

Connections or linkage features between the *natural heritage features and areas* should be maintained, enhanced and where possible restored. Enhancement and restoration may involve, but is not limited to, the *use* of buffer strips, *lot* line tree plantings, *conservation* easements, gravel *pit rehabilitation* plans, *Planning Act* tools, creation of habitat/natural areas under an *Endangered species Act* (2007) authorization, or land dedications through the *development* approvals process.

Connections and linkage features are not mapped on Schedules of this Plan but should be protected from *development* and *site alteration* where an Ecological Site Assessment and/or Environment Impact Study determines the ecological connectivity of the *Natural Heritage System* would negatively impacted by the elimination, reduction in size or change in shape of the linkage feature(s).

#### **4.1.6 Environmental Impact Study**

An Environmental Impact Study is required in accordance with the policies of this Plan for *development* and *site alteration* in the *Natural Heritage System*. The study shall demonstrate impacts to be minimal and where possible temporary on the natural features or the *ecological functions* for which the feature is identified and may determine the nature and extent of the feature and its *ecological function*, may incorporate a buffer or setbacks from the feature, and, may result in a site layout that addresses the study recommendations.

##### **4.1.6.1 General Policies**

An Environmental Impact Study required under this Plan shall be submitted with the *development application* and shall be prepared and signed by a qualified biologist or ecologist. A peer review of the study may be required by the Approval Authority.

An Environmental Impact Study is required for *development* on lands within and adjacent to natural heritage features.

*Adjacent lands* are generally within 120 meters of the feature unless an alternative standard for *adjacent lands* is established in the Dufferin County Official Plan and the Niagara Escarpment Commission or the policies for *natural heritage features and areas* in this Plan; and

*Adjacent lands* may be reduced on a site-specific basis based on the scale of the *development*, the nature of the feature, details specific to the site and surrounding lands, and the likelihood of whether there would be a *negative impact* on the feature.

Environmental Impact Studies shall be completed in accordance with the process requirements as outlined in this Plan and the Dufferin County Official Plan and the Niagara Escarpment Plan.



In accordance with the Dufferin County Official Plan, the purpose of an Environmental Impact Study is to:

1. collect and evaluate the appropriate information in order to have a complete understanding of the boundaries, attributes and functions of natural heritage features and associated ecological and hydrological functions that exist;
2. to determine whether there are any additional natural heritage features on the lands and *adjacent lands*; and
3. make an informed decision as to whether or not the proposed *development* and/or *site alteration* will have a *negative impact* on the natural heritage features and ecological and hydrological functions.

#### **4.1.6.2 Scope and Content**

The required scope and/or content of an Environmental Impact Study may be modified through pre-consultation with the Township, County, and, where applicable, Niagara Escarpment Commission, where the environmental impacts of a *development application* are thought to be limited, or if other environmental studies fulfilling some or all requirements of an Environmental Impact Study have been accepted by the Township and County.

#### **4.1.6.3 Requirement Waived or Reduced**

An Environmental Impact Study may not be required where the Township, in consultation with the County, determines that no *negative impacts* would be anticipated on *adjacent lands*. The requirements for an Environmental Impact Study may be reduced or removed in the following circumstances and only where no *negative impact* is anticipated:

1. Where the proposed *development* is small scale (non-agricultural *development*); or
2. Where the proposed *development* is small or medium scale (agricultural *development* only); or
3. Where the proposed *development* is not in an area regulated by the *Conservation Authority*; or
4. Where the proposed *development* is on an existing lot of record, being a *lot* held under distinct and separate ownership from all abutting *lots* as shown by a registered conveyance in the records of the Land Registry office; or
5. Where the *development* is an addition located away from the feature; or

6. Where the proposed *development* is separated from the feature by a road or existing *development*; or
7. Where the *development* is wholly contained within the existing footprint or includes a minor addition that is > 15m from the feature.

An Environmental Impact Study is not required for *uses* authorized under an Environmental Assessment process carried out in accordance with Provincial or Federal legislation or a *watershed* plan carried out by Dufferin County and/or the *Conservation* Authority.

Where it is demonstrated that all, or a portion of, a Category Two or Category Three feature does not meet the criteria for designation under this Plan and thus the site of a proposed *development* or *site alteration* no longer is located within the Category Two or Category Three feature or adjacent land then the restrictions on *development* and *site alteration* set out do not apply. This policy requires an Environmental Impact Study or study through an Environmental Assessment process to determine whether the designation is still appropriate.

## 4.2 Water Resources

The Township shall ensure the protection, maintenance and enhancement of water and related resources and aquatic ecosystems on an integrated *watershed* management basis. Land *use* decisions will protect source water areas, maintain surface and groundwater resources in sufficient quality and quantity to meet existing and future needs on a sustainable basis, promote water *conservation* and support the efficient *use* of water.

Consistent with section 4.2.1 of the *PPS*, the Township shall protect, improve and restore the *quality and quantity of water* resources by:

1. using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of *development*;
2. minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
3. identifying *water resource systems*;
4. implementing, where appropriate, the necessary restrictions on *development* and *site alteration* to: (1) protect drinking water supplies and *designated vulnerable areas*, and; protect, improve and restore *vulnerable* surface and ground water and their *hydrologic functions*;
5. maintaining linkages and functions of *water resource systems*; and

6. promoting efficient and sustainable *use* of water resources, including practices for water *conservation* and sustaining water quality.

Consistent with section 4.2.2 of the *PPS*, *development* and *site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved and restored, which may require mitigative measures and/or alternative *development* approaches.

The following *development* criteria shall apply to *development* affecting the quantity and/or quality of water resources:

1. It shall be demonstrated that water taking and diversions associated with a proposed use are an essential part of their operation. Water taking and diversions shall not have a significant or long term impact on water quality, water quantity and the environment. The Township may require that studies be undertaken to justify the need and amount of water taking and/or diversions and to adequately mitigate impacts on the environment; and
2. When considering whether to allow a use which involves water taking or diversion, the Township shall consider the number, distribution, location and intensity of such activities within the watershed in terms of:
  - a. the impact on water quality and quantity;
  - b. The cumulative effect on the objectives of this Plan and designation, and;
  - c. the quantity, character, sensitivity and vulnerability of natural streams and water supplies.

#### **4.2.1 Water Taking**

Any *development application* that involves the taking of water shall include consideration of impacts to surface and groundwater and may require the submission of studies to support such *application*. Such consideration shall include potential impacts on the surface or groundwater resources of the Township, particularly where the cumulative or successive impacts of similar uses could combine to cause detriment to sensitive surface or groundwater resources.

Water-taking and de-watering shall only be permitted in accordance with the standards and permit requirements of the Province and the Conservation Authority. *Vulnerable Aquifers* and *Significant Groundwater Recharge Areas*, as shown on Schedule C2 shall be protected.

Any *development application* involving the taking of a total of 50,000 litres per day, or more, of water from surface and/or groundwater sources shall require a Permit to Take Water from the Province, pursuant to the *Ontario Water Resources Act*. *Planning Act applications received from holders of an existing Permit to Take Water that require an increased taking of water shall not be approved* by the Township unless the Province has first confirmed that the additional water taking is appropriate and has been approved.

No *Planning Act application* involving the expansion of any *existing use* that involves the taking of any additional amount of water exceeding a total of 20,000 l/day up to a total of 50,000 l/day, or any new *use* involving the taking of more than 10,000 l/day up to a total of 50,000 l/day shall be approved unless the Township has first confirmed that the proposed water taking is appropriate. The Township may require a Hydrology or Hydrogeological study, as appropriate, and may also invite comments and input on the proposal from the *Conservation Authority* and/or its hydrogeological consultants.

Provisions shall be incorporated into the *Zoning By-law* to prohibit the expansion of such *existing uses*, and all such new *uses*, other than *agricultural uses*, except as may be permitted by site-specific amendment to the *Zoning By-law*, where deemed to be appropriate and in accordance with this Plan, on a case-by-case basis.

#### **4.2.2 Source Water Protection**

The quality and quantity of groundwater and surface water resources in Mulmur will be protected for the provision of safe and clean drinking water in accordance with the Clean Water Act and the applicable Source Protection Plan for the South Georgian Bay Lake Simcoe Source Protection Region as it applies to the Nottawasaga Valley Source Protection Area.

*Wellhead protection areas* for the wells in Mansfield and a *wellhead protection area* associated with a well located outside of the Township (in Lisle) shall be managed and are shown on Schedule C2. *Developments* and activities that have the potential to significantly and adversely affect the quality of existing and planned supplies shall not be permitted. Where a new well is added or the *wellhead protection area* is unknown they will be included and identified accordingly.

In accordance with section 57 of the *Clean Water Act*, 2002, as amended or replaced and the Source Protection Plan, land *uses* and facilities shall be managed or prohibited where there would be a *significant* drinking water threat.

##### **4.2.2.1 Source Water Protection Studies**

The Township may require that Master Environmental Servicing Plans (MESPs) or a Risk Management Plan for Well Head Protection or similar information to be submitted as part of a complete *application* for *development* to demonstrate that the location and design of *infrastructure* will avoid associated drinking water threats.

#### **4.2.3 Pine River Sub-watershed Water Resources**

The Nottawasaga Valley *Conservation* Authority has assessed the Boyne and Pine River sub-*watersheds* as well as small portions of the Upper Nottawasaga and Mad River *watersheds*.

The Pine River sub-*watershed* has been identified as being under stress, both in terms of the demands being placed on water resources, and anticipated future demands. The need for further study has been identified.

A further *cause* of potential stress is associated with water taking for agricultural operations (irrigation in particular) and from existing and proposed aggregate extraction operations in the sub-*watershed*.

#### **4.2.4 Water Resources Study Requirements**

Any *development application* shall include consideration of water resources, including surface and groundwater through the appropriate studies. A Hydrogeological Report Hydrology Report, Geotechnical Report, Water Resource Management Report, and/or Erosion and Sediment Control Plan may be required. Additional water related studies are included Part 3 of this Plan.

### **4.3 Hazards**

Any *development application* shall include consideration of hazards and protecting public health and safety through the appropriate studies.

Consistent with section 5.1.1 of the *PPS*, *development* shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of *property* damage.

The Township recognizes that natural hazards related to erosion and flooding may be impacted by a changing climate. Consistent with section 5.2.4 of the *PPS*, to prepare for the *impacts of a changing climate*, mitigating potential risk to public health or safety or of *property* damage from natural hazards, including risks that may be associated with the *impacts of a changing climate*, will require the Township to work together with the Province, County, and *Conservation* Authority.

#### **4.3.1 Natural Hazards**

Natural Hazards are lands or sites that should not generally be developed, or from which a degree of protection is considered necessary.

Many of the *hazardous lands* and sites in the Township are shown on Appendix 2, as follows:

1. All floodplains resulting from the greater of the Timmins Storm flood event or the *one-hundred-year flood* event;
2. Karst topography, if identified;
3. All other areas with organic soils and/or poor drainage; and
4. Identified *erosion hazard* areas, adjacent river and streams including *flooding hazard* limit or meander belt allowance, stable slope allowance, toe erosion allowance and erosion *access standard*.

The areas shown on Appendix 2 are derived from available digital information data bases. Other *hazardous lands* may exist but not be shown that are intended, along with associated allowances, *access standards*, buffers and setbacks, to be subject to the policies of this Plan.

Other *hazardous lands* and sites may be identified, and appropriate allowances, setbacks and buffers shall generally be established by the Township in consultation with the Conservation Authority, the lead agency in regard to natural hazards. Such allowances, set-backs and buffers may be reduced based on the findings and recommendations of a natural hazard assessment report acceptable to and approved by the Conservation Authority.

Consistent with section 5.2.1 of the PPS, Mulmur will, identify *hazardous lands* and *hazardous sites* and manage *development* in these areas, in collaboration with conservation authorities, and in accordance with provincial guidance.

Consistent with section 5.2.2 of the PPS, *development* shall generally be directed to areas outside of:

1. *hazardous lands* adjacent to river and stream systems which are impacted by *flooding hazards* and/or *erosion hazards*; and
2. *hazardous sites*.

Consistent with section 5.2.3 of the PPS, *development* and *site alteration* shall not be permitted within:

1. areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards* and/or *erosion hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and

2. a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

Consistent with section 5.2.6 of the *PPS*, *development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the *use* is:

1. an *institutional use*, as defined through the *PPS*, to be a *use* where there is a threat to the safe evacuation of *vulnerable* populations such as older *persons*, *persons* with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or *protection works*, or erosion. and shall include, but not be limited to hospitals, long-term care homes, retirement homes, pre-schools, *school* nurseries, day cares and *schools*;
2. an *essential emergency service* such as that 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 floodproofing measures and/or *protection works*, and/or erosion; and
3. *uses* associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

#### 4.3.1.1 Floodplain Hazards

All floodplains in the Township are subject to the 'one-zone concept' established by the *Conservation* Authority, which means that the entire floodplain is considered to be a *floodway* as defined by this Plan.

*Buildings* and *structures* are not permitted within the floodplain, except where written permission is obtained from the *Conservation* Authority.

New *development* or *redevelopment* on an existing *lot*, or the extension of a lawfully *existing use*, may be permitted in the floodplain, but only in circumstances where:

1. the *use* is one that, by its nature, must be located in the floodplain; and
2. the *use* will be protected by acceptable flood-proofing action or measures, subject to the approval of the Township and any *conservation* authorities having jurisdiction.

##### 4.3.1.1.1 Floodplain Study

A Floodplain Analysis, Meander Study or other assessments may be required to assess a hazard.

##### 4.3.1.1.2 Hazard Special Policy Areas

Despite the policies of this plan, consistent with section 5.2.5 of the *PPS*, *development* and *site alteration* may be permitted in certain areas associated with the *floodings hazard* along *river, stream and small inland lake systems*:

1. in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the policies of this Plan, land *use* designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources prior to the approval authority approving such changes or modifications; or
2. where the *development* is limited to *uses* which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural *uses* which do not affect flood flows.

#### 4.3.1.2 Steep Slopes, Unstable Soils and *Erosion Hazards*

New *development* on and in close proximity to steep slopes and ravines, and within meander belts and areas susceptible to erosion shall not contribute significantly to the potential for, or have a *significant* potential to, sustain *property* damage or threaten human safety.

*Developments* and *site alterations* on slopes in excess of 30 percent shall be strongly discouraged, unless they are considered essential and are supported by a Slope Stability Study. *Developments* and *site alterations* on slopes between 15 and 30 percent shall generally be avoided. Where *development* is proposed on such areas, the Township, in consultation with the *Conservation* Authority, may require a Slope Stability Study.

##### 4.3.1.2.1 Site Alteration on Steep Slopes With Uses Already Permitted

Notwithstanding the above policies relating to steep slopes, *site alterations* on steep slopes associated with *uses* already permitted by this Plan, such as the alteration of existing ski slopes, are permitted and may be carried out in accordance with the conditions of approval (if any), and with current engineering and *resource management* best practices.

##### 4.3.1.2.2 New Development on Steep Slopes

New *developments* and *uses* permitted by amendment to this Plan shall generally not be located on steep slopes. Standards defining where *development* is not permitted due to slope constraints, and set-backs from the top and toe of slopes shall be prescribed in the *Zoning By-law*.

Where *development* on steep slopes or within a prescribed setback is supported by a Slope Stability Study, satisfactory to the Township and the *Conservation* Authority, such



*developments* may be permitted by site-specific amendment to the *Zoning By-law*, without an amendment to this Plan.

Proposals that result in a *significant* risk to human safety and/or of *property* damage as a result of soil or slope instability or failure, due to single, multiple or successive *development* or *site alteration* activities, shall not be permitted.

#### 4.3.1.3 Slope Stability Study

A Slope Stability Study shall include an assessment of unstable soils and recommendations for ensuring that hazards are appropriately addressed and mitigated, as well as recommended *development* set-backs from the top and/or toe of such slopes, erosion allowances and erosion *access standards*, where required and warranted. Such studies shall be prepared and certified by qualified professionals and be acceptable to the Township and the *Conservation* Authority and the Niagara Escarpment Commission.

The top and toe of the slope or ravine shall be established on-site by qualified professionals retained by the *development* proponent, and approved by the Township and/or the *Conservation* Authority and/or where applicable, the Niagara Escarpment Commission. These lines shall be plotted on the *development* plans, and measured setback distances to the proposed *development* shall be provided to demonstrate that minimum standard setbacks set out in the *Zoning By-law*, or lesser setbacks recommended in an approved engineering report have been met.

Disturbances to the grades and vegetation below the top and above the toe shall be minimized. Enhancements to existing tree and vegetation cover to reduce erosion or improve slope stability may be required to mitigate potential impacts, as conditions of *development* approvals.

Recommendations on measures to control erosion and sedimentation may also be required in any Slope Stability Study, and implemented and enforced as conditions of *development* approvals.

#### 4.3.1.4 Wildfire Hazard and Wildland Fire Assessment Study

Consistent with section 5.2.9 of the *PPS*, “*development* shall generally be directed to areas outside of lands that are unsafe for *development* due to the presence of *Hazardous Forest Types for Wildland Fire*” as identified by the Province and shown on Appendix 3 to this Plan. “*Development* may however be permitted in lands with hazardous forest types of wildland fire” where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards* identified by the province and provided in a Wildfire Hazard and Wildland Fire Assessment.

#### 4.3.1.5 Regulated Lands of the Conservation Authority

The regulations and policies of the *Conservation* Authority relating to natural hazards shall be considered when evaluating *development* proposals.

The *Conservation* Authority has been delegated the Provincial responsibility for the regulation of natural hazards within the Township. To address this delegation, the *Conservation* Authority has prepared regulations mapping, delineating areas subject to flooding and associated lands to be protected from the hazards of flooding, erosion and slope instability.

The regulation mapping generally includes all valley and watercourse corridors and *wetlands* within the Township, and includes portions of the drainage basins of the Pine (including Black Bank Creek), Boyne, Noisy and Mad Rivers, as well as Lisle, Walker's, Tosorontio and Sheldon Creeks within the Township. The *Conservation* Authority's regulation limit and mapping of hazards and associated allowances are mapped on Appendix 2 to this Plan.

Within the mapped areas, and in any other location where the text of the *Conservation* Authority regulations describes other lands that are subject to the regulations, a permit is required for the following:

1. the construction, reconstruction, erection or placing of a *building* or *structure* of any kind;
2. changes that would alter the *use*, or potential *use* of a *building* or *structure*;
3. increase the size of a *building* or *structure*, or increase the number of *dwelling units* in the *building* or *structure*;
4. site grading;
5. the temporary or permanent placing, dumping or removal of any kind of material originating on the site or elsewhere;
6. the straightening, changing, or diverting or interfering with the existing channel of a river, creek, stream or watercourse; or
7. changing or interfering with a *wetland*.

Where a permit is required under the *Conservation* Authority's Ontario Regulation, such a permit is a requirement under 'other applicable law', as defined under the *Ontario Building Code Act*. Consequently, a *building* permit shall not be issued for any *building* or *structure* requiring a permit from the *Conservation* Authority, or for any such *building* or *structure* requiring the installation of any essential supporting *infrastructure* requiring a permit, such as the construction of an access driveway or septic system, unless the required permit has first been obtained from the *Conservation* Authority.

As encouraged by sections 4.2.3 and 4.2.4 of the *PPS*, the Conservation Authority has undertaken *watershed planning* and prepared an Integrated Watershed plan (2019, as amended or replaced) and *watershed-level* strategies relating to its broad mandate under the *Conservation Authorities Act*. Other policies of the Conservation Authority may therefore also have application in the Township.

#### **4.3.2 Human-Made Hazards**

Consistent with section 5.3.1 of the *PPS*, *development* on, abutting or adjacent to lands affected by human made hazards, including but not limited to such potential hazards as pollution and contamination, toxic *wastes*, leachate, gas migration, propane operations, abandoned wells, *oil, gas and salt hazards*; or former *mineral mining operations, mineral aggregate operations* or *petroleum resource operations* may be permitted only if *rehabilitation* measures to address and mitigate known or suspected hazards are underway or have been completed.

Consistent with section 5.3.2 of the *PPS*, sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed *use* such that there will be no *adverse effects*.

Propane Operators are required to define a hazard distance applicable to propane operations referenced in a risk and safety management plan required under Ontario Regulation 211/01 (Propane Storage and Handling) made under the Technical Standards and Safety Act, 2000, as amended.

##### **4.3.2.1 Environmental Site Assessment**

An Environmental Site Assessment (ESA) may be required to assess if land is able to be developed for a new use. It will include a comprehensive evaluation of the environmental conditions, focusing on identifying and assessing potential contamination of soil, groundwater, and building materials. An ESA shall be conducted in accordance with the Ontario Regulations for completing assessments.

#### **4.4 Mineral Aggregate and Petroleum Resources**

Consistent with section 4.4. of the *PPS*, *mineral and petroleum resources* are identified on Schedule B5 – Natural Resources and mineral aggregate operations are identified on Schedule A1 – Land Use Designations.

The identification of resources on Schedule B5 does not necessarily imply that the extraction, exploitation or use of the resource, or some portions or components of the resource, is desirable, appropriate or feasible. The identification of these mineral resource areas on the Schedules to this Plan does not imply support by the Township

for any license application under the Aggregate Resources Act in these areas or for any Amendment to this Plan thereof.

Consistent with section 4.4.1, 4.4.2.1, 4.4.2.2 and 4.4.2.5 of the *PPS*, “*minerals and petroleum resources* and mineral mining operations, known *mineral deposits*, known *petroleum resources*, *significant areas of mineral potential* and known *deposits of mineral aggregate resources*, shall be identified, protected” and appropriately managed for long-term use and *development* and activities in these resources or on *adjacent lands* which would preclude or hinder the establishment of new operations or continued use or which would be *incompatible* for reasons of public health, public safety or environmental impact shall only be permitted if:

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

Consistent with section 4.4.4 of the *PPS*, extraction of *minerals and petroleum resources* is permitted in *prime agricultural areas*, provided that the site is rehabilitated so that substantially the same or better quality and quantity of soil for agriculture is achieved.

Consistent with section 4.4.2.1 of the *PPS*, demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere. As much of the *mineral aggregate resources* as is realistically possible shall be made available as close to markets as possible.

Existing *mineral aggregate operations* shall be permitted to continue without the need for an amendment to this Plan, rezoning or *development* permit under the *Planning Act*. Where the *Aggregate Resources Act* applies, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations*. When a license for extraction or operation ceases to exist, the policies of this plan (and *PPS* policy 4.4.2.5) continues to apply.

#### **4.4.1 Aggregate Potential Assessment Report**

Any *development application* on lands identified as having *mineral aggregate resources* shall include consideration of long-term access to the resource and may require an Aggregate Potential Assessment.

An Official Plan amendment is required for any new or expanding aggregate extraction use and shall be supported by applicable studies, reports and plans included in the Extractive Designation of this Plan.

## 4.5 **Cultural Heritage and Archaeology**

Any *development application* shall include consideration of cultural heritage and archaeology through the appropriate studies.

*Consistent with section 4.6.1 of the PPS, protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.*

*Consistent with section 4.6.2 of the PPS, Mulmur will not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.*

*Consistent with section 4.6.3 of the PPS, Mulmur will not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved, by removal and documentation, or by preservation on site. Where significant archaeological resources must be preserved on site, only development and site alterations which maintain the heritage integrity of the site may be permitted.*

*Consistent with section 4.6.4 of the PPS, Mulmur will encourage the development and implementation of:*

- 1. archaeological management plans for conserving archaeological resources; and*
- 2. proactive strategies for conserving significant built heritage resources and cultural heritage landscapes, including but not limited to:*
  - a. existing *building* or *structure* being retained and preserved;
  - b. adaptive reuse of an existing heritage *building*;
  - c. where alterations or additions to a heritage *building* or *structure* is being considered, identification and retention of *heritage attributes* shall be preserved and integrated into the new design; and
  - d. addition of commemorative plaques on existing or former cultural heritage sites.

### 4.5.1 **Archeological Assessment**

A stage one Archeological Assessment shall be submitted to support any *application* for a plan of subdivision or amendment to this Plan providing for large scale *development* and any *Planning Act* application within 2 kms of the Boyne River or Pine River.

### 4.5.2 **Cultural Heritage Assessment**

A Cultural Heritage Assessment may be required to evaluate the cultural heritage value of a site, building, or landscape in relation to provincial and local heritage policies and legislation. A Cultural Heritage Evaluation Report may be required to determine if an assessment is required.

## **4.6 Agricultural Resources**

Consistent with section 4.3.1 of the *PPS*, Mulmur uses an *agricultural system* approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the *agri-food network*, and has *designated* the lands through the Agricultural Designation in accordance with section 5.3 of this Plan.

Consistent with section 4.3.6 of the *PPS*, Mulmur will support local food, facilitate near-urban and *urban agriculture* and foster a robust *agri-food network*.

An Agricultural System map may be included as an appendix to this Plan without an amendment to the Plan.

### **4.6.1 Normal Farm Practices for Agricultural Uses**

Consistent with section 4.3.2.3 of the *PPS*, in *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *Normal Farm Practices* shall be promoted and protected in accordance with provincial standards.

### **4.6.2 Agriculture-Related Uses and On-Farm Diversified Uses**

Consistent with policy 4.3.2.1 of the *PPS*, agriculture-related *uses and on-farm diversified uses shall be compatible with, and* shall not hinder, surrounding agricultural operations.

Where an agriculture-related use or on-farm diversified use is permitted, it shall be on a parcel with an agricultural operation that has a dwelling and shall be located within the building cluster or on lands that have been fallow for at least 10 years or on the lowest classification of land for agriculture (CLI mapping).

An agriculture related use shall be directly related and secondary to the principal agricultural use on the parcel;

### **4.6.3 Agricultural Impact Assessment**

Consistent with section 4.3.5.2 of the *PPS*, impacts from any new or expanding non-*agricultural uses* on the *agricultural system* are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance.

#### **4.6.4 Minimum Distance Separation Formulae**

Consistent with section 2.6.5 and 4.3.2.3 of the *PPS*, new land *uses*, including the creation of *lots*, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae* (MDS) prepared in accordance with the provincial implementation guidelines.

## **Part 5: Land Use Designations**

### **5.1 Permitted Uses in All Designations**

The following *developments*, activities and uses are permitted in all designations throughout the Township outside of those areas within the Niagara Escarpment Plan Area, without an amendment to this plan:

1. Legally *existing uses* and *structures*;
2. Archaeological activities, subject to the policies of Section 4.5;
3. Fisheries and wildlife management;
4. *Resource management*; including forest management;
5. Essential *infrastructure* including public transportation, *utility* and public servicing *infrastructure*;
6. *Watershed* management and erosion control projects carried out or supervised by a public agency;
7. Open space *uses*, *conservation* areas and nature preserves;
8. *Schools*;
9. Personal Use Recreation;
10. *Buildings*, *structures*, facilities, site modifications and related *uses* ancillary, incidental, subordinate, directly related, essential and *accessory* to an existing permitted principal *use* on the *lot* shall also be permitted, except in the Environmental Protection Designation; and
11. A *home occupation* shall be permitted *accessory* to any permitted residential use.

### **5.2 Prohibited Uses in all Designations**

Where a particular proposed *use* is not specifically listed as a 'permitted *use*' in a designation, but where it is included in the list of permitted *uses* in another designation or is defined, that *use* shall be permitted only in the designation(s) in which it is specifically listed. Permitted *uses* not specifically listed shall be prohibited unless it is clearly within the range and of a similar type and impact as the examples provided as permitted *uses* within each designation.

*Uses* which are considered offensive, noxious or which have *significant* potential to create *significant* nuisance impacts on existing, as well as potential as-of-right *uses* on



*adjacent lands*, shall not be permitted unless it can be clearly demonstrated that the impacts can and will be adequately and appropriately mitigated.

Uses associated with the disposal, manufacture, treatment or storage of *hazardous substances* are not permitted, and may only be permitted through an amendment to this Plan and only outside of the Environmental Protection Designation, *hazardous lands* and *hazardous sites*.

### **5.3 Primary Settlement Area (Mansfield Settlement Area)**

#### **5.3.1 Objectives**

The objectives of the Mansfield settlement area are: to create a *complete community* and encourage the provision of a range and mix of *housing options* through infilling, intensification and good *development*.

#### **5.3.2 Criteria for Designation and General Policies**

Mansfield is identified as the primary residential growth area to be developed with a combination of low and medium density uses, as supported through servicing studies.

#### **5.3.3 Permitted Uses**

Uses permitted in the Mansfield Settlement Area shall be those *uses* permitted in the various designations for specific lands within the area, as shown on Schedule A1, including but not limited to Residential, Commercial, Institutional, Recreational and Environmental Protection. An elementary or secondary school shall be permitted and any ancillary uses to such school within the Mansfield Settlement Area.

#### **5.3.4 Criteria and General Policies**

A Plan of Subdivision is anticipated to be required for all residential *developments* within a the Mansfield Settlement Area, except for infilling on existing residential *lots*.

### **5.4 Rural Settlement Area**

#### **5.4.1 Objectives**

The objectives of the Rural Settlement Areas are to recognize existing *development*; and to focus and provide direction for the orderly and efficient development of larger *lots* in an orderly and efficient manner on rural services.

#### **5.4.2 Criteria and General Policies**

The majority of Rural *settlement areas* have little or no potential to expand beyond their current boundaries. The Rural *settlement areas* of Terra Nova, Honeywood, Rosemont

Violet Hill are identified on Schedules A3, A4, A5 and A6. The Recreational Community is identified on Schedule A8 may have opportunities to expand within the Mansfield North Recreational Area, subject to the policies of this Plan.

A Plan of Subdivision is anticipated to be required for all residential *developments* within a Rural Settlement Area, except for infilling on existing residential *lots*.

Re-*development* of existing *lots* and the consolidation of existing undersized *lots* will be encouraged, provided that the required individual services for the proposed *uses* can be provided on-site.

#### **5.4.3 Permitted Uses**

Within the Rural Settlement designation, the *use* of the lands shall be primarily low density as supported through servicing studies completed to the satisfaction of the Township.

### **5.5 Mansfield North Recreational Area**

#### **5.5.1 Objectives**

The objectives of the Mansfield North Recreational Area are:

1. To focus new recreation, and resource-related and recreation-related *developments* and *uses*, particularly large-scale and *commercial recreation*;
2. To provide for the continuation, and expansion where appropriate, of *existing uses* and for new recreation-related *developments* and *uses*;
3. To identify recreational priorities for the Township;
4. To protect the *significant* natural resources and features of the area and, where practical, minimize and mitigate impacts on the scenic qualities and the *rural character* of the area.

#### **5.5.2 Criteria for Designation**

The primary focus of this area is the downhill ski resort, the outdoor recreation centre and the Dufferin County Forest Main Track, and the abutting residential communities. The Mansfield North Recreational Area includes *adjacent lands* which may be appropriate for recreational activities and residential uses related to the recreation and resources of the area.

#### **5.5.3 Permitted Uses**

*Uses* permitted in the Mansfield North Recreational Area shall be those *uses* permitted in the various designations for specific lands within the area, as shown on Schedule A1.

#### 5.5.4 Development Policies

*Public and Commercial recreation* is encouraged within the Mansfield North Recreational Area, subject to meeting the policies of this Plan.

*Development applications* shall be supported with appropriate studies and reports to assess the impacts of the *development* and reflect the proposed end-designation.

Any *Planning Act application* shall include consideration of recreational needs, opportunities, servicing, *infrastructure*, hazards and storm water management, traffic, land-use compatibility, environmental impacts and any other studies deemed necessary to address the policies of this Plan. Any *application* shall identify how the proposed *development* contributes to the overall recreational opportunities and assets of the Mansfield North Recreational Area and the Township as a whole.

Any recreation-related residential *development* shall have a recreational focus and include public or commercial recreational use. The Township's Recreational Master Plan may set out Township priorities for recreational facilities and spaces. It is noted that passive recreation, such as trails, will not be considered an adequate recreational focus for the purpose of supporting a recreation-related residential development in the Mansfield North Recreational Area.

Visual Impact: Where new recreational *developments* and *uses* are proposed, facilities should be designed and located to reduce their visual impacts, and impacts on *rural character*. Depending on the location and nature of the proposal, a visual impact assessment or landscape analysis, with recommendations for reducing and mitigating such impacts, may be required.

This Plan recognizes that some recreational *development*, by their nature, may have an impact on the visual and scenic resources of the landscape. Within the Mansfield North Recreational Area, recreational *assets and infrastructure* shall not generally be considered to negatively impact on, or be out of character with this area.

New development within the Mansfield North Recreational Area will generally require an Official Plan amendment, unless specifically designated for the proposed use.

### 5.6 Primrose Business Park Area

#### 5.6.1 Objectives

The objectives of the Primrose Business Park are:

1. To recognize existing industrial *developments* and *uses* and provide an appropriate policy framework for their continued existence, and for their expansion and change of *use* where appropriate;

2. To encourage a well planned and properly functioning “business park”, within which will be located a mix of clean, dry, commercial, light industrial, institutional and *public uses* appropriate for, and serving the local and regional area;
3. To ensure that generally only small-scale, clean and relatively low impact *uses* appropriate for the site and area and, in particular, that only those *uses* that are *compatible* with adjacent residential *uses* and the Primrose Elementary School are permitted and that are appropriate for the site and area, and *compatible* with adjacent *uses*, are established;
4. To identify opportunities and constraints in the area and establish an overall *development* concept and a framework for the resolution of servicing, access, environmental, traffic, hydrogeology, stormwater management, drainage, cultural and land *use* compatibility issues;
5. To ensure that appropriate types and levels of services are provided to accommodate proposed *uses* without impacting on the quality or quantity of groundwater; and
6. To preserve the long-standing opportunities for industrial *developments* and *uses* in the Primrose area.

### **5.6.2 Concept and Criteria for Designation**

The Primrose Business Park Area is a predominantly non-residential area that has long been identified as the primary location within the Township for industrial and commercial *uses*. This is primarily due to it’s ideally situated location at the intersection of Highways 10 and 89. The policies in the Business Park designation are based on the expectation that Primrose will be the focus for business *development*, employment growth and economic activity in the Township.

The intent is to have a well planned and properly functioning “business park”, within which will be located a mix of clean, dry, commercial, light industrial, institutional and *public uses* appropriate for, and serving the local and regional area.

Lands that are not currently developed will be placed into a Holding Zone, until specific end-uses have been identified and conditions have been met.

### **5.6.3 Business Park Designations**

The Primrose Business Park has the following distinct designations, in addition to the Environmental Protection designation:

1. Business Park Core Designation (section 5.11)
2. Business Park Gateway Designation (section 5.12)

### 3. Business Park Transition Designation (section 5.13)

The business park designations reflect arterial road opportunities, protect *sensitive land uses* and to segregate *uses* according to the attributes and constraints of the area. Slight changes to the boundaries between the designations will not require an amendment to this Plan.

To the North, there are several, existing residential *uses*, an elementary *school*, and environmental features. *Developments* and *uses* within the business park must be *compatible* with these *existing uses*.

To the South, Highway 89 provides opportunities for many commercial *uses* that are dependent on exposure to and/or access from the adjacent grid roads. Areas specifically intended for such *uses* have been identified to take advantage of the accessibility and exposure this area enjoys.

The central portion of the business park, are candidate locations for *uses* that do not require direct highway exposure, but which should be separated from adjacent *sensitive uses*.

Minor adjustments to the boundaries of the Gateway, Core and Transition Districts may be made to accommodate servicing and the siting requirements of specific end-*uses* appropriate for the designation without an amendment to this Plan, provided adjacent existing land *uses* are not adversely affected and/or the overall design and functionality of the business park are not compromised.

Uses permitted within the Primrose Business Park are identified in the three Business Park Designations.

#### 5.6.4 Preliminary Background Studies

The Township commissioned preliminary servicing, hydrogeology, environmental impacts, stormwater management /drainage, and access/traffic background studies and reports with no known specific *development* proposal or end-*use* to evaluate the appropriateness of the establishment of a business park in the Primrose area. Any *application* for *development* will be required to update or prepare a new report to assess the impacts related to a specific *development* proposal or end-use.

Although the various studies are preliminary in nature and based on a raw land state with no known specific *development* proposal or end-use, they are intended to be used as a yardstick against which specific *development* proposals may be evaluated.

##### 5.6.4.1 Environmental Protection

An Existing Conditions and Environmental Constraints Report has been prepared for the Township by Azimuth Environmental Consultants Inc. All lands which are not suitable for *development* within Primrose, due to the presence of physical constraints and/or natural features, have been *designated* Environmental Protection in this Plan.

#### 5.6.4.2 Hydrogeology and Servicing

A Preliminary Hydrogeology and Servicing Concepts Study has been prepared, for the Township, by Azimuth Environmental Consultants Inc.

*Developments* and *uses* that can be sustained by individual on-site wells and septic systems are preferred. Where the use does not consume more than 10,000 l/day of water and/or generate similar volumes of sewage waste or other waste water, and is to be accommodated on private services, it must be demonstrated that applicable Ontario Building Code requirements can be met, to the satisfaction of the Chief Building Official.

It is intended that most, if not all of the individual *developments/uses* within the Business Park will *use* less than 10,000 l/day of water.

*Uses* that consume larger quantities of water and/or generate larger volumes of sewage *waste* or *waste* water (more than 10,000 l/day) may also be considered. A sewage system for any such *use* is, by definition, a large sewage works and is subject to the requirements of the Ontario Water Resources Act, which is administered by the Ministry of the Environment. In general, large septic systems must address several additional design considerations not typically considered for individual septic systems under the Ontario *Building Code*. Among the additional requirements would be the application of the “Reasonable *Use*” policy for in-ground based disposal systems, assimilative impact studies for any surface water discharge and pre and post monitoring requirements following system start-up. The requirements of Section 4.2 of this Plan shall also apply to water taking.

A further hydrogeological report shall demonstrate that the assimilative capacity of the site is not exceeded, to confirm the availability of an adequate and potable water supply and to demonstrate that the impacts on groundwater generally, and on adjacent wells and water supplies are minimal and acceptable.

Where water *use* is minimal, and the approval authorities for the sewage works do not require a Hydrogeological Study, the requirement for a further study may be waived by the Township if it is satisfied that the cumulative impacts have been considered and adequately addressed, and that the groundwater reserves will not be unduly depleted or put at risk of contamination.

#### 5.6.4.3 Stormwater Management

A Preliminary Stormwater Management Study has been prepared, for the Township, by C. C. Tatham and Associates Ltd. Detailed designs for stormwater management for both quality and quantity control shall be provided at the plan of subdivision approval stage

and on an integrated basis, based on the overall concept and the recommendations contained within the Tatham study, and in accordance with the requirements of this Plan.

Natural hazards and their limits within Primrose have generally been defined in the study. More detailed studies to refine slope, erosion and/or flood hazard boundaries may need to be undertaken for subsequent *development* proposals adjacent to identified natural hazard areas.

#### 5.6.4.4 Traffic and Related Requirements

A preliminary Traffic Impact Study has been prepared for the Township by C. C. Tatham and Associates Ltd.

Generally, *uses* which generate traffic volumes and/or characteristics that vary significantly from the type of traffic or exceed the average level, duration and/or timing of the traffic which has been predicted for the business park, will require further analysis to ensure that traffic concerns and public safety issues have been identified and addressed.

Planned improvements to the Highway 10/89 intersection with County Road 19, are expected to accommodate business park traffic. Approval of any *development* resulting in turning movements at this intersection which is required in advance of the completion of these improvements must be obtained from the Ministry of Transportation (MTO), prior to the removal of the Holding symbol from the zoning of the lands. Any *development* that occurs after the design traffic volumes at the intersection have been met or exceeded may be subject to conditions requiring further improvements to the intersection to accommodate the traffic generated by the *development*.

A northbound left turn storage lane is required on County Road 19 at the entrance to the Business Park, in accordance with the findings of the Tatham Study or a subsequent, more detailed Traffic Impact Study based on actual end-*uses* of the site, and the requirements of the County of Dufferin.

#### 5.6.4.5 Access and Development Design

All new *lots* shall front on and be accessed from a new internal municipal road which is required to have a 26 m. right-of-way width, with an entrance located on County Road 19 a minimum distance of 300 m. north of the Highway 10/89 intersection or as close to the intersection as is permissible given the traffic volumes and the need for storage lanes to accommodate turning movements at the intersection.

One additional entrance from County Road 19 and north of the main business park entrance, to be *used* as an emergency second entrance to the business park, shall also be provided. It may also serve as a new or an alternative entrance for the Primrose Elementary *School*, or as an entrance to a single, private *use* provided provision is made for an internal connection of that entrance to the road within the business park, as a

condition of site plan approval. It may be required to be gated or otherwise controlled at the business park to permit emergency access only.

#### 5.6.4.6 Pedestrian Safety

Measures to ensure that sufficient and safe pedestrian access is provided within and adjacent to the business park shall be provided, as a condition of plan of subdivision approval and/or at the site plan approval stage.

#### 5.6.5 **Zoning**

Lands suitable for *development* within Primrose have been *designated* Business Park and shall be re-zoned to an appropriate Business Park Gateway, Core or Transition zone containing specific permitted uses, regulations and standards for *development* and use in accordance with the specific provisions of this Plan.

Natural hazard areas and natural features, including associated buffers, and stormwater management facilities identified through detailed studies are to be re-zoned to Environmental Protection in the *Zoning By-law*.

A Holding symbol shall be affixed to all lands which are vacant, and the Holding symbol shall be removed, on a site-by-site basis, only when the Township is satisfied that the end-use has been identified and is appropriate for the site, the required services have been or can be provided, a site plan acceptable to the Township has been submitted, the requirements of this Plan, the *Zoning By-law* and all other applicable requirements of the Province and review agencies having jurisdiction have been, or can and will be satisfied and any required agreement between the owner and the Township has been executed and registered.

#### 5.7 **Agricultural**

##### 5.7.1 **Objectives**

The objectives of the Agricultural designation are to optimize the availability of *prime agricultural lands* for agricultural *use* for the long term; protect agricultural operations from *incompatible uses*, and to provide opportunities to enhance viability and encourage diversification by permitting additional *uses*, where appropriate.

##### 5.7.2 **Criteria for Designation**

Consistent with section 4.3.1.3 of the *PPS*, *Prime agricultural areas*, are identified on Schedule A1 as 'Agricultural', and are protected for long-term *use* for agriculture, as part of the agricultural land base shall include *prime agricultural areas*, including *specialty crop areas*. Lands *designated* Agriculture include the following:

1. *prime agricultural areas*, as identified on the 2022 Provincial Agricultural Land Base map, and as refined in the County of Dufferin Official Plan; and,



2. *specialty crop areas*; if identified.

*Prime agricultural areas* are areas where *prime agricultural lands* predominate. *Specialty crop areas* shall be given the highest priority for protection, followed by Classes 1, 2 and 3 soils, in this order of priority and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

### 5.7.3 Permitted Uses

Consistent with section 4.3.2.1 and 4.3.5 of the *PPS*, permitted *uses* in the Agricultural area include:

1. *agricultural uses*;
2. *agriculture-related uses (in accordance with section 4.6)*;
3. *on-farm diversified uses (in accordance with section 4.6 consistent with provincial guidance reference publications)*;
4. residential use (in accordance with section 5.7.4.2);
5. *home industry, group home*;
6. extraction of *minerals, petroleum resources and mineral aggregate resources*; and
7. limited non-residential *uses*, provided that all of the following are demonstrated:
  - a. the land does not comprise a *specialty crop area*;
  - b. the proposed *use* complies with the *minimum distance separation formulae*;
  - c. there is an identified need within the planning horizon identified in the Official Plan for additional land to accommodate the proposed *use*; and
  - d. alternative locations have been evaluated, and there are no reasonable alternative locations which avoid *prime agricultural areas*; and there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

Generally, *public and commercial recreation* shall not be permitted in *prime agricultural areas*.

A residential use may not be permitted where a previous surplus dwelling was severed from a farm and subsequent residential uses prohibited to facilitate a severance or farm consolidation, in accordance with section 4.3.3.1.c) *PPS*.

#### 5.7.4.2 Additional Residential Uses

The following *residential uses* are permitted in the *prime agricultural area*:

1. Consistent with section 4.3.2.4 of the PPS, a principal *dwelling* associated with an agricultural operation shall be permitted in *prime agricultural areas* as an *agricultural use*, in accordance with provincial guidance, except where prohibited in accordance with PPS policy 4.3.3.1c); and,
2. Consistent with section 4.3.2.5 of the PPS, “where a residential *dwelling* is permitted on a *lot* in a *prime agricultural area*, up to two additional *residential units* shall be permitted in accordance with provincial guidance, provided that where two additional residential units are proposed, at least one of these additional residential units is located within or *attached* to the principal dwelling, and any additional *residential units*:
  - a. comply with the *minimum distance separation formulae*;
  - b. are *compatible* with, and would not hinder, surrounding agricultural operations;
  - c. have appropriate *sewage and water services*;
  - d. address any public health and safety concerns;
  - e. are of limited scale and are located within, *attached*, or in close proximity to the principal *dwelling* or farm *building cluster*; and
  - f. minimize land taken out of agricultural production.”

“For greater certainty, the two additional residential units that are permitted on a *lot* in a *prime agricultural area* in accordance with policy 4.3.2.5 are in addition to farm worker housing permitted as an agricultural use.”

### 5.8 Rural

#### 5.8.1 **Objectives**

The objectives of the Rural designation are to facilitate and permit a broader range of *compatible* rural, resource, recreational, tourism, economic activities, residential *uses*, and *uses* related to such *uses*, that have a minimal impact on *agricultural uses*, natural resources, environmental features and *rural character*, and to encourage continued agricultural *use* and protect agricultural operations where they exist within *rural areas*.

#### 5.8.2 **General Policies for Rural Designation**

Consistent with section 2.5.1 of the *PPS*, the *rural areas* of Mulmur shall be supported by:

1. “*building upon rural character*, and leveraging rural amenities and assets;
2. promoting regeneration, including the *redevelopment of brownfield sites*;
3. accommodating an appropriate range and mix of housing in rural *settlement areas*;
4. using rural *infrastructure* and *public service facilities* efficiently;
5. promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or *use* of resources;
6. providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
7. conserving biodiversity and considering the ecological benefits provided by nature; and
8. providing opportunities for economic activities in *prime agricultural areas*”, in accordance with the policies of this plan.

Consistent with section 2.6.2 and 2.6.3 of the *PPS*, *development* that is appropriate to the *infrastructure* which is planned or available, avoid the need for the uneconomical expansion of this *infrastructure* and that can be sustained by rural service levels should be promoted.

Consistent with section 2.6.4 of the *PPS*, Mulmur supports “a diversified rural economy by protecting agricultural and other resource-related *uses* and directing non-related *development* to areas where it will minimize constraints on these *uses*.”

### 5.8.3 Criteria for Designation

Lands *designated* Rural are predominately made up of lands outside of specific resources, such as the *prime agricultural areas*, natural areas, mineral resources and settlements. Rural lands include rugged terrain and are intermingled with natural heritage features and hazard lands. The Rural designation includes non-contiguous *agricultural uses*, pasture fields, hobby farms, residential uses on large *lots*, recreation, forestry, conservation, resource related uses and some site specific commercial and industrial uses that are appropriate to located outside of *settlement areas*.

### 5.8.4 Permitted Uses

Consistent with section 2.6.1 of the *PPS*, permitted *uses* in the Rural designation include:

1. the management or *use* of resources;
2. limited *residential development*;
3. *group home*;
4. resource-based recreational uses, including recreational dwellings not intended as permanent residences;
5. *agricultural uses, agriculture-related uses, on-farm diversified uses and Normal Farm Practices*, in accordance with provincial standards and section 4.6 of this Plan;
6. *home industry*;
7. *cemeteries*;
8. *other rural land uses*; and
9. Public Recreation.

Small-scale commercial and small-scale industrial *uses* related to the management or *use* of resources and rural land *uses* that cannot be located in *settlement areas* may be permitted in the Rural designation, subject to an amendment to this plan and site-specific zoning.

Consistent with section 2.6.1 of the *PPS*, Commercial Recreation and *Resource-based recreational uses (including recreational dwellings not intended as permanent residences)* may also be considered through a site-specific zoning amendment.

## **5.9 Residential**

### **5.9.1 Objectives**

It is an objective to provide a community setting and encourage a range of *housing options*.

### **5.9.2 Criteria for Designation**

Lands *designated* Residential shall include lands that are developed or may be developed for residential purposes within *settlement areas*, including residential lands within the Primary Rural Settlement Area (Mansfield) and Rural *Settlement Areas* (Rosemont, Terra Nova, Violet Hill and Honeywood) and the Recreational Community (Pine River Chalets, Hector's Hill, Big Tree Circle, Mountainview and the existing larger estate residential *lots* along Sideroads 15 and 17, in Concession 6 EHS.) Lands *designated* Residential may include a variety of road maintenance levels, water services and sewage disposal systems.

### **5.9.3 Permitted Uses**

Uses permitted in the Residential designation include: a single detached *dwelling*; and additional secondary uses, included secondary residential uses in accordance with the Housing Options of section 2.8 of this Plan.

## **5.10 Commercial**

### **5.10.1 Objectives**

The objectives of the Commercial designation are:

1. To recognize existing commercial *developments* and *uses* and provide an appropriate policy framework for their continued existence, and for their expansion and change of *use* where appropriate;
2. To provide for the appropriate *development* or *re-development* of existing commercially *designated* sites along arterial roads and for their expansion and change of *use* to other commercial *uses*, where appropriate;
3. To provide a policy framework to ensure that only those new commercial *uses* that are appropriate for the site, and *compatible* with surrounding *uses*, are established.

### **5.10.2 Criteria for Designation**

Lands *designated* Commercial shall include existing commercial *developments* and *uses* as well as lands available for community-centered commercial or highway related commercial *uses* along arterial roads.

### **5.10.3 Permitted Uses**

Uses permitted in the Commercial designation include a range of smaller scale commercial uses, serving the community or travelling public, including the following uses and similar small scale uses:

1. Retail and wholesale commercial establishments;
2. Automotive and related uses;
3. Business and personal services shops;
4. Restaurants;
5. Accommodation and entertainment establishments other than an adult entertainment parlor;

6. Gas station and automobile related services;
7. Business or professional offices;
8. Dwelling unit above a commercial building;
9. Recreational uses; and
10. *Personal* service shops.

#### **5.11 Business Park Core**

The Core District is intended to be *used* for light, dry industrial, space extensive commercial *uses* and for *uses* where *outdoor storage* is required.

Light industrial *uses* appropriate to the level of servicing, and within enclosed *building* involving manufacturing, processing, fabricating and assembly of materials, warehousing, servicing, repair, storage and distribution are permitted. Related office *uses* and on-site ancillary retail *uses* are permitted.

*Uses* requiring limited *outdoor storage*, small works yards, small commercial vehicle storage areas, etc. may be permitted in this District, provided the impacts of such *uses* can be adequately mitigated through screening and buffering. Outdoor activities relating to the *outdoor storage uses* must not cause disturbances or result in impacts on adjacent *uses*, whether within or beyond the business park.

Due to the potential for conflict between *school buses* and heavy truck traffic generated by *uses* within this District, and because of the potential for other impacts, such as noise and pollution, *uses* which generate large volumes of truck traffic, such as a truck or transportation terminal, are not permitted.

#### **5.12 Business Park Gateway**

Gateway District *uses* shall be limited to light, dry commercial *uses* that rely on and/or would benefit most from the exposure to and visibility from the adjacent highway and County Road system. The high degree of visibility directly from these major roads make the lands immediately adjacent to them particularly desirable for highway-related and exposure-dependent commercial purposes.

#### **5.13 Business Park Transition**

*Uses* may include day care facilities, park and open space *uses*, storm water facilities, *public uses*, places of worship, cemeteries, *schools*, retail stores, *personal* service shops, professional offices, business offices, recreational facilities, community centres, fire halls, ambulance stations and other institutional, community service and *public uses*.

A *school* bus marshalling yard and student transfer facility may be permitted on lands immediately adjacent to the existing Primrose Elementary *School*.

A continuous berm and landscaped buffer is required, as a condition of draft plan, consent or site plan approval, along the west side of the residential *lot* to the immediate south of the Primrose Elementary *School*, and along the south side of the existing *school property*, or the enlarged yard associated with the *school* to accommodate an alternative or new entrance, parking and/or *school* bus marshalling yard/student transfer facility as permitted above.

Berming and landscaping shall be prepared in consultation with the Upper Grand District *School* Board and/or adjacent residential landowner(s), as applicable.

*Uses* adjacent to and in close proximity to the Primrose Elementary *School* shall not have the potential to generate harmful emissions or cause *significant* disturbance or other impacts which could detrimentally affect the adjacent educational and residential *uses*.

## **5.14 Institutional**

### **5.14.1 Objectives**

The objectives of the Institutional designation are:

1. To recognize existing institutional *developments* and *uses* and provide an appropriate policy framework for their continued existence, and for their expansion and change of *use* where appropriate;
2. To provide for the *development* of community and social service facilities to serve the residents of Mulmur;
3. To generally direct other *institutional uses* serving the local area and a broader regional market, to the Primrose Business Park; and
4. To provide a policy framework to ensure that only those *institutional uses* that are appropriate for the site and *compatible* with surrounding *uses*, are established or enlarged.

### **5.14.2 Criteria for Designation**

Lands *designated* Institutional include existing institutional *developments* and *uses* and lands that are *designated* for future institutions, generally within *settlement areas*.

### **5.14.3 Permitted *Uses***

Permitted *uses* within the Institutional designation shall include places of worship, existing cemeteries, *schools*, community centres, fire halls, day care facilities,

ambulance stations, health services, recreational uses, community services and other municipal or government *buildings* and facilities, public or private community, religious, and cultural or educational establishment.

## **5.15 Recreational**

### **5.15.1 Objectives**

The objectives of the Recreational designation are:

1. To permit *existing uses* to continue and, where appropriate, to expand and diversify;
2. To encourage appropriate commercial recreation *development*, facilities, activities and *uses*, at appropriate locations;
3. To encourage the continued *development* of, and improvements to recreational *developments* and facilities in the Township, that are in harmony with the character of a recreation area, and are *sensitive* to the natural environment; and,
4. To provide for the preservation and protection of public open space lands while encouraging *compatible* activities and *uses*.

### **5.15.2 Criterion for Designation**

Lands within the Recreational designation include Public and Commercial *recreational developments* and *uses* that currently exist, and where lands are already *designated* for such purposes. The Recreational designation also includes lands, previously designated “Open Space” that are intended for public access and *use*, or for long term preservation, whether owned by a government or non-government organization.

### **5.15.3 Permitted Uses**

*Uses* permitted in the Recreational designation include:

1. Existing recreational *developments*, activities and *uses*;
2. Public and Commercial Recreational *development* and related activities in accordance with Section 3.7.1;
3. Ancillary residential *uses* including accommodation facilities for patrons and employees;
4. Ancillary commercial *uses* providing goods and services to the patrons of the recreational facility or *use*.



5. Small-scale *structures*, trail *infrastructure* and facilities required to support permitted sport, activities and *uses*, and *Infrastructure* and may also include Personal Use Recreation *development*.

#### **5.15.4 Additional Policies**

The provision of *access points*, trails, shelters and other facilities shall be encouraged, at appropriate locations, to appropriately support the type and level of *use* intended for such lands, including safe *access points*, adequate on-site parking, sanitary facilities, *waste* receptacles, trails, signage, etc.

Appropriate levels of servicing of such areas shall also be provided to support the intended *use(s)*, including policing of *use* restrictions and, in particular, unauthorized *use* by motorized vehicles, *waste* collection and disposal, sanitary facility maintenance, trail maintenance, etc.

### **5.16 Environmental Protection**

#### **5.16.1 Objectives**

The objectives of the Environmental Protection designation are:

1. To ensure that *natural heritage features and areas* are preserved and protected for the long term;
2. To identify *natural heritage features and areas* and hazards and ensure that *development, site alteration*, and *uses* are carried out only where it has been demonstrated that degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities, does not occur;
3. To encourage *compatible* recreation, *conservation* and outdoor education activities; and
4. To promote the sustainable management of resources and stewardship of natural features and areas throughout the Township.

#### **5.16.2 Criteria for Designation**

The Environmental Protection designation includes:

1. All *wetlands*;
2. Lands adjacent to rivers and streams that are, or could be impacted by flooding and/or *erosion hazards*;

3. Floodplains;
4. Ponds and water bodies over 0.2 ha. in size, including a 15 m. buffer; and
5. Other areas with natural features and natural hazards, and *adjacent lands* which have similar or related features and functions and/or hazards and constraints where *development* is generally not intended to be permitted.

#### **5.16.3 Permitted Uses**

Uses permitted in Environmental Protection designation are limited to:

1. those conducted entirely within existing *buildings* and *structures*: including but not limited to: *home industry*, *bed and breakfast* establishments; and
2. passive recreational *uses* and trails.

#### **5.16.4 Additional Policies**

Except as otherwise provided herein, lands *designated* Environmental Protection shall generally be maintained in an undisturbed and natural state.

To protect the species, the *habitat of endangered species and threatened species* may not be shown on the Schedules to this Plan, but it is nevertheless intended that such areas will be subject to the Natural Area policies. When and where such areas are identified in studies carried out in support of *development* proposals, they shall be *designated* Environmental Protection.

The establishment of new *uses* and the construction of new *buildings* and *structures* on existing *lots* of record within Environmental Protection designation shall only be considered where:

1. no reasonable alternative exists elsewhere on the *lot*;
2. the need for the proposed new *structure* or *use* is clearly demonstrated and the size and scale are kept to a minimum;
3. the proposal is consistent with the Provincial Policy Statement;
4. the requirements of this Plan have been satisfied;
5. the requirements of the *Conservation* Authority have been met, and a permit has been obtained; and
6. an amendment to the *Zoning By-law* permitting the proposed *development* or *use* has been obtained.

Non-structural *development* and *site alterations* may be permitted if it can be demonstrated that the *development* or alteration is essential to an as-of-right *use* of the *lot*, and only where the impacts have been evaluated and are minimal and acceptable, or can be adequately mitigated, or can be balanced by appropriate compensatory measures undertaken elsewhere on the same *lot*.

Other features and hazards identified by the Provincial Policy Statement, such as *significant woodlands*, *areas of natural and scientific interest*, and steep slopes have been shown on Schedules B2 to B4 and Appendix 2. These areas are generally only included within the Environmental Protection designation where they are within or immediately adjacent to features requiring outright protection, or areas that are considered hazardous under Provincial Policy.

Decisions on all *Planning Act applications* for new *developments* and *uses* within the Environmental Protection designation and within those areas identified on Schedules B1 to B4 that are subject to the requirements of Sections 6A.1 of this Plan, and must be consistent with these requirements.

The General Recreation policies of Section 3.7 of this Plan apply to certain types of low intensity, non-intrusive recreational activities and *uses* which are categorized as Personal Use Recreation and may be permitted within the Environmental Protection designation. Such activities and *uses* shall not result in *significant* or long-term damage to natural ecosystems, serious erosion, soil compaction or slope stability problems, pollution or *significant* disturbance to *fish* and wildlife. Building and structures for a Personal Use Recreational use shall not be permitted.

## **5.17 Waste Management**

### **5.17.1 Objectives**

The objectives of the Waste Management designation are to manage the municipal facility in a fiscally and environmentally responsible manner; provide for its protection from *incompatible* land *uses* and provide protection to *existing uses* from potential impacts from the landfill.

### **5.17.2 Criteria for Designation**

Only *waste management*, processing and handling facilities with a current Certificate of Approval from the Ministry of the Environment are *designated Waste Management* Industrial on the schedules to this Plan.

### **5.17.3 Permitted Uses**

*Uses* permitted in the *Waste Management* designation shall at all times be in compliance with the current Certificate of Approval issued by the Ministry of the Environment and may include the following: a landfill site; *waste* transfer facility; recycling facility; compost

facility; waste re-use the burning of brush and wood free of contaminants; and other *uses* permitted in a current Certificate of Approval from the Ministry of the Environment.

#### **5.17.4 Additional Policies**

Any new *waste* disposal, *waste management*, processing or handling facility shall be subject to an Environmental Assessment and shall require an amendment to this Plan.

The Certificate of Approval may be altered from its current scope to permit other operations, without the requirement of an amendment to this Plan.

No residential *use* is permitted in conjunction with an active *waste* management site. Re-use of a former *waste management site* for purposes other than *waste management* will require approval in accordance with the Environmental Protection Act and all applicable legislation and regulations and an amendment to this plan.

## **5.18 Extractive**

### **5.18.1 Objectives**

The objectives of the Extractive Designation are:

1. To preserve *mineral aggregate resources* for long term *use*, when and where appropriate;
2. To protect these resources and existing aggregate operations from *incompatible land uses*; and
3. To ensure that activities and *uses* incidental to aggregate extraction are permitted only where they are appropriate for the site and area.

### **5.18.2 Criterion for Designation**

Approved Aggregate Extraction operations are *designated* on Schedule A1 to this Plan. Proposals that are exempt from municipal regulatory authority pursuant to Provincial statutes or regulations may not be identified on Schedule A1.

This Plan also shows the location of *mineral aggregate resources* throughout the Township on Schedule B5, which includes *significant* sand and gravel resources and bedrock *mineral aggregate resources* areas.

An amendment to this Plan is required for the establishment of all new *pits* and *quarries* in the Township, except temporary wayside *pits* established and operated by a public road authority for public road construction purposes.

### **5.18.3 Permitted Uses**

Lands within the Extractive designation may be *used* for the following:

1. Agricultural operations and *uses*;
2. Mineral extraction operations licensed pursuant to the Aggregate Resources Act;
3. Except where specifically prohibited, *accessory buildings* and facilities directly related to and normally associated with and incidental to the mineral extraction operation which are expressly permitted by this Plan and by a license issued under the Aggregate Resources Act; and,
4. Incidental *uses* and site modifications required to accommodate them, provided that the impacts of such *uses* on the natural environment and on surrounding lands and land *uses* are minimal and acceptable.

5. *Uses* incidental or related to aggregate extraction, such as processing and recycling of materials, may be permitted only where there is no *negative impacts* on the environment and on *adjacent lands* and land *uses*.

Off-site materials required for the production of a specific aggregate product may be transported to the site provided that the off-site material is free of contaminants and that it is blended with on-site materials and the transportation, storage and *use* of such materials shall be in accordance with conditions of the license and all applicable legislation.

#### **5.18.4 Establishment of new Extractive Uses (Pits and Quarries)**

All new extractive *uses* will require an amendment to this Plan.

It is the intent of the Township to ensure that its interests and those of local residents are recognized and protected, and that an appropriate balance between competing and often conflicting interests is achieved. To achieve this, studies are required to demonstrate that any proposed extraction shall be undertaken in a manner which minimizes social and environmental impacts. All *pit* and *quarry uses* must satisfy the requirements of this Plan and of the approval authorities, for water supply and water taking, disposal of liquid *wastes* and control of emissions and air pollution.

Public health and safety and environmental protection shall take priority over resource *use* proposals.

Proposals should not result in a substantial *negative impact* on the *rural character* or the scenic resources of the Township taking into account mitigation measures including progressive and final *rehabilitation* of the site.

Proposals for the extraction of natural resources shall not result in economic hardship to the Township and/or its ratepayers. Compensatory measures may be considered.

An *application* for an amendment under this section of this Plan shall be supported by documentation, plans, reports and studies, including but not limited to the following:

1. Geotechnical Report;
2. Hydrogeological Study;
3. Environmental Impact Study;
4. D-Series Assessment of the impacts of emissions such as noise, dust, vibration, etc., including recommendations for mitigation, in accordance with the requirements of the Ministry D-Series Guidelines and the Aggregate Resources Act;
5. Traffic Impact Study;

6. Cultural Heritage Assessment;
7. *Archaeological Assessment*;
8. Economic Impact Assessment;
9. Detailed site *development*, phasing and *rehabilitation* plans incorporating all of the recommendations of studies and reports submitted in support of the *application*;
10. Planning Report;
11. *Agricultural Impact Assessment*;
12. Visual Impact Assessment.

Consistent with section 4.4.4 of the *PPS*, in *prime agricultural areas*, on *prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that:

1. impacts to the *prime agricultural areas* are addressed, in accordance with the policies of this plan (policy 4.3.5.2 of the *PPS*); and
2. the site will be rehabilitated back to an *agricultural condition*.

#### **5.18.5 Rehabilitation**

Consistent with section 4.4.3 of the *PPS*, *rehabilitation* to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. *Progressive rehabilitation* should be undertaken wherever feasible. *Comprehensive Rehabilitation* shall be carried out in accordance with an approved *rehabilitation* plan under the *Aggregate Resources Act*. Where it is not practical to rehabilitate immediately for the planned after use, plans should provide for interim *rehabilitation* to ensure that disturbed areas are kept to a minimum, and both interim and final *rehabilitation* must take place in accordance with the approved plans and the conditions of the *pit* license granted under the *Aggregate Resources Act*.

All *accessory uses* to any extractive operation shall be discontinued and be required to vacate the *property* as soon as the site is depleted, and on-site processed material has been transported from the *property*.

Consistent with section 4.4.3.1 and 4.4.3.2 of the *PPS*, progressive and final *rehabilitation* shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate *negative impacts* to the extent possible. Final *rehabilitation* shall take surrounding land use and approved land use designations into consideration. *Comprehensive rehabilitation* planning is encouraged where there is a concentration of *mineral aggregate operations*.

Consistent with section 4.4.3.3 of the *PPS rehabilitation* standards that are *compatible* with those under the Aggregate Resources Act should be adopted for extraction operations on private lands.

*Rehabilitation* shall consider the following:

1. Excess topsoil and overburden are to be retained and stabilized for future *rehabilitation*;
2. All excavated *pit* walls are to be re-graded in accordance with the grading and *rehabilitation* plan. Exposed sections of *pit* or *quarry* faces may be left un-rehabilitated for aesthetic or educational purposes, if provisions have been incorporated into an approved after-use plan;
3. Vegetation, including seeding to grass or sodding, crops, seedlings and/or trees and shrubs shall be planted as soon as possible following finished grading; and
4. Plans submitted to the Township for areas beyond the area under license pursuant to the *Planning Act*, shall contain detailed information on the number, size and species of plants required to provide screening and buffering as well as plants to be re-introduced following extraction. Plans shall include sufficient instructions and specifications on planting, and on the care and maintenance of all such plants. Replanting shall be required as necessary to ensure that vegetative measures are effective.

Upon the completion of extraction or the termination of the license, whichever is first, the owner of a *pit* or *quarry* shall complete the *rehabilitation* of the lands in accordance with the *rehabilitation* plans and shall submit to the Township an *application* to re-designate and rezone the lands to the designation and zone which is the most appropriate for the rehabilitated site, given the policies and requirements in place at that time and, where a plan has been submitted as part of an *application*, the proposed designation and zoning shall also be consistent with that plan.

Consistent with section 4.4.2.2 of the *PPS*, extraction shall be undertaken in a manner which minimizes social and environmental impacts.

Consistent with section 4.4.2.3 of the *PPS*, *mineral aggregate resource conservation* shall be undertaken, including through the *use of accessory* aggregate recycling facilities within operations, wherever feasible.

Consistent with section 4.4.3.2 of the *PPS*, complete *rehabilitation* to an *agricultural condition* is not required if:

1. the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and
2. agricultural *rehabilitation* in remaining areas is maximized.



#### 5.18.6 Wayside Pits and Quarries

Consistent with section 4.4.5.1 of the *PPS*, “*wayside pits and quarries, portable asphalt plants and portable concrete plants used on public authority contracts shall be permitted, without the need for an 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.*”

In accordance with the Aggregate Resource Act, an *application* for a wayside permit shall be accompanied by: a sketch map drawn to scale indicating *property* features, present *pit* areas, excavation faces, haul route assessment, estimated tonnage limits, areas to be excavated and other areas to be *used*; and, a *rehabilitation* statement or plan *compatible* with the proposed operation and land *use* in the area.

The opportunity to *use mineral aggregate resources* which would not otherwise be commercially developed, including abandoned *pits* and *quarries*, shall be considered prior to issuing a wayside permit.

An estimated tonnage limit shall be determined based on the requirement of the project or contract and will be placed as a condition on the permit at the time of issuance. Terms and conditions related to the method of operation and *rehabilitation* shall also be placed on the permit at the time of issuance. Permits will expire upon completion of the project or contract or eighteen months after its issuance, whichever occurs first.

#### 5.18.7 Asphalt Plants and Concrete Batching Plants

Asphalt plants and concrete batching plants which are proposed as principal *uses* will require an amendment to this Plan.

Asphalt plants and concrete plants, as *accessory uses* to a principal aggregate extraction operation or *use*, may be permitted on lands *designated* “Extractive”, where appropriate, by amendment to the *Zoning By-law*.

*Portable asphalt plants and portable concrete plants used on public authority contracts, by a public road authority or their agent shall be permitted without the need for an amendment to this Plan or rezoning in all areas except those areas of existing development or environmental sensitivity which have been determined to be incompatible with extraction and associated activities. Such permission is subject to the following provisions: portable asphalt plants must obtain a certificate of approval (air quality) from the Ministry of the Environment for any equipment relating to the control of air emissions.*

*Portable asphalt plants must be removed from the site upon completion of the public project; and sites used for portable asphalt plants in the Agricultural designation shall be rehabilitated back to their former agricultural use.*

## **Part 6: Application Requirements**

### **6.1 Complete Application Requirements**

The requirement for fees and deposits (in accordance with the Township's Tariff of Fees By-law), a study, report, plan and other supporting technical information in support of any *Planning Act application* shall reflect the policies of this plan along with the requirements of other approval or commenting agencies.

The Township will encourage consultation in advance of the submission of a *Planning Act application* in order to assess the requirements for an *application* to be deemed complete, as well as to determine any scoping opportunities.

Records of pre-consultation shall be provided to the Township as part of a complete application.

### **6.2 Professional Qualifications and Peer Reviews**

All studies, reports, plans and technical information shall:

1. Be prepared by a professional with applicable certification, licensing and professional accreditation; and
2. Be prepared to the satisfaction of the Township, and also to any agency or authority, including but not limited to: the Conservation Authority, Niagara Escarpment Commission, County of Dufferin, Province and Federal department.

The Township may require a peer review of any study, report, plan or technical information, at the costs of the applicant.

### **6.3 Studies, Reports, Plans and Technical Information**

A planning report shall be submitted with any *Planning Act application*, to assess conformity to Provincial, County and Township plans, policies and applicable legislation. The report shall also include a detailed assessment of the *applications* conformity to the Township's Strategic Plan, guidelines, policies and applicable by-laws.

All Development *applications* shall be supported by appropriate studies, in accordance with this Plan and the schedules and appendices attached hereto and summarized on Appendix 4.

The Township may require any additional studies, reports, plans, technical information or works it deems necessary to address potential concerns or assess impacts specific to a *development*.

## **Part 7: Implementation**

### **7.1 Interpretation**

This Plan is a goal-oriented document which sets out higher order, overall guiding principles for the Township, general objectives for broad categories of land *uses* as well as specific, lower order objectives for each designation. General policies applicable throughout the Township and specific policies for each land *use* designation which adhere to these principles and achieve these objectives are then set out.

Where a conflict arises with the *application* of a specific policy to any proposal which is in conflict with the higher order general objectives or guiding principles of this Plan, the higher order general objective or guiding principle applicable to the proposal shall take precedence.

Where legislation or a document is referenced, it shall be interpreted to include “as amended, or replaced” such that the reference is to the most recent approved version.

### **7.2 Environmental Protection Boundary Amendments**

The Township recognizes that the boundaries of the Environmental Protection designation on Schedules A1 to A7 of this Plan may be imprecise and subject to change. The Township shall determine the extent of the Environmental Protection designation on a site-by-site basis when considering *development* proposals, in consultation with the appropriate authorities or commenting agencies.

Minor adjustments to the Environmental Protection designation can occur without necessitating an amendment to this Plan provided the revised boundary has been established through an ecological site assessment to the Township’s satisfaction.

Where an Environmental Impact Statement has determined that the boundaries of a Environmental Protection designation or the overlay are appropriate to be refined, the boundary shall be refined without an Amendment to this Plan.

### **7.3 Boundaries of Plan**

The outer limit of the Niagara Escarpment Plan Area, Primrose Business Park and *Settlement areas* and where abutting a road, *lot* line or natural feature as shown on Schedules A1 to A7 are fixed and inflexible and can be changed only by an amendment to this Plan and, where applicable, by the Niagara Escarpment Plan.

It is intended that the boundaries of the Land *Use* categories shown on Schedules A1 to A7 of this Plan, shall be considered as general only, except in the case where the boundary coincides with roads, railways, *property* lines and other definite physical limits. However, they are not intended, in all cases, to define the exact limits of such areas. Minor adjustments may be made to these boundaries for the purpose of any *Zoning By-*

law without necessitating an amendment to this Plan. Except for such minor adjustments, no areas or zones shall be created that do not conform with this Plan.

The locations of roads as indicated on the Schedules shall be considered as approximate only. Amendments to this Plan therefore will not be required in order to make minor adjustments or deviations to the location of roads, provided that the general intent of this Plan is maintained.

#### **7.4 Site Plan Control**

It is intended that the majority of non-residential *development* and non-agricultural *development* be regulated through the Township's site plan control by-law to ensure that the policies of this plan are implemented. Site Plan may also be applied to on-farm diversified and agriculture related *developments*.

For the purpose of this section '*development*' and '*redevelopment*':

*"means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers as defined in subsection 164 (4) of the Municipal Act, 2001, or of sites for the location of three or more mobile homes as defined in subsection 46 (1) of this Act or of sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of the Planning Act."*

No *development* or re-*development* shall be undertaken within a *designated* site plan control area unless the Township has approved the following, as determined to be applicable by the Township:

1. Site plans showing location of all *buildings* and *structures* existing and/or to be erected and all servicing and *utility* facilities and works to be provided; including but not limited to:
  - a. facilities to provide access to and from the land including driveways for emergency vehicles;
  - b. loading and parking facilities, access ramps and curbing and traffic direction signs;
  - c. lighting; signage; fencing and landscaping; and
  - d. solid *waste management* facilities and associated screening or internal design.
2. Engineering studies and design, including, but not limited to assess grading, stormwater, servicing and erosion and sediment control;

3. Drawings showing elevation for each *building* to be erected including the massing and conceptual design, the relationship of the *buildings* to adjacent *buildings*, streets and exterior public areas, and the provision of access from streets; and information and design details and specifications relating to the exterior design of *buildings*, *structures* and facilities, which satisfies the Township's requirements pertaining to their character, appearance, scale and sustainable exterior design, to the extent that such features relate to exterior design;
4. Sustainable design elements on any adjoining municipal road and boulevards including, but not limited to pedestrian access *infrastructure*, trees and shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, *waste* and recycling containers, bicycle parking facilities;
5. Facilities designed to have regard for accessibility for *persons* with disabilities;
6. An agreement that provides for:
  - a. the dedication of lands and easements, at no cost to the Township and free of all encumbrances, for continued protection, parkland, road widenings, reserves, sight triangles and easements to be conveyed to the Township for the construction, maintenance or improvement of watercourses, ditches, land drainage works, sanitary sewage facilities and other public utilities of the Township or other local board;
  - b. hours of operations;
  - c. the provision of all facilities and works and their maintenance;
  - d. assurance that *development* proceeds in accordance with the approved plans and drawings and the conditions of approval. Securities may also be required to guarantee performance of required works.

All reasonable measures shall be implemented to mitigate and minimize impacts on *rural character*. Compatibility and buffering with a preference of utilizing topography and vegetation shall be assessed. To address concerns relating to the impact on adjacent residential properties and to preserve rural character, the Township may require a visual impact assessment.

The Township may require the owner to enter into a site plan agreement for any portion of a site not covered by the aggregate license issued under the Aggregate Resources Act and/or agreements pursuant to the provisions of the Municipal Act to address such matters as the *development* and *use* of lands not under license, hours/days/seasons of operation, the designation of haul routes, the owner's responsibility for the *rebuilding*, up-grading, maintenance, repair and post-extraction *rehabilitation* of haul routes, the owner's responsibility for the remediation of impacts on surface and groundwater

resources, including impacts on domestic water supplies, the operation and maintenance of vehicles, including the control of noise and other emissions on and off site, and such other matters as may be deemed necessary by the Township to appropriately regulate on-site as well as off-site impacts.

## **7.5 Community Improvement**

~~Community Improvement may be defined as those activities, both public and private, including construction, that maintain, rehabilitate and redevelop the existing physical environment to accommodate and encourage improvements to the social and economic environment.~~

~~The intent of these policies is to create a unified approach to Community Improvement in order to make the most effective use of the municipality's financial resources and involve the public in the Community Improvement process.~~

~~Community Improvement Areas may be defined by the Township for the purpose of carrying out improvements. Community Improvement Areas and projects may be selected based on the following criteria:~~

- ~~1. The adequacy of municipal services such as water mains, sewers, sidewalks, lighting, and roads;~~
- ~~2. The degree to which *non-conforming* and *incompatible* land uses exist in the area;~~
- ~~3. The opportunities for promoting *development* or *redevelopment* that is sustainable, energy efficient, oriented to pedestrians, and/or *transit supportive*;~~
- ~~4. The opportunities for the provision of *affordable* housing;~~
- ~~5. The degree to which physical features such as rivers and *wetlands*, and conditions such as poor drainage, unstable soils or steep slopes require works or remediation;~~
- ~~6. The opportunities for the provision of improved community facilities, including parkland, recreational facilities and open spaces;~~
- ~~7. The degree to which public and private parking facilities are deficient;~~
- ~~8. The degree to which underutilized non-residential *buildings* or areas exist and/or are in a poor or unsafe condition; and~~
- ~~9. The availability of grants, loans of other funding for required projects.~~

~~The Community Improvement Areas defined by this Plan may include any lands or areas within the Township.~~

~~Community Improvements may be undertaken by the Township through any of the following:~~

- ~~1. the designation of community improvement project areas;~~
- ~~2. the preparation of community improvement plans;~~
- ~~3. the acquisition of land by the Township;~~
- ~~4. the creation, approval and enforcement of a *property* standards by law;~~
- ~~5. the *use* of public funds from local, provincial and federal funding programs;~~
- ~~6. the *use* of private donations;~~
- ~~7. the encouragement of site *rehabilitation*; and,~~
- ~~8. the designation of *buildings*, districts or lands under the Ontario Heritage Act.~~

~~As part of a Community Improvement Plan, the Township may prepare a capital works program in order to assess the immediate and long term requirements and plan the major expenditure within the financial resources of the Township. The program will be revised and updated as required.~~

~~The Township may levy against benefiting properties, all or part of the cost of municipal services and facilities.~~

~~Nothing in this Plan shall prevent the identification of an upper tier Community Improvement Area or project pursuant to policies contained in an upper tier plan, or the provision of grants or loans by the County of Dufferin to the Township (or vice versa) for community improvement projects, on a voluntary basis.~~

## **7.6 Coordination and Consultation**

The Township is required to ensure that decisions on *Planning Act applications* are consistent with Provincial policies and in conformity with, or not in conflict with Provincial Plans. The Township will consult the Province through the One-Window Planning Service and, where appropriate, may consult directly with other ministries and agencies for advice, assistance and direction on specific technical matters.

Consistent with section 6.2 of the *PPS*, a coordinated, integrated and comprehensive approach shall be *used* when dealing with planning matters and with other municipalities, orders of government, agencies, and boards, including:

1. *managing and/or promoting growth and development that is integrated with planning for infrastructure and public service facilities, including schools and associated child care facilities;*

2. *economic development* strategies;
3. managing natural heritage, water, agricultural, mineral, and cultural heritage and *archaeological resources*;
4. *infrastructure, multimodal transportation systems, public service facilities and waste management systems*;
5. ecosystem and *watershed* related issues;
6. natural and human-made hazards;
7. population, housing and employment projections, based on *Regional Market Areas*, as appropriate; and
8. addressing housing needs in accordance with provincial housing policies and plans, including those that address homelessness.

Where the Township does not have the legislative authority to directly regulate or permit a particular *development* or *use*, these policies shall nevertheless generally be *used* as guidelines for commenting to the approval authorities on such proposals under the Environmental Assessment Act, or such other existing or proposed protocols or procedures as may be established by the Province and/or the Government of Canada, and shall be considered by the Township to be the minimum standards and requirements to which such projects should be required by the applicable approval authorities to adhere.

### 7.6.1 Role of Conservation Authorities

*Conservation* Authorities (CAs) are local *watershed-based* management agencies that whose mandate includes responsibilities and functions in the land *use* planning and *development* process. CAs ensure that decisions are informed by the best available *watershed-science* practices while eliminating unnecessary delay or duplication in the process. Generally, CAs deliver programs and activities that help the Province and municipalities to reach the important natural hazard objectives of the Provincial Policy Statement.

Key Responsibilities of CAs in Land *Use* Planning include:

1. Delegated responsibility to represent provincial interest in natural hazards. CAs have delegated responsibilities to represent provincial interests regarding Natural Hazards (Section 3.1 under Public Health and Safety made under the Provincial Policy Statement - excluding fire);



2. *Watershed-based resource management* agency where CAs, as “public bodies” pursuant to the *Planning Act*, are to be notified of policy documents, and planning and *development applications* as prescribed under the Act. CAs may comment as per their mandate to the planning approval authority on these documents and *applications*;
3. CAs as landowners may become involved in the planning and *development* process, either as an adjacent landowner or a proponent;
4. CAs may enter into agreements with federal and provincial ministries and municipalities to undertake delegated regulatory/approval responsibilities and/or reviews; and
5. CAs as a regulatory body, participate in the review of *development applications*. CAs will ensure that the applicant and municipal planning authority are aware of the regulations and requirements under the Conservation Authorities Act, as well as assist in the coordination of *applications* under the *Planning Act* and the *Conservation Authorities Act* to eliminate unnecessary delay or duplication in the process.

Where a *Planning Act application* has been made to the Township, the Township shall ensure that the CA has been consulted with respect to the requirement for a permit for any *development* or *site alteration*, or any other aspect of the proposal requiring a permit from the CA, prior to the approval of the *application*. The Township shall generally only approve such planning *applications* in circumstances where it is satisfied that the required permits are available.

The CA may also provide comments and recommendations to the Township on *Planning Act applications*. Unless otherwise provided for in this Plan, and/or in a services agreement between the Township and the CA, such comments are to be taken as advisory, and considered by the Township in relation to the relative merits of economic, social and other implications, and other goals, objectives, policies and requirements of the Township, as generally outlined in this Plan, as well as those of other commenting agencies and approval authorities.

The roles and responsibilities of the CA, as an advisory agency to the Township, may be further defined in a services agreement.

Beyond the regulated areas of the CA, the Township may use its discretion when seeking advice and assistance on some such matters. In these cases, the Township may opt to rely on the expertise of qualified staff, consultants, and/or the approval authority through the One-Window Provincial Planning Service.

## **7.6.2 Land Acknowledgement and Indigenous Engagement**

The Township is located on the traditional Indigenous lands of the Tionontati (Petun) and Treaty 18 territory of the Anishinaabe peoples.

Consistent with section 4.6.5 and 6.2.2 of the *PPS*, Mulmur “shall undertake early engagement with Indigenous communities and coordinate on land *use* planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land *use* decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights” and ensure “their interests are considered when identifying, protecting and managing *archaeological resources, built heritage resources and cultural heritage landscapes.*”

## **7.7 Cost Assessment and Recovery**

Any costs incurred by the Township in relation to a proposed *development* shall be recovered from the applicant pursuant to this policy and the Township’s User Fees and Charges By-law. This shall include the cost of processing site-specific *applications*, peer reviews, *Secondary Plan* studies, supporting background and technical studies, as well as other planning and *development* related initiatives undertaken for the benefit of the owners of specific properties, communities or defined areas. It may also include compensatory measures identified in an economic impact assessment.

An economic impact assessment may be required to evaluate the financial impact of settlement expansions, large scale developments and proposals which may have a detrimental economic impact on the Township. *Development* shall not be permitted to have a detrimental impact on the Township unless compensatory measures have been undertaken, to the satisfaction of the Township.

## **7.8 Development Agreements**

The Township may enter into *development* agreements to ensure that the costs of *development* are not borne by existing ratepayers in the Township. Such agreements may include requiring the developer to post a bond or irrevocable letter of credit to ensure that the construction of roads, services, *buildings, structures* and landscaping is completed to the satisfaction of the Township. In addition, the Township shall impose a *Development* Charge against new *development* to offset the capital costs that are likely to be incurred by the Township as the result of new *development*.

The Township will grant final approval to a *development* only when an agreement has been executed and registered on the title of the lands to which they apply. Such agreements shall be transferable to subsequent landowners.

The cost for capital improvements that are growth related, shall be carried out by and at the costs of the developer, recoverable through development charges, or through the imposition of conditions of *development* approval.

## **7.9 Flexibility**

The interpretation of the numerical figures with the exception of density figures and growth forecasts can be varied within 5 per cent of the figures in the text and such minor variation will not require an amendment to this Plan.

## **7.10 Zoning and By-laws**

This Plan is implemented through the *Zoning By-law*. The *Zoning By-law* places *designated* lands into Zoning categories and prescribe appropriate regulations for the permitted *use* thereunder.

Lands shall only be re-zoned in accordance with the policies and provisions of this Plan at such time as there is sufficient information to determine the appropriateness of specific zoning categories and when the *development* of such lands is in the public interest and is not considered to be premature.

### **7.10.1 Conditional Zoning**

Pursuant to Section 34 (16) of the *Planning Act*, the Township may, in a *Zoning By-law* or any amendment thereto, permit a *use* of land or the erection, location or *use* of *buildings* or *structures* and impose one or more prescribed conditions on the *use*, erection or location.

### **7.10.2 Holding Zones**

Pursuant to Section 36(2) of the *Planning Act*, the Township may utilize the holding “H” symbol.

Legally *existing uses* of *lots* so zoned are permitted. Other *uses* permitted in the applicable underlying zone are permitted once the Holding symbol has been removed.

The *use* of the Holding symbol shall generally be restricted to the following situations:

1. where adequate services are not yet available, but are anticipated;
2. where the lands are affected by adverse physical or environmental conditions which can be resolved to the Township’s satisfaction;
3. where the *development* may impose adverse financial impacts on the Township or where the financial requirements of the Township have yet to be satisfied;
4. where the precise nature of the proposed *development* and *use* is not yet known and the *development* of the land requires an agreement;
5. where the *development* is proceeding by Plan of Subdivision and the conditions of approval have yet to be satisfied; and

6. where studies and reports to address specific issues or requirements have not yet been provided to the satisfaction of the Township.

The Township shall remove the “Holding (H)” symbol by amendment to the *Zoning By-law*, when all of the conditions and requirements leading to the imposition of the Holding zoning have been met, or when the Township is satisfied that they can and will be met.

#### **7.10.3 Interim Control and Interim Control By-laws**

The Township may pass interim control by-laws pursuant to section 38 of the *Planning Act*, which may include all or any specific portion of the Township where Council has directed that a study be undertaken of land *use* planning policies prior to any further *development* and/or any change of *use* in the area to which the Interim Control By-law applies.

#### **7.10.4 Temporary Uses and Temporary Use By-laws**

The Township may pass by-laws pursuant to the section 39 of the *Planning Act* in order to authorize the temporary *use* of any land, *buildings* or *structures* for a purpose set out in such by-laws which may or may not otherwise comply with the policies and land *use* designations of this Plan.

Prior to the approval of a temporary *use* by-law, the Township shall be satisfied that the following criteria are met:

1. the proposed *use* shall be of a temporary nature;
2. the proposed *use* shall not be *incompatible* with adjacent land *uses* and the character of the surrounding area or neighborhood;
3. the proposed *use* shall not require the extension or expansion of existing municipal services;
4. the proposed *use* shall not significantly increase the volume or alter the type of traffic serviced by the area roads;
5. parking and other required temporary facilities and services required by the proposed *use* shall be provided entirely on-site; and
6. the proposed *use* shall generally be beneficial to the community as a whole.

The Township may permit extensions to a permitted temporary *use* for such additional periods as are provided for in the *Planning Act*.

The Township may require an agreement and securities relating to the removal of the *use* when it is no longer authorized as a temporary *use*.

#### **7.10.5 Minor Zoning Amendment Delegation of Authority**

Pursuant to sections 34, 36, 39 and 39.1 of the *Planning Act*, the Township may pass a by-law to delegate the approval authority for minor zoning amendments to a Committee of Council, or an individual who is an officer or employee of the Township. Such delegation may include:

1. A temporary *use* by-law;
2. A by-law to remove a holding “H” symbols;
3. A housekeeping by-law for the purpose of making clerical or other changes to assist in the interpretation of the *Zoning By-law*;
4. A minor zoning amendment which meets the tests of section 45(1) of the *Planning Act*, R.S.O., 1990 for a minor variance, being that the *building, structure* or the *use* is (1) minor numerically or based impact (2) desirable for the appropriate *development* or *use* (3) meets the general intent and purpose of the by-law, and (4) meets the general intent and purpose of the Official Plan;
5. A by-law that implements a related Official Plan amendment; and
6. A by-law that implements or satisfies a condition of Provisional Consent.

#### **7.11 Niagara Escarpment Plan and Development Control**

The lands within the Niagara Escarpment Plan (NEP) are protected through the Niagara Escarpment Planning and Development Act (NEPDA). The Township will ensure that future *development* in the vicinity of the Niagara Escarpment Plan Area will be *compatible* with the natural Escarpment environment and protect this important World Biosphere Reserve.

The NEP Area is included on Schedule A1 to this Plan for reference purposes. The NEC online resources should be consulted to determine if a property is within the Niagara Escarpment Commission’s Development Control Area (<https://escarpment.org/>).

Where there is a conflict between the policies of this Plan and those of the Niagara Escarpment Plan, the policies of the Niagara Escarpment Plan shall prevail. Where this Plan contains policies that are considered to be more rigorous or restrictive than those of the Niagara Escarpment Plan, and are not considered to be in conflict with the Niagara Escarpment Plan, the more restrictive or rigorous policies of this Plan would then apply.

#### **7.12 Non-conforming Uses**

This Plan will not limit the authority of the Township to pass a by-law permitting the extension or enlargement of any land, *building* or *structure* which is being *used*, at the time of the passing of such by-law, for a purpose which does not conform with the land *use* designation of this Plan. Such a by-law shall, however, be in conformity with the policies included in this section.

As a general rule, it is intended that any land *use* that legally exists on the date of approval of this Plan which does not conform with the land *use* designation shown on Schedules A1 to A6 and deemed to be a 'legal, *non-conforming use*' should, in the long term, cease to exist.

In specific instances, however, it may be desirable to permit the extension or enlargement of a legal, *non-conforming use* in order to avoid unnecessary hardship, provided the applicant is in conformity with the following policies.

Where an *application* for a minor variance, extension or enlargement of a legal, *non-conforming use* is received, the Committee of Adjustment shall ensure that the proposal does not aggravate the situation created by the existence of the *use*, especially in regard to the policies of this Plan and the requirements of the *Zoning By-law* applying to the *lot*, subject to the following policies:

1. An approved minor variance, extension or enlargement shall be in an appropriate proportion with respect to what is normally required by the *Zoning By-law*;
2. Visual impacts shall be minimal and acceptable and the proposal shall not impact significantly on the character of hamlets and communities, or the *rural character* of the Township generally;
3. The characteristics of the proposed minor variance or the existing *non-conforming use* or the proposed extension or enlargement shall be examined with regard to noise, vibration, fumes, smoke, dust, odour, lighting, aesthetics and traffic generating capacity. No approval shall be granted if one or more such nuisance factors will be created or increased so as to add substantially to the incompatibility of the *use* with the surrounding area. The proposal shall also satisfy the applicable requirements of other regulatory agencies;
4. Neighbouring conforming *uses* will be protected where necessary by the provision of areas for landscaping, buffering or screening, appropriate setbacks for *buildings* and *structures*, devices and measures to reduce nuisances, and where necessary, regulations for alleviating *adverse effects* caused by such things as outside storage, lighting, and advertising signs. Such provisions and regulations shall be applied to the minor variance or proposed extension or enlargement and, wherever feasible, shall also be extended to the neighboring complying *use* in order to improve its compatibility with the surrounding area;
5. Traffic and parking conditions in the vicinity will not be adversely affected by the granting of the *application*, and traffic hazards will be kept to a minimum by the

appropriate design of entrance and exit points to and from the site and improvements of sight lines, particularly near intersections;

6. Adequate provisions have been or will be made for off-road parking and loading facilities;
7. Adequate municipal services such as roads and water supply and individual on-site sewage disposal facilities, and other necessary services are available or can be made available; and
8. *Significant* natural features, areas, and functions will be protected in accordance with the policies of this Plan.

While *existing uses* continue to be permitted in *Settlement areas*, expansion of existing legal, *non-conforming uses* that are *incompatible* due to noise, odour or other emissions, or result in other undesirable impacts on residential *uses*, shall not be permitted.

The *Zoning By-law* may recognize that there are *lots* that exist within the Township which do not meet the minimum *lot* size requirements established in this Plan. The By-law shall permit these *lots* to be developed in accordance with the policies of this Plan provided that they are large enough to accommodate a *dwelling*, septic system and water supply and meet the other requirements of this Plan, the *Zoning By-law* and those of other regulatory authorities;

### 7.13 **Official Plan Amendments**

An amendment to the Schedules or the text of this Plan is required to: change a designation or policy of this Plan; and/or permit any *development* or the establishment of any *use* not expressly permitted by this Plan or otherwise exempted from municipal *Planning Act* approval by Provincial or Federal statutes or the regulations made thereto.

In considering any amendment to Schedule A1 to A7 which would re-designate additional areas for a particular *development* or *use*, or change the permitted *uses* of a particular area or otherwise change the policies of this Plan, the Township shall have due regard to the following general criteria which are in addition to those outlined elsewhere in this Plan;

1. The need for the proposed *use*;
2. The extent to which the existing areas in the proposed designation are developed, and the nature and adequacy of such existing *development*;
3. The physical suitability of the land;
4. The location of the areas under consideration with respect to the adequacy of the existing and proposed road system in relation to the *development* of such proposed

areas; and the convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto;

5. The adequacy of the potable water supply, sewage disposal facilities, and municipal services in accordance with this Plan and/or in accordance with the conclusions and recommendations of required technical reports;
6. The compatibility of such proposed *use* with *uses* in the surrounding area;
7. The potential effect of the proposed *use* on the financial position of the Municipality;
8. The effect of the proposed *use* on the population level and the social character of the community;
9. The impact of the proposed *use* on the natural and scenic resources and features of the Township and its open, rural and natural landscape; and
10. A statement prepared by a qualified planner certifying that the amendment conforms with the Provincial Policy Statement and does not conflict with any other Provincial Plan.

The Township shall weigh the impacts of a proposed *development*, including *rural character* against other impacts, including but not limited to social, economic and community benefits, and the policies of this Plan generally, in order to make a determination as to the desirability, and ultimately the appropriateness of any such *development*.

*Developments* and *site alterations* that have a substantial detrimental impact on *rural character*, that, in the opinion of the Township, outweigh the benefits of the proposal, shall not generally be approved.

#### **7.14 Parkland**

Parkland, or a cash contribution in lieu of parkland shall be provided in all cases where permitted pursuant to the provisions of the *Planning Act*. The Township may pass a by-law to further implement the parkland requirements for *development*.

#### **7.15 Phasing**

Consistent with section 2.3.1(6) of the *PPS*, Mulmur will require phasing where appropriate, “to ensure that *development* is orderly and aligns with the timely provision of the *infrastructure and public service facilities*” with limited *adverse effects* on existing residents.

*Phasing plans* shall generally be regulated through conditions of approval or an agreement.



## **7.16     Review of Official Plan**

In accordance with Section 26 of the *Planning Act*, a comprehensive review of this Plan shall be undertaken by the Township every ten years after the approval of a new official plan and every five years thereafter, and up-dated as necessary to keep it current, relevant and addressing the Township's needs.

## **Part 8: Site Specific Policy Areas**

Notwithstanding any other provision of this Plan to the contrary, the permitted *use* provided for in the following Site Specific Policy Areas shall not expand in scale, nor in area, nor be permitted to add to or change the nature of their operation in any substantive way until such time as a new site plan has been submitted to and approved by the Township, and a site plan agreement has been executed and registered on title.

### **8.1 Site Specific Policy Area 1**

An existing transport terminal and related *outdoor storage* yard and an *accessory residential dwelling* only, in Part East Half *Lot 1*, Concession 8 EHS shall be permitted.

### **8.2 Site Specific Policy Area 2**

An existing private hockey *school* and related residential accommodation only, in the East Half of *Lot 1*, Concession 2 EHS shall be permitted.

### **8.3 Site Specific Policy Area 3**

An existing automobile wrecking/recycling yard and scrap metal recycling establishment, in Part West Half of *Lot 29*, Concession 8 EHS shall be permitted;

Notwithstanding any other provision of this Plan to the contrary, permitted *uses* shall not expand in scale, nor in area, nor be permitted to add to or change the nature of their operation in any substantive way.

Any aspect of the *development* and/or *use* that has not been proven to have been legally established, shall cease to be permitted, and; all such *uses* shall cease, all such *developments* shall be removed or converted and the site shall be rehabilitated and restored for a purpose permitted in the Agricultural designation and zone, and; actions may be commenced, if/as necessary, to enforce compliance with the *Zoning By-law*.

### **8.4 Site Specific Policy Area 4**

An existing Salvation Army Adult *Group Home Care Facility* and related residential accommodation only, in the East Half of *Lot 31*, Concession 8 EHS, shall be permitted.

### **8.5 Site Specific Policy Area 5**

An existing water bottling operation, in Part West Half *Lot 16*, Concession 4 EHS shall be permitted. Notwithstanding any other provision of this Plan to the contrary, the permitted *use* shall not expand in scale, nor in area, nor be permitted to add to or change the nature of their operation in any substantive way until such time as; the lands have been re-zoned and the *developments* and *uses* have been brought into conformity with the applicable requirements and standards of the *Zoning By-law*, by site-specific

amendment; the requirements of the Township and other review agencies, such as the Ministry of the Environment and the *Conservation* Authority have been addressed; and a site plan has been submitted to and approved by the Township, and a site plan agreement has been executed and registered on title.

#### **8.6 Site Specific Policy Area 6 – Mansfield North Rec Estate Residential**

~~Only existing estate residential subdivisions, smaller areas where infilling may occur within such areas, as well as one of the larger, yet undeveloped parcels *designated* and zoned Estate Residential as of June 16, 2006 and located in the south portion of the East Half of Lot 16, Concession 6 EHS, are included in the Estate Residential designation in this Plan.~~

~~If this larger parcel is not developed for permitted Estate Residential purposes, it may be developed for recreation, recreation-related or recreation-related residential purposes, provided adequate justification under the Provincial Policy Statement is provided.~~

~~The development of other areas, outside of the Residential Designation within the Mansfield North Recreational Area may occur either by site-specific amendment to this Plan or in accordance with a Recreation Area Master Plan for all or some smaller portion of the area identified as the Mansfield North Recreational Area and in accordance with the policies of this Plan.~~

#### **8.7 Site Specific Policy Area 7**

An existing private, non-commercial fox hunting club and related *buildings* and *structures*, located in Part West Half Lot 28, Concession 6 EHS shall be permitted. The private, non-commercial fox hunting club shall be permitted as an *accessory use* to the existing residential *dwelling* on the *lot* and shall be permitted to be *used* only for the private enjoyment of the owners, and guests of the owners, on a non-commercial basis. The conversion of this *use* to a commercial establishment shall only be permitted if an amendment to this Plan is obtained and the lands are re-zoned and brought under site plan control.

#### **8.8 Site Specific Policy Area 8**

A *parking lot accessory* to, and operated solely by and for the purposes of the Mansfield Ski Club Inc., to accommodate vehicles on an overflow basis during special events and periods of heavy *use* only, is permitted as an additional *use*. The *parking lot use* shall cease and the *parking lot* removed and rehabilitated before a *building* permit is issued for any *dwelling unit* on the *lot*.

## **Part 9: Definitions**

The following definitions have been compiled to provide consistency with the *PPS* (with reference provided in brackets) and to assist the reader with the interpretation and implementation of this Plan.

It should be noted that many of the terms defined below are also common terms *used* in the normal language of the Plan. They are therefore not intended, in all cases, to be interpreted as having the same meaning as the definitions provided below, which are often intended to apply only to specific contexts. In most instances, the intended context(s) of the terms are provided in the definitions.

### **Access Standards**

means methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of *protection works*, during times of *flooding hazards*, *erosion hazards* and/or *other water-related hazards*. (*PPS 2024*)

### **Accessory**

means a *use*, *building* or *structure* which is usually incidental, subordinate to and exclusively devoted to the principal *use* located on the same *lot*. An *accessory* use, building or *structure* shall generally not be *used* for human habitation, except where specifically permitted and referenced as an *accessory* dwelling unit.

### **Active Transportation**

means Human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed. (*PPS 2024*)

### **Additional Needs Housing**

means any housing, including dedicated facilities, in whole or in part, that is *used* by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of *additional needs housing* may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for *persons* with disabilities such as physical, sensory or mental health disabilities, and housing for older *persons*. (*PPS 2024*)

### **Adjacent Lands**

means

1. for the purposes of *PPS* policy 3.3.3, those lands contiguous to existing or *planned corridors* and transportation facilities where *development* would have a *negative impact* on the corridor or facility. The extent of the *adjacent lands* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives;
2. for the purposes of *PPS* policy 4.1.8, 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;

3. for the purposes of PPS policies 4.4.2.2 and 4.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources*, *mineral deposits*, or *deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province;
4. for the purposes of PPS policy 4.6.3, those lands contiguous to a *protected heritage property* or as otherwise defined in the *municipal official plan* (PPS 2024); and
5. For all other purposes, adjacent shall mean sharing a common vertex and a common side.

### **Adverse Effect**

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

1. impairment of the quality of the natural environment for any *use* that can be made of it;
2. injury or damage to *property* or plant or animal life;
3. harm or material discomfort to any *person*;
4. an *adverse effect* on the health of any *person*;
5. impairment of the safety of any *person*;
6. rendering any *property* or plant or animal life unfit for human *use*;
7. loss of enjoyment of normal *use* of *property*; and
8. interference with normal conduct of business. (PPS 2024)

### **Affordable**

means

1. in the case of ownership housing, the least expensive of:
  - a. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for *low and moderate income households*; or
  - b. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the municipality.
2. in the case of rental housing, the least expensive of:

- a. a unit for which the rent does not exceed 30 percent of gross annual household income for *low and moderate income households*; or
- b. a unit for which the rent is at or below the average market rent of a unit in the municipality. (PPS 2024)

### **Agricultural Condition**

means

1. in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained, restored or enhanced; and
2. in regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture will be maintained, restored or enhanced. (PPS 2024)

### **Agricultural Impact Assessment**

means the evaluation of potential impacts of non- *agricultural uses* on the *agricultural system*. An assessment recommends ways to avoid or if avoidance is not possible, minimize and mitigate adverse impacts. (PPS 2024)

### **Agricultural System**

means a system comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. It has two components:

1. An agricultural land base, based on mapping provided by the Province, where mapping is available and required, comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands* that together create a continuous productive land base for agriculture; and
2. An *agri-food network* which includes agricultural operations, *infrastructure*, services, and assets important to the viability of the agri-food sector. (PPS 2024)

### **Agricultural Uses**

means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and *fish*; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on- farm *buildings* and *structures*, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and housing for farm workers when the size and nature of the operation requires additional employment. (PPS 2024)

An agricultural operation shall be considered an operation where the primary use is an agricultural use. A farm shall have the same meaning as an agricultural operation.

**Agriculture-related Uses**

means those farm- related commercial and farm-related industrial *uses* that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. (PPS 2024)

**Agri-food Network**

means within the *agricultural system*, a network that includes elements important to the viability of the agri-food sector such as regional *infrastructure* and transportation networks; agricultural operations including on-farm *buildings* and primary processing, *infrastructure*; agricultural services, farm markets, and distributors,; and vibrant, agriculture-supportive communities. (PPS 2024)

**Agri-tourism Uses**

means those farm-related tourism *uses*, including limited accommodation such as a *bed and breakfast*, that promote the enjoyment, education or activities related to the farm operation. (PPS 2024)

**Airports**

means all Ontario *airports*, including *designated* lands for future *airports*, with Noise Exposure Forecast (NEF)/Noise Exposure Projection (NEP) mapping. (PPS 2024)

**Alternative Energy System**

*means a system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems. (PPS 2024)*

**Application**

means an *application* under the *Planning Act*, R.S.O. 1990, c.P. 13 as amended, unless otherwise specified.

**Archaeological Resources**

means artifacts, archaeological sites and marine archaeological sites, as defined under the Ontario Heritage Act and where identification and evaluation of such resources are based upon archaeological assessments carried out by archaeologists licensed under the Ontario Heritage Act. (Based on PPS 2024)

**Areas of Archaeological Potential**

means areas with the likelihood to contain *archaeological resources*, as evaluated using the processes and criteria that are established under the *Ontario Heritage Act*. (PPS 2024)

**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. (PPS 2024)

**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. (PPS 2024)

**Attached**

means a *building* otherwise complete in itself, which depends, for structural support or complete enclosure, upon a division wall or walls shared in common with an adjacent *building* or *buildings*.

**Brownfield Sites**

means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant. (PPS 2024)

**Building**

means a *structure* consisting of walls, roof and floor or a structural system serving the same purpose as defined in the *Building Code* and including carports and cloth, plastic or vinyl materials supported by structural frames but does not include awnings.

**Built Heritage Resource**

means a *building*, *structure*, monument, installation or any manufactured or constructed part or remnant that contributes to a *property's* cultural heritage value or interest as identified by a community, including an Indigenous community. (PPS 2024)

**Compact Built Form**

means a land *use* pattern that encourages the efficient *use* of land, walkable neighborhoods, mixed land *uses* (residential, retail, workplace, and institutional) all within one neighborhood, proximity to transit and reduced need for *infrastructure*. *Compact built form* can include detached and semi-detached houses on small *lots* as well as townhouses, duplexes, triplexes and walk-up apartments, multi-storey commercial *developments*, and apartments or offices above retail. Walkable neighborhoods can be characterized by roads laid out in a well- connected network, destinations that are easily accessible by transit and *active transportation*, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads. (PPS 2024)

**Complete Communities**

means places such as mixed-*use* neighborhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for equitable access to many necessities for daily living for people of all ages and abilities, including an appropriate mix of jobs, a full range of housing, transportation options, *public service facilities*, local stores and services. *Complete communities* are inclusive and may take different shapes and forms appropriate to their contexts to meet the diverse needs of their populations. (PPS 2024)

**Comprehensive Rehabilitation**

means *rehabilitation* of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the *rehabilitation* of other sites in an area where there is a high concentration of *mineral aggregate operations*. (PPS 2024)



**Conserved**

means the identification, protection, management and use of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations set out in a *conservation* plan, archaeological assessment, and/or heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision-maker. Mitigative measures and/or alternative *development* approaches should be included in these plans and assessments. (PPS 2024)

**Cultural Heritage Landscape**

means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as *buildings*, *structures*, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. (PPS 2024)

**Deposits of Mineral Aggregate Resources**

means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using provincial guidelines for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction. (PPS 2024)

**Designated**

means

1. when reference is made to the Ontario Heritage Act, means *protected heritage property* in respect of which a designation has been carried out under the Ontario Heritage Act; and
2. In all other respects, *designated*, or designation, refers to the particular land use category or categories of land as depicted on the Schedules to this Plan.

**Designated and Available**

means lands *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 commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition. (PPS 2024)

**Designated Vulnerable Area**

means areas defined as *vulnerable*, in accordance with provincial standards, by virtue of their importance as a drinking water source. (PPS 2024)

**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:

1. activities that create or maintain *infrastructure* authorized under an environmental assessment process or identified in provincial standards;
2. works subject to the Drainage Act; or
3. for the purposes of *PPS* policy 2.1.4(a), underground or surface mining of minerals or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the Mining Act. Instead, those matters shall be subject to *PPS* policy 2.1.5(a). (*PPS2024*)

### **Drinking-Water System**

means a system of work, excluding plumbing, that is established for the purpose of providing users of the system with drinking water and that includes:

1. anything *used* for the collection, production, treatment, storage, supply, or distribution of water;
2. anything related to the management of residue from the treatment process or the management of the discharge of a substance into the natural environment from the treatment system; and
3. a well or intake that serves as the source or entry point of raw water supply for the system. (*Safe Drinking Water Act*, 2002)

### **Dwelling**

means a *building* or part of a *building* containing a combination of rooms in which a kitchen, living quarters, sleeping areas and sanitary conveniences are provided for the exclusive *use* of one or more *persons* either continuously, permanently, temporarily or transiently, and with a private entrance from outside the *building* or from a common hallway or stairway inside, and occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place. It may include a modular home constructed in accordance with the *Building Code* and C.S.A. A-277 Regulations, but does not include a mobile home, travel trailer, camper, or other similar vehicle.

A dwelling unit and residential unit shall have the same definition as a dwelling.

A principal dwelling shall be the primary or larger dwelling unit where more than one dwelling exists on a property. Where a dwelling has an *attached* apartment, the larger dwelling unit shall be considered the principal dwelling, and may also be referred to as a single detached dwelling.

### **Ecological Function**

means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes, including *hydrologic functions* and biological, physical, chemical and socio-economic interactions. (*Greenbelt Plan*, *PPS* 2024)

**Employment Area**

means those areas *designated* in an official plan for *clusters* of business and economic activities including manufacturing, research and *development* in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An *employment area* also includes areas of land described by subsection 1(1.1) of the *Planning Act*. *Uses* that are excluded from *employment areas* are institutional and commercial, including retail and office not associated with the primary employment *use* listed above. (PPS 2024)

**Endangered Species**

means a species that is classified as “*Endangered species*” on the Species at Risk in Ontario List, as updated and amended from time to time. (PPS 2024)

**Erosion Hazard**

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 considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion access allowance. (PPS 2024)

**Essential Emergency Service**

means services which would be impaired during an emergency because of flooding, the failure of floodproofing measures and/or *protection works*, and/or erosion. (PPS 2024)

**Existing Use**

means the *use* of any land, *building* or *structure* legally existing on the day of approval of this Plan, or any preceding Official Plan of the Township, or; approved in accordance with the provisions of this Plan prior to the date of any amendment to the Plan that subsequently prohibited the *use*.

**Farm Workers Housing**

means housing for farm workers when the size and nature of the operation requires additional employment.

**Fish**

means *fish*, which as defined in the *Fisheries Act*, includes *fish*, *shellfish*, crustaceans, and marine animals, at all stages of their life cycles. (PPS 2024)

**Fish Habitat**

as defined in the *Fisheries Act*, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which *fish* depend directly or indirectly to carry out their life processes. (PPS 2024)

**Flood Fringe**

for river, stream and small inland lake 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*. (PPS 2024)

**Flood Plain**

for river, stream and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *flooding hazards*. (PPS 2020)

**Flooding Hazard**

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:

1. along the shorelines of the *Great Lakes - St. Lawrence River System* and large inland lakes, the *flooding hazard* limit is based on the *one-hundred-year flood level* plus an allowance for *wave effects* and other water- related hazards;
2. along river, stream and small inland lake systems, the *flooding hazard* limit is the greater of:
  - a. 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;
  - b. the *one-hundred-year flood*; and
  - c. a flood which is greater than 1. or 2. which was actually experienced in a particular *watershed* or portion thereof, for example, as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry; except where the *use* of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific *watershed* (where the past history of flooding supports the lowering of the standard). (PPS 2024)

**Floodway**

means for river, stream and small inland lake systems, means the portion of the floodplain where *development* 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 contiguous *flood plain*.

Where the *two-zone concept* is applied, the *floodway* is the contiguous 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*. (PPS 2024)

**Freight-supportive**

regarding land *use* patterns, means *transportation systems* and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land *use* and *transportation systems*. Approaches may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives. (PPS 2024)

**Garden Township**

means an area dominated by its natural landscape, with various focal points, *settlement areas* and cultivated lands. A *Garden Township* provides for a range of amenities to remain a desirable, safe, prosperous and natural place for its residents to live, work, learn, and play.

**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. (PPS 2024)

**Green Infrastructure**

means natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs. (PPS 2024)

**Ground Water Feature**

means water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations. (PPS 2024)

**Group Home**

means a residential *dwelling* in which up to 6 residents excluding staff live as a family under responsible supervision on a shared accommodation; without the need for on-site specialized medical or other professional care. A *group home* does not include a *Group Home Care Facility*, or a home licensed or approved under any Provincial statute.

**Group Home Care Facility**

means a facility that is licensed and/or funded by a Public Agency for the accommodation of *persons* living in a single housekeeping unit or residence and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement and/or on-site care for their well being. A *group home care facility* may include a Special Care Residential Home, Supportive Housing Program, Adult Community Mental Health Program, Children's Residence, Accommodation Services for the *Developmentally* Handicapped, Satellite Residences for Seniors and Homes for Physically Disabled Seniors, permitted and in compliance with municipal by-laws.

**Habitat of Endangered Species and Threatened Species**

means *habitat* within the meaning of Section 2 of the *Endangered species Act*, 2007. (PPS 2024)

**Hazardous Forest Types for Wildland Fire**

means forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources, as amended from time to time. (PPS 2024)

**Hazardous Lands**

means property or land that could be unsafe for development due to naturally occurring processes. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits. (PPS 2024 modified)

**Hazardous Sites**

means *property* or land 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). (PPS 2024)

**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. (PPS 2024)

**Heritage Attributes**

means, as defined under the *Ontario Heritage Act*, in relation to real *property*, and to the *buildings* and *structures* on the real *property*, the attributes of the *property*, *buildings* and *structures* that contribute to their cultural heritage value or interest. (PPS 2024)

**Highly Vulnerable Aquifer**

are aquifers — highly saturated underground areas whose water can be drawn for human *use* — that are particularly susceptible to contamination, either *because* of their proximity to the surface or *because* of the characteristics of the materials underground that make up and surround the aquifer (derived from Source Protection Plan).

**Housing Options**

means a range of housing types such as, but not limited to single detached, semi-detached, rowhouses, townhouses, stacked townhouses, multiplexes, additional *residential units*, tiny homes, laneway housing, *garden suites*, rooming houses, and multi-residential *buildings*, including low- and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, *affordable housing*, *additional needs housing*, multi-generational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or *institutional uses*, such as long-term care homes. (PPS 2024)



**Home Industry**

means a small-scale *use*, providing a service primarily to the local community or area and which is *accessory* to a residential *use* or agricultural operation, performed by one or more residents of the household on the same *property*. A *home industry* is conducted primarily in an *accessory building* and may include a carpentry shop, a metal working shop, a welding shop, an electrical shop or blacksmith's shop, etc.

**Home Occupation**

means a service occupation, carried out within a *dwelling unit* performed by one or more residents of the household on the same *property*. Such occupations include, but are not limited to services performed by: an accountant, architect, auditor, dentist, medical practitioner, engineer, insurance agent, land surveyor, lawyer, realtor, planner, hairdresser, desk top publisher or word processor, computer processing provider, teacher or day care provider.

**Hydrologic Function**

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 environment including its relation to living things. (PPS 2024)

**Impacts of a Changing Climate**

means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability. (PPS 2024)

**Individual On-Site Sewage Services**

means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the *property* upon which the system is located. (PPS 2024)

**Individual On-Site Water Services**

means individual, autonomous water supply systems that are owned, operated and managed by the owner of the *property* upon which the system is located. (PPS 2024)

**Infrastructure**

means physical *structures* (facilities and corridors) that form the foundation for *development*. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, *waste management systems*, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, *active transportation systems*, oil and gas pipelines and associated facilities. (PPS 2024)

**Intensification**

means the *development* of a *property*, site or area at a higher density than currently exists through:

1. *redevelopment*, including the reuse of *brownfield sites*;

2. the *development* of vacant and/or underutilized *lots* within previously developed areas;
3. infill *development*; and
4. the expansion or conversion of existing *buildings*. (PPS 2024)

### **Legal or Technical Reasons**

means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new *lot*. (PPS 2024)

### **Lot**

means a parcel or tract of land described in a deed or other legal document which is legally capable of conveying title and:

1. Which is a whole *lot* within a Registered Plan of Subdivision, or *lot* within a Registered Plan of Condominium other than a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision under a By-law passed pursuant to Section 50(4) of The *Planning Act* R.S.O. 1990 as amended; or
2. Which is a legally separated parcel of land in existence on the date of passing of this By-law without the owner holding the fee or the equity or redemption in, or power or right to grant, assign or exercise a power of appointment with respect to any abutting land; or
3. The description of which is the same as in a deed which has received final consent to a conveyance pursuant to Section 53 of the *Planning Act*, R.S.O 1990, as amended; or
4. Which is the whole remnant remaining to an owner or owners after a conveyance is made with final consent pursuant to Section 53 of The *Planning Act*, R.S.O. 1990, as amended, but for the purpose of this paragraph no parcel or tract of land ceases to be a *lot* by reason only of the fact that a part or parts of it has or have been conveyed to or acquired by the Township of Mulmur, His Majesty in the Right of Ontario or His Majesty in the Right of Canada.

### **Low and Moderate Income Households**

means

1. in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the *Regional Market Area*; or
2. in the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the *Regional Market Area*. (PPS 2024)

### **Low Impact Development**

means an approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater



pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. *Low impact development* can include, for example: bio-swales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and exfiltration systems.(PPS 2024)

### **Major Facilities**

means facilities which may require separation from *sensitive land uses*, including but not limited to *airports*, manufacturing *uses*, transportation *infrastructure* and corridors, rail facilities, marine facilities, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities. (PPS 2024)

### **Major Goods Movement Facilities and Corridors**

means transportation facilities, corridors and networks associated with the inter- and intra-provincial movement of goods. Examples include inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors *used* for the movement of goods and those identified in provincial transportation plans. Approaches that are *freight-supportive* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives. (PPS 2024)

### **Metallic Minerals**

means those minerals from which metals (e.g. copper, nickel, gold) are derived. Non-*metallic minerals* mean 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. graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite). Critical minerals are a subset of raw materials that have specific industrial, technological or strategic applications for which there are a few viable substitutes. (PPS 2024)

### **Minerals**

means *metallic minerals* and non- metallic minerals as herein defined but does not include *mineral aggregate resources* or *petroleum resources*. (PPS 2024)

### **Mineral Aggregate Operation**

means

1. lands under license or permit, other than for *wayside pits* and *quarries*, issued in accordance with the Aggregate Resources Act;
2. 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
3. associated facilities *used* in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products. (PPS 2024)

**Mineral Aggregate Resources**

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. (PPS 2024)

**Mineral Aggregate Resource Conservation**

means

1. the recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
2. the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to *development* occurring. (PPS 2024)

**Mineral Deposits**

means areas of identified minerals that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction. (PPS 2024)

**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. (PPS 2024)

**Minimum Distance Separation Formulae**

means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities. (PPS 2024)

**Multimodal Transportation System**

means relating to the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, *higher order transit*, rail (such as freight), trucks, air, and marine. (PPS 2024)

**Municipal Sewage Services**

means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality. (PPS 2024)

**Municipal Water Services**

means a municipal *drinking-water system* within the meaning of section 2 of the *Safe Drinking Water Act, 2002*. (PPS 2024)

## Natural Heritage Features and Areas

means features and areas, including *significant wetlands*, *significant coastal wetlands*, other *coastal wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat*, *significant woodlands* and *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), *habitat of endangered species 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. (PPS 2024)

## Natural Heritage System

means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and *conservation* reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support *hydrologic functions*, and working landscapes that enable *ecological functions* to continue. The Province has a recommended approach for identifying *Natural Heritage Systems*, but municipal approaches that achieve or exceed the same objective may also be used. (PPS 2024)

## Negative Impacts

means

1. in regard to PPS policy 3.6.4 and 3.6.5, potential risks to human health and safety and degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
2. in regard to *fish habitat*, any harmful alteration, disruption or destruction of *fish habitat*, except where an exemption to the prohibition has been authorized under the *Fisheries Act*;
3. in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities;
4. in regard to PPS policy 4.2, degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their *related hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities; and
5. in regard to PPS policy 3.3.3, any *development* or *site alteration* that would compromise or conflict with the planned or existing function, capacity to accommodate future needs, and cost of implementation of the corridor. (PPS 2024)

**Non-Conforming**

means an *existing use* or activity of any land, *building* or *structure* which does not conform with the permitted *uses* or activities, of this Plan for the Designation in which such existing land, *building* or *structure* is located.

**Normal Farm Practices**

means a practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or

makes *use* of innovative technology in a manner consistent with proper advanced farm management practices. *Normal Farm Practices* shall be consistent with the Nutrient Management Act, 2002 and regulations made under that Act. (PPS 2024)

**Oil, Gas and Salt Hazards**

means any feature of a well or work as defined under the Oil, Gas and Salt Resources Act, or any related disturbance of the ground that has not been rehabilitated. (PPS 2024)

**On-farm Diversified Uses**

means *uses* that are secondary to the principal agricultural *use* of the *property* and are limited in area. *On-farm diversified uses* include, but are not limited to, *home occupations*, *home industry*, *agri-tourism uses*, and *uses* that produce value-added agricultural products and electricity generation facilities and transmission systems, and energy storage systems. (PPS 2024)

**One-hundred-year Flood**

means for river, stream and small inland lake 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. (PPS 2024)

**One-hundred-year Flood Level**

means

1. 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 equalled or exceeded in any given year;
2. in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous Stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
3. for *large inland lakes*, lake levels and wind setups that have a 1% chance of being equalled 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. (PPS 2024)

**Other Water-related Hazards**

means water- associated phenomena other than *flooding hazards* and *wave effects* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming. (PPS 2024)

**Partial Services**

means *municipal sewage services* or *private communal sewage services* combined with *individual on-site water services*; or *municipal water services* or *private communal water services* combined with *individual on-site sewage services*. (Example: Mansfield settlement area. PPS 2024)

**Person**

means any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executor or other legal representatives of a *person* to whom the context can apply according to law.

**Pit**

means land or land under water from which unconsolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a *building* or other work on the excavation site or in relation to which an order has been made under sub-section 1(3) of the Aggregate Resources Act.

**Petroleum Resource Operations**

means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas and other hydrocarbons, and compressed air energy storage. (PPS 2024)

**Petroleum Resource**

means oil, gas, and salt (extracted by solution mining method) and formation water 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, or compressed air energy storage. (PPS 2024)

**Planned Corridors**

means corridors or future corridors which are required to meet projected needs, and are identified through provincial transportation plans, preferred alignment(s) determined through the Environmental Assessment Act process, or identified through planning studies where the Ontario Ministry of Transportation, Metrolinx, Ontario Ministry of Energy and Electrification, Ontario Northland, Ministry of Northern *Development* or Independent Electricity System Operator (IESO) or any successor to those ministries or entities is actively pursuing or has completed, the identification of a corridor. Approaches for the identification and protection of *planned corridors* may be recommended in guidelines developed by the Province. (PPS 2024)

**Planning Act**

Means the *Planning Act* R.S.O. 1990, c.P. 13, as amended or replaced and includes any and all regulations and proclamations thereunder.

**Portable Asphalt Plant**

means a facility 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; and

which is not of permanent construction, but which is to be dismantled at the completion of the construction project. (*PPS 2024*)

**Portable Concrete Plant**

means a *building* or *structure* with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials *used* in the process; and

which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project. (*PPS 2024*)

**Prime Agricultural Area**

means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by a planning authority based on provincial guidance or informed by mapping obtained from the Ontario Ministry of Agriculture, Food and Agribusiness and the Ontario Ministry of Rural Affairs or any successors to those ministries. (*PPS 2024*)

**Prime Agricultural Land**

means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection. (*PPS 2024*)

**Private Communal Sewage Services**

means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or more *lots* or private residences and is not owned by a municipality. (*PPS 2024*)

**Private Communal Water Services**

means a non-municipal *drinking-water system* within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more *lots* or private residences (*PPS 2024*)

**Property**

means real *property*, including all *buildings* and *structures* thereon.

**Protected Heritage Property**

means *property designated* under Part IV or VI of the *Ontario Heritage Act*; *property* included in an area *designated* as a heritage conservation district under Part V of the *Ontario Heritage Act*;



*property* subject to a heritage *conservation* easement or covenant under Part II or IV of the *Ontario Heritage Act*; *property* identified by a provincial ministry or a prescribed public body as a *property* having cultural heritage value or interest under the Standards and Guidelines for the *Conservation of Provincial Heritage Properties*; *property* protected under federal heritage legislation; and UNESCO World Heritage Sites. (PPS 2024)

### **Protection Works**

means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards*, *erosion hazards* and *other water-related hazards*, and to allow access for their maintenance and repair. (PPS 2024)

### **Provincial and Federal Requirements**

means

1. in regard to PPS policy 4.1.6, legislation and policies administered by the federal or provincial governments for the purpose of *fisheries* protection (including *fish* and *fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
2. in regard to policy 4.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat. (PPS 2024)

### **Provincial Planning Statement (PPS)**

means a policy statement within the meaning of section 1 of the *Planning Act*, and being the 2024 Provincial Planning Statement as amended or replaced.

### **Public Service Facilities**

means land, *buildings* and *structures*, including but not limited to *schools*, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, childcare and educational programs, including elementary, secondary, post-secondary, long-term care services, and cultural services. *Public service facilities* do not include *infrastructure*. (PPS 2024)

### **Public Authority**

means any Federal, Provincial, County, District or Municipal agencies, and includes any commission, board, authority or department established by such agency and shall include Ontario Hydro, and Bell Canada or their successors.

### **Public Uses**

means those land *uses*, and related *developments* and activities associated with any Federal, Provincial or municipal government or government agency, and includes any commission, board, authority or department.

**Quality and Quantity of Water**

means measured by indicators associated with *hydrologic function* such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime. (PPS 2024)

**Quarry**

means land or land under water from which consolidated aggregate is being or has been excavated and has not been rehabilitated but does not mean land or land under water excavated for a *building* or other work on the excavation site or in relation to which an order has been made under sub-section 1(3) of the Aggregate Resources Act.

**Redevelopment**

means the creation of new units, *uses* or *lots* on previously developed land in existing communities, including *brownfield sites*. (PPS 2024)

**Regional Market Area**

refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *Regional Market Area*. However, where a *Regional Market Area* extends significantly beyond these boundaries, then the *Regional Market Area* may be based on the larger market area. Where *Regional Market Areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized. (PPS 2024)

**Rehabilitation**

means the treatment of land, after extraction, so that the use or condition of the land is restored to its former use or condition or is changed to another use or condition which is compatible with adjacent uses and the objectives and policies of this Plan. Progressive *Rehabilitation* is done sequentially, within a reasonable time, in accordance with the Aggregate Resources Act, its regulations, the site plans and the conditions of the license or permit during the period that aggregate is being excavated and in accordance with the provisions of this Plan, and the Niagara Escarpment Plan where applicable.

**Renewable Energy Source**

means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces. (PPS 2024)

**Renewable Energy System**

means a system that generates electricity, heat and/or cooling from a *renewable energy source*. (PPS 2024)

**Reserve Water System Capacity**

means design or planned capacity in a water treatment facility which is not yet committed to existing or approved *development*. *Reserve water system capacity* applies to *municipal water services* or *private communal water services*, and not *individual on-site water services*. (PPS 2024)



**Residence Surplus to An Agricultural Operation**

means one existing habitable detached *dwelling* including any associated additional residential units, that are rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation). (PPS 2024)

**Resource Management**

means the preservation, protection and improvement of the natural environment through comprehensive management and maintenance, under professional direction for both the individual and society's *use*, both in the present and the future. *Resource management* also means the management, *development* and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource.

**Resource-based Recreational Use**

means leisure activities that primarily rely on and utilize natural resources such as land, water and wildlife for their enjoyment.

**River, Stream and Small Inland Lake Systems**

means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event. (PPS 2024)

**Rural Areas**

means a system of lands within municipalities that may include rural settlement areas, rural lands, *prime agricultural areas*, *natural heritage features and areas*, and resource areas. (PPS 2024)

**Rural Lands**

means lands which are located outside *settlement areas*, and which are outside *prime agricultural areas*. (PPS 2024)

**Rural Character**

means the landscape that is established through preferred patterns of land *use* that prioritize agriculture, natural environments, and low-density *development* to facilitate a serene lifestyle. *Rural character* within *settlement areas* means establishing the perception of a natural landscape through the strategic preservation and placement of natural elements within the built environment.

**School**

means a public *school*, a separate *school*, a university, a community college or a private *school* authorized by the Province of Ontario.

**Secondary Plan**

means a plan for a specific geographic area of the Township which has been approved as an amendment to this Plan in accordance with the *Planning Act*. Such a plan is prepared when there is a need for more specific policies to guide future community *development* than those contained in this Plan.

**Sensitive**

in regard to *surface water features* and *ground water features*, means features that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants. (PPS 2024)

**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 may include, but are not limited to: residences, day care centers, and educational and health facilities. (PPS 2024)

**Settlement Areas**

means *urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets)*. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available. Settlement areas are:

1. *built-up areas where development is concentrated, and which have a mix of land uses; and*
2. *lands which have been designated in an official plan for development over the long term.* (PPS 2024)

**Sewage and Water Services**

includes *municipal sewage services and municipal water services, private communal sewage services and private communal water services, individual on-site sewage services and individual on-site water services, and partial services*. (PPS 2024)

**Significant**

means

1. in regard to *wetlands, coastal wetlands and areas of natural and scientific interest*, an area identified as provincially *significant* using evaluation criteria and procedures established by the Province, as amended from time to time;
2. in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria and procedures established by the Province;
3. in regard to other features and areas in PPS policy 4.1, 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*;

4. in regard to *mineral* potential, an area identified as provincially *significant* through provincial guidance, such as the Provincially *Significant* Mineral Potential Index; and
5. in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*.

Criteria for determining significance for the resources identified in section 3-4 are provided in provincial guidance, but municipal approaches that achieve or exceed the same objective may also be *used*.

While some *significant* resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation. (PPS 2024)

### **Site Alteration**

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

For the purposes of PPS policy 4.1.4.a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to PPS policy 4.1.5.a). (PPS 2024)

### **Significant Groundwater Recharge Areas (“SGRAs”)**

are areas where the land is characterized by porous soils that allow water to seep easily into the ground and subsequently flow to an aquifer. The term “*significant*” indicates that the recharge area helps maintain water levels in an aquifer that supplies drinking water for a community (Derived from Source Protection Plan).

### **Specialty Crop Area**

means areas within the agricultural land base *designated* based on provincial guidance. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, *greenhouse* crops, and crops from agriculturally developed organic soil, usually resulting from:

1. soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
2. farmers skilled in the production of specialty crops; and
3. a long-term investment of capital in areas such as crops, drainage, *infrastructure* and related facilities and services to produce, store, or process specialty crops. (PPS 2024)

**Strategic Growth Areas**

means within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating *intensification* and higher- density mixed *uses* in a more *compact built form*. *Strategic growth areas* include *major transit station areas*, existing and emerging downtowns, lands adjacent to publicly assisted post-secondary institutions and other areas where growth or *development* will be focused, that may include infill, *redevelopment* (e.g., underutilized shopping malls and plazas), *brownfield sites*, the expansion or conversion of existing *buildings*, or greyfields. Lands along major roads, arterials, or other areas with existing or planned *frequent transit service* or *higher order transit* corridors may also be identified as *strategic growth areas*. (PPS 2024)

**Stormwater Management Plan**

means A plan that provides direction to avoid or minimize and mitigate stormwater volume, contaminant loads, and impacts on receiving water courses to: maintain groundwater quality and flow and stream baseflow; protect water quality; minimize the disruption of pre-existing (natural) drainage patterns wherever possible; prevent increases in stream channel erosion; prevent any increase in flood risk; and protect aquatic species and their habitat.

**Structure**

means anything man-made that is fastened to or into the earth or another *structure* or rests on the earth by its own mass.

**Surface Water Feature**

means water-related features on the earth's surface, including headwaters, rivers, permanent and intermittent streams, inland lakes, seepage areas, recharge/discharge areas, springs, *wetlands*, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics. (PPS 2024)

**Threatened Species**

means a species that is listed or categorized as a "*Threatened species*" on the Ontario Ministry of Natural Resources official species at risk list, as updated and amended from time to time. (PPS 2024)

**Transit Supportive**

in regard to land *use* patterns means *development* that makes transit viable, optimizes investments in transit *infrastructure*, and improves the quality of the experience of using transit. It often refers to compact, mixed-use *development* that has a high level of employment and residential densities, including air rights *development*, in proximity to transit stations, corridors and associated elements within the *transportation system*. (PPS 2024)

**Transportation Demand Management**

means a set of strategies that result in more efficient *use* of the *transportation system* by influencing travel behavior by mode, time of day, frequency, trip length, regulation, route, or cost. (PPS 2024)

**Transportation System**

means a system consisting of facilities, corridors and rights-of- way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, parking facilities, park'n'ride *lots*, service centers, rest stops, vehicle inspection stations, inter-modal facilities, harbors, *airports*, marine facilities, ferries, canals and associated facilities such as storage and maintenance. (PPS 2024)

**Two-Zone Concept**

means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*. (PPS 2024)

**Township**

means the Corporation of the Township of Mulmur.

**Urban Agriculture**

means food production in *settlement areas*, whether it is for *personal* consumption, commercial sale, education, or therapy. Examples include, but are not limited to, vertical agriculture facilities, community gardens, *greenhouses*, and rooftop gardens. (PPS 2024)

**Unstable Slopes and Soils**

means slopes which are or may be subject to erosion such as mass movement, slumping, landslides, mudflows or rock falls.

**Use**

means any purpose for which a *building* or other *structure* or a parcel of land may be designed, arranged, intended, maintained, or occupied, or any activity, occupation, business or operation carried on, or intended to be carried on, in a *building* or other *structure* or on a parcel of land.

**Utility**

means a water supply, storm or sanitary sewage, gas or oil pipeline, the generation, transmission and distribution of electric power, steam or hot water, towers, telegraph and telephone lines and other cabled services, a public *transportation system*, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest, but does not include:

1. the establishment of a new *waste management site*;
2. any expansion or alteration to an existing *waste management site* from what has been approved under the applicable legislation (including any expansion in area or height of a landfill or any change in the type of *waste* material being disposed);
3. incineration facilities (including energy from *waste* facilities); or
4. large scale packer and/or recycling plants or similar *uses*.

**Valleylands**

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. (PPS 2024)

**Significant Valley Lands**

means lands that are identified using criteria established by the Province.

**Vulnerable**

means surface and/or ground water that can be easily changed or impacted. (PPS 2024)

**Waste**

includes ashes, garbage, refuse, domestic *waste*, industrial *waste*, municipal *wastes*, hazardous *waste* and such other *wastes* as are *designated* in the regulations under the Environmental Protection Act, as amended, but does not include:

1. agricultural *waste*;
2. inert fill;
3. inert rock fill;
4. condemned animals or parts thereof at a plant licensed under the Meat Inspection Act (Ontario) or an establishment operating under the Meat Inspection Act (CanFada);
5. dead animals to which the Dead Animals Disposal Act applies; or
6. hauled sewage sludge for disposal on agricultural land.

**Waste Management System**

means sites and facilities to accommodate solid *waste* from one or more municipalities and includes recycling facilities, *transfer stations*, processing sites and disposal sites. (PPS 2024)

**Watershed**

means an area that is drained by a river and its tributaries. (PPS 2024)

**Watershed Planning**

means planning that provides a framework for establishing comprehensive and integrated goals, objectives, and direction for the protection, enhancement, or restoration of water resources, including the *quality and quantity of water*, within a *watershed* and for the assessment of cumulative, cross-jurisdictional, and cross-*watershed* impacts. *Watershed planning* evaluates and considers the *impacts of a changing climate* on *water resource systems* and is undertaken at many scales. It may inform the identification of *water resource systems*. (PPS 2024)

### **Water Resource Systems**

means a system consisting of *ground water features* and areas, *surface water features* (including shoreline areas), *natural heritage features and areas*, and *hydrologic functions*, which are necessary for the ecological and hydrological integrity of the *watershed*. (PPS 2024)

### **Wave Effects**

means the movement of water up onto a shoreline or *structure* following the breaking of a wave, including wave uprush, wave set up and water overtopping or spray; the limit of *wave effects* is the point of furthest landward horizontal movement of water onto the shoreline. (PPS 2024)

### **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. (PPS 2024)

### **Wellhead Protection Areas (“WHPAs”)**

are land areas surrounding municipal wells. There are five categories of WHPA, denoted “A” through “E”: the WHPA-A area is defined as the area within a 100-metre radius of the well, while the WHPA-B, WHPA-C, and WHPAD areas are determined based on the number of years it takes for water to travel underground to the well (two years for WHPA-B, five years for WHPA-C, and 25 years for WHPA-D). The WHPA-E area represents the *vulnerable* area for groundwater well supplies that are under the direct influence of surface water (derived from Source Protection Plan).

### **Wetland**

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 favored 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 *wetlands* being used for agricultural purposes which no longer exhibit *wetland* characteristics are not considered to be *wetlands* for the purposes of this definition (PPS 2024). A significant wetland is a wetland that has been identified as significant by the Province.

### **Wildland Fire Assessment and Mitigation Standards**

means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources and Forestry to be incorporated into the design, construction and/or modification of *buildings*, *structures*, properties and/or communities to reduce the risk to public safety, *infrastructure* and *property* from wildland fire. (PPS 2024)

### **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. (PPS, 2024) **Significant Wildlife Habitat** is identified using criteria established by the Province.



**Woodlands**

means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of *wildlife habitat*, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the Forestry Act definition or the Province's Ecological Land Classification system definition for "forest." (PPS 2024)

**Works**

means all the construction, development and services and all appurtenances thereto to be provided to and on the lands or abutting lands to provided for the development and use of lands.

**Zoning By-law**

means the Township approved implementing provisions, being the Comprehensive *Zoning By-law* for the Township of Mulmur.



## APPENDIX 4 – REPORTS AND STUDIES

Report Name	Policy Section	Schedule or Appendix	Specific Use	Settlement	PofS	Consent	OPA	Site Plan
<i>Agricultural Impact Assessment or Agrologist Report</i>	2.5, 4.6.3	A1	Non-Agri	x	x	x	x	x
Aggregate Potential Assessment Report	4.4.3	B5					x	
Archeological Assessment	4.5.1		2km to Boyne or Pine	x	x		x	
Asset Management	2.4			x	x			
Certificate of Approval			WWTP, WT, Waste, D Series		?		?	
Constraint Mapping	2.4			x	x	x	x	x
Cultural Heritage Assessment	4.5.2		Extractive					
D-Series Land Use Compatibility Guidelines	3.3							
D-1 Land Use and Compatibility	3.3			X	X	X	X	X
D-2 Compatibility between Sewage Treatment and Sensitive Land Use				X	X			
D-3 Environmental Considerations for Gas or Oil Pipelines and Facilities	3.3							
D-4 Land Use On or Near Landfills and Dumps	3.9.3	Sch A1 - WD						
D-5 Planning for Sewage and Water Services	3.4			X	X			
D-5-4 Individual On-Site Sewage Systems: Water Quality Impact Risk Assessment	3.4.4.2				X	X		
D-5-5 Private Wells: Water Supply Assessment	3.4.4.3					X		
D-6 Compatibility between Industrial Facilities	3.3.1		Industrial					
Ecological Site Assessment		B1						

Entrance Design and Permit	3.2							
Environmental Site Assessment	4.3.2.1			x	X		x	x
Economic Impact Assessment	4.1, 7.7			x	x		x	x
Engineering Design Standards	3.1.1			x	x	x	x	x
Engineered Studies and Plans	3.1.1			x	x	x	x	x
Environmental Assessment	3.1.1, 5.16		Infrastruc ture, waste	x	x	x	x	x
Environmental Impact Study	4.1.6	B1,B2 ,B3						
Erosion and Sediment Control Plan	4.2.4, 4.3.1	App. 2			X			x
Functional Servicing Report	2.4, 3.4.4.1			x	x			
Fire Suppression	3.4.4.7				x			x
Floodplain Hazard Assessment	4.3.1	App 2						
Geotechnical Report	4.2.4	Aggre gates, App. 2, B1, B2			x	x		
Green Initiatives and Energy Options Report, Low Impact Design Assessment	3.6			x	x	x	x	x
Growth Analysis and Demographic Forecasting	2.1.2			x	x		x	x
Housing Options and Affordability Assessment	2.8			x	x			x
Hydrogeological	3.4.4.4 4.2.1 4.2.4	D, Aggre gates		x	x	x	x	x
Hydrology Study	3.4.4.5	D	PTTW	x	X			
Landscaping Plan	3.3.3		C,I,I		x	x	x	x
Lighting Study	3.3, 3.6				x	x	x	x
Master Environmental Servicing Plans for Source Water Protection	4.2.2.1	D		x	x		x	
<i>Minimum Distance Separation Formulae</i>	4.6.4	A1		x	x	x	x	x
Nitrate Loading	3.4.4.2			x	x	x	x	x
Noise Study	3.3.2						x	x
<i>Permit to take Water (MOE)</i>			50,000L					
<i>Planning Report</i>	2.4			x	x	x	x	x
<i>Rehabilitation Plan</i>	5.14.5	A1, B5	Aggregat e					
Risk Management Plan	4.2.2.1	D	WHPA		x	x	x	x
Septic System Design	3.4.4.2			x	x	x	x	x

Sight Line Analysis					x	x		x
Slope Stability Study	4.3.1.3	App. 2						
<i>Stormwater Management Plan</i>	3.5			x	x	x	x	x
Survey (including topography, easements, widenings, proposed development)	2.5				x	x		x
Traffic Impact Study (TIS)	3.2.4			x	x	x	x	x
Visual Impact Assessment	3.3.5, 3.6				x	x	x	x
Waste Disposal Guideline conformity	3.9.3				X			X
Water Resource Management Report (WRM)	3.4.4.6 4.2.4				x	x	x	x
Wildland Fire Assessment Study		App. 3						

Notes: The following additional Township guidance documents may be applicable.

- Telecommunication Protocol (2002)
- Engineering Guidelines and Standard Drawings (2025, Draft)
- Multi-Year Accessibility Plan (2025)
- Master Recreational Plan (2021)
- Road Widening Policy (2015)
- Upgrading Municipal Roads and Right of Ways
- Municipal Consent and Design Guidelines for Utilities (2021)

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**Appendix 1: Provincial Plan and County OP Natural Heritage Systems**

**Appendix 2: Physical Constraints and Hazards**

**Appendix 3: Potential Forest (Wildland Fire) Hazards**

**Appendix 4: Reports and Schedules (Complete Application)**

**Appendix 5: Agricultural System Map**

## DRAFT BY-LAW

THE CORPORATION OF THE TOWNSHIP OF MULMUR

BY-LAW NO. xx-2026.

Being a By-law of the Corporation of the  
Township of Mulmur to adopt a new Official Plan

The Council of the Corporation of the Township of Mulmur, in accordance with the *Planning Act*, R.S.O. 1990, hereby enacts as follows:

1. **THAT** the new Official Plan for the Township of Mulmur, dated \_\_\_\_\_, is hereby adopted.
2. **THAT** the Clerk is hereby authorized and directed to make application to the County of Dufferin for approval of the aforementioned new Official Plan for the Township of Mulmur.
3. **THAT**, upon the approval of the new Official Plan by the County of Dufferin and/or the Ontario Land Tribunal, the previous Official Plan and all Amendments thereto, and any adopting by-laws be, and are hereby rescinded.

This by-law shall come into force and take effect on the day of the final passing hereof.

By-law read a first and second time this \_\_\_\_\_.

By-law read a third time and finally passed this \_\_\_\_\_.

THE CORPORATION OF THE TOWNSHIP OF MULMUR

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK -

### CERTIFICATION

Certified that the above is a true copy of By-law No. xx-2026 as enacted and passed by the Council of the Township of Mulmur on the \_\_\_\_ day of \_\_\_\_\_, and that the following is a true copy of the Official Plan of the Township of Mulmur in effect on this date.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CLERK