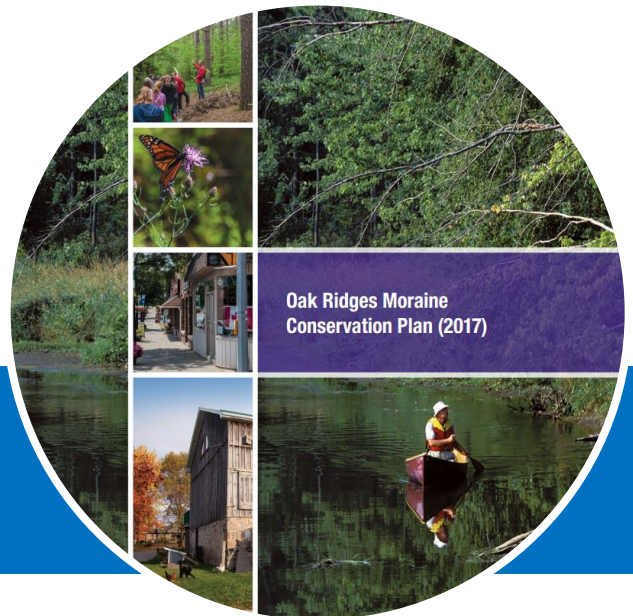


# Oak Ridges Moraine Conservation Plan (2017)

Peel 2041 Discussion Paper

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November 2019



*This policy discussion paper (including any attachments) has been prepared using information current to the report date. It provides an assessment of provincial policy conformity requirements, recognizing that Provincial plans and policies were under review and are potentially subject to change. The proposed direction contained in this discussion paper will be reviewed to ensure that any implementing amendments to the Regional Official Plan will conform or be consistent with the most recent in-effect provincial policy statement, plans and legislation. Additional changes will not be made to the contents of this discussion paper.*

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## Executive Summary

As part of the Region's Peel 2041: Regional Official Plan Review process to ensure conformity with recent updates to Provincial plans and policies, including the Oak Ridges Moraine Conservation Plan (2017), this Discussion Paper and corresponding policy review provides an overview of the policy revisions needed to bring the Regional Official Plan into conformity with the updated provincial Oak Ridges Moraine Conservation Plan (2017).

Within Peel, the Oak Ridges Moraine Conservation Plan Area is located within the geographic area of the Town of Caledon and extends west to connect with the Niagara Escarpment. The Oak Ridges Moraine Conservation Plan Area identifies four geographic specific land use designations including Natural Core Area, Natural Linkage Area, Countryside Area and Settlement Area which specifically permit a mix of environmental, agricultural, mineral aggregate, residential, and recreational uses that benefit from the unique characteristics of the Moraine. The land use designations protect natural heritage lands and linkages within the ORMCP Area while also providing transition between natural areas and the surrounding agricultural and urbanized areas.

The policies of the Oak Ridges Moraine Conservation Plan ensure that land and resource uses maintain, improve or restore ecological and hydrological functions. Policy restrictions protect ecologically and hydrologically significant features, areas and functions. Land use permissions for new development, resource management, recreational and other uses are restricted near key natural heritage features and key hydrological features and are only permitted if they will not adversely affect these features. The Agricultural System in the 2017 amended Oak Ridges Moraine Conservation Plan has two components including the agricultural land base, which includes prime agricultural areas and rural lands that are designated in local municipal official plans, and the agri-food network of services and assets that are important to the viability of the agri-food sector. Settlement Areas in the Oak Ridges Moraine Conservation Plan are intended to support urban uses and the development of complete communities, including the development of community hubs and co-location of public services as well as maintaining existing infrastructure in an integrated and co-ordinated manner that includes planning for vulnerabilities expected from climate change.

In 2004, the Region adopted Regional Official Plan Amendment (ROPA) 7 to bring the Regional Official Plan into conformity to the Oak Ridges Moraine Conservation Plan (2002). ROPA 7 introduced a new policy section and schedules/figures to the Regional Official Plan (Section 2.2.9, Schedules D1 and D2, and Figures 12, 13 and 14) that reflected the policies of the Oak Ridges Moraine Conservation Plan (2002). Revisions to Section 2.2.9 will be required to bring the Regional Official Plan into conformity with the Oak Ridges Moraine Conservation Plan (2017), however, given the broad policy direction of the Regional Official Plan's Oak Ridges Moraine Conservation Plan policies, most of the changes to the Oak Ridges Moraine Conservation Plan (2017) do not require amendments to the Regional Official Plan. A summary of the more substantive changes introduced by the Oak Ridges Moraine Conservation Plan (2017) that will require revisions to the Regional Official Plan is provided as follows:

**Updated Policies to Support Climate Change Planning**

- Recognition of role of Oak Ridges Moraine Conservation Plan in adapting to and mitigating climate change.

**Updated Policies to Support Agricultural Systems Planning**

- New policy recognizes the Agricultural System as including the agricultural land base and agri-food network of businesses and assets needed to support the agricultural sector providing more flexibility and permitting a broader range of agriculture and on-farm diversified uses.
- New exemptions for agricultural uses within minimum vegetation zones and minimum areas of influence of key natural heritage features and key hydrologic features.
- New exemptions for agricultural lands from prohibitions of use within wellhead protection areas and areas of high aquifer vulnerability.
- Requirements for agricultural impact assessments for proposed infrastructure and mineral aggregate operations.
- New general policy for non-agricultural uses that such uses shall not have an adverse impact on agricultural uses or that impacts are minimized and mitigated to the extent possible.
- New policies requiring applications for certain non-agricultural uses to demonstrate that the use will have no, minimal or mitigated impact on agricultural use.

**Infrastructure**

- New policy requiring municipalities to integrate infrastructure planning with land use planning.
- New policy requiring municipalities to prepare stormwater master plans for Settlement Areas within the ORMCP Area.
- New policy section prohibiting waste disposal sites and facilities and soil conditioning sites in Natural Core Areas, Natural Linkage Areas, key natural heritage features, key hydrologic features and associated minimum vegetation protection zones.

**Updated Policies for the Management of Excess Soils**

- New section requiring official plan policies and development proposals to incorporate best practises for managing excess soil and fill generated and received during development or site alteration.

## 1. Introduction

### 1.1 The Oak Ridges Moraine Conservation Plan and the Environment Themed Regional Official Plan Amendment (ROPA)

The Region of Peel's Regional Official Plan (ROP) is the long-term policy framework for land use planning decision-making. It sets the Regional context for detailed planning by protecting the environment, managing resources, directing growth and setting the basis for providing Regional services in an efficient and effective manner. The *Planning Act* requires municipalities to update their Official Plan every five years to ensure that the policies remain current and are consistent with Provincial plans and policies. The review of the current Regional Official Plan, referred to as *Peel 2041: Regional Official Plan Review*, is being undertaken with the intent to plan for growth to the year 2041.

Peel 2041 includes a review of thirteen focus areas to ensure conformity with recent updates to Provincial plans and policies including the *Provincial Policy Statement, 2014, A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (2019), the *Greenbelt Plan* (2017), the *Oak Ridges Moraine Conservation Plan* (2017) and the *Niagara Escarpment Plan* (2017) which provide Provincial direction for land use planning and the protection of the local environment and resources.



This Oak Ridges Moraine Conservation Plan conformity policy review and corresponding Discussion Paper represents a part of a larger environmental themed review which interconnects related focus areas including Climate Change, Water Resources, Greenlands System, Agriculture, and Aggregates policy areas.

### 1.2 Discussion Paper Purpose

The purpose of this Discussion Paper is to provide an overview of the policy revisions needed to bring the Regional Official Plan into conformity with the updated *Oak Ridges Moraine Conservation Plan* (2017) as part of the *Peel 2041: Regional Official Plan Review* process.

This background paper will provide the following:

- A background on the Oak Ridges Moraine Conservation Plan;
- An overview of the specific changes in the *Oak Ridges Moraine Conservation Plan (2017)*;
- A summary of the recommended approach to achieve conformity;
- Proposed updates to the Oak Ridges Moraine Conservation Plan policies and mapping in the Regional Official Plan; and,
- Conclusions and next steps.

This Discussion Paper is meant to inform and engage the Region of Peel's stakeholders, local municipalities and the public. It will identify policy gaps and opportunities as well as identify what must be updated to ensure conformity with provincial plans, policies and guidelines.



## 2. Background

The Greater Golden Horseshoe contains many of Canada's most ecologically and hydrologically significant natural environments and scenic landscapes, including the Oak Ridges Moraine and the Niagara Escarpment. These natural environments provide drinking water, habitat for many species of animals and plants, recreational opportunities, and fertile soil for productive farmland.

As such, recognizing the significance of the environment and resources of this area, the *Oak Ridges Moraine Conservation Plan* (2002), together with the *Greenbelt Plan* (2005) and *Niagara Escarpment Plan* (2005), were introduced to minimize the encroachment of urban development and ensure the protection of the agricultural land base as well as the ecological and hydrological features and functions surrounding the Greater Golden Horseshoe. Collectively, the lands in these three plans form the Greenbelt Area.

### 2.1 Provincial Legislation and Plan

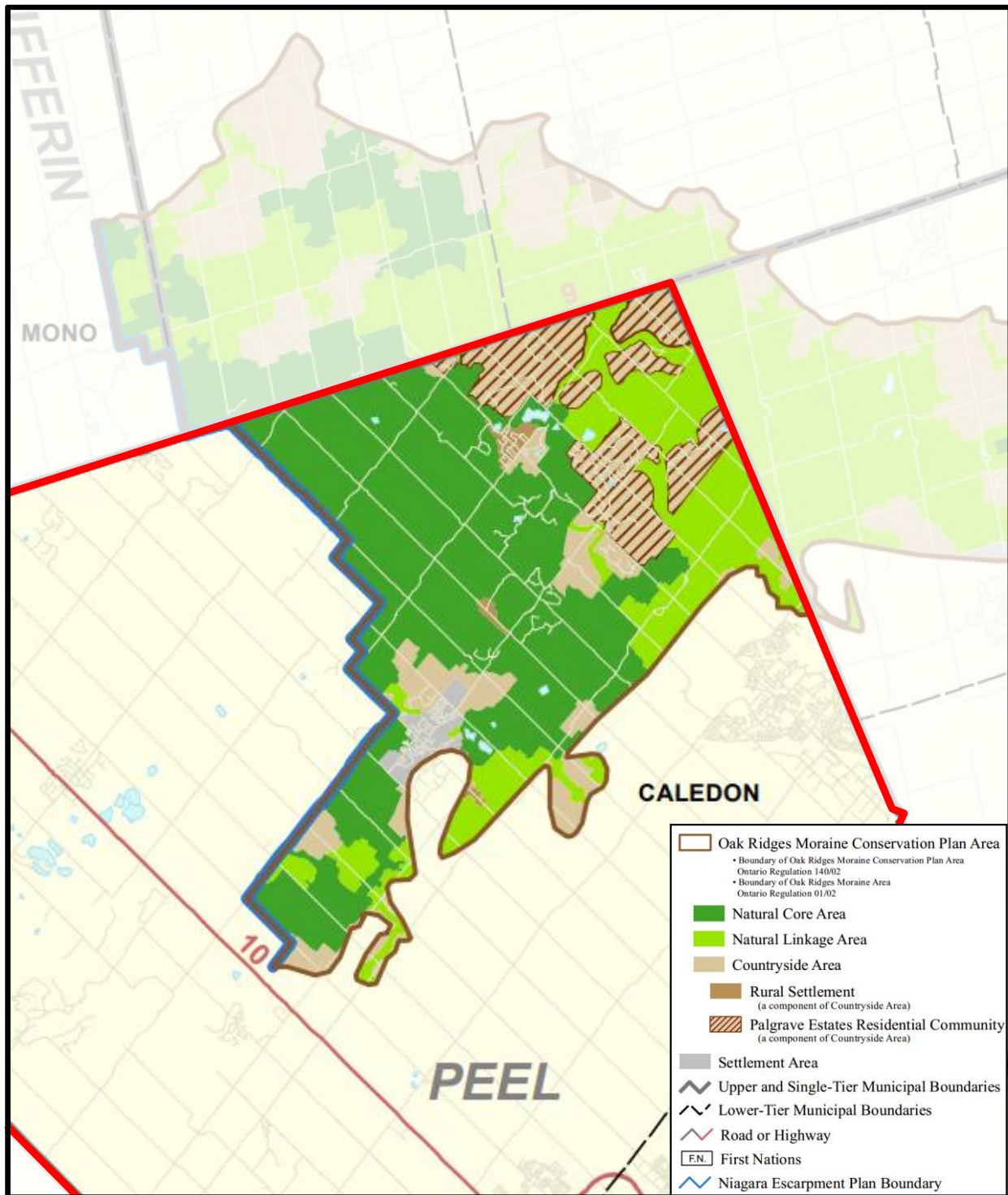
In 2002, the *Oak Ridges Moraine Conservation Plan* (ORMCP) was established under the *Oak Ridges Moraine Conservation Act, 2001*, and defined by Ontario Regulation 140/02. The ORMCP Area, together with lands within other Provincial plans including the *Greenbelt Plan*, *Niagara Escarpment Plan* (NEP), and the *Parkway Belt West Plan* (PBWP), form the Greenbelt Area. Within the lands to which the ORMCP and the NEP apply are governed by the requirements of their respective plans, and are not subject to the policies of the *Greenbelt Plan*.

The ORMCP establishes land use designations and policies to: “maintain, restore and improve the health, diversity, size, and connectivity of key natural heritage features and hydrologic features” [ORMCP, 2017, 11.1(a) and 12.1(a)], protect the Moraine's unique surface and groundwater hydrology, and protect the unique landform characteristics of the Moraine.

### 2.2 The Oak Ridges Moraine Conservation Plan Area

In Peel, the Oak Ridges Moraine is distinguished by the rolling topography of the northeast quadrant of the Town of Caledon and extends west to connect with the Niagara Escarpment. As shown in Figure 2.1, it includes the Caledon East Rural Service Centre, Albion Hills Conservation Area, and the Palgrave Estates Residential Community. This collective area is home to a mix of environmental, agricultural, mineral aggregate, residential, and recreational uses that benefit from the unique characteristics of the Moraine. The ORMCP Area in Peel measures approximately 158.66 km<sup>2</sup> in area and is also situated within the *Greenbelt Plan* (2017) planning area.

Figure 2.1: Oak Ridges Moraine Conservation Plan Area in Peel (Excerpt)



Source: Ontario Ministry of Municipal Affairs. (2017). *Oak Ridges Moraine Conservation Plan*

### 2.3 Land Use Designations and Policies

The ORMCP sets out four geographic specific land use designations and policies that apply to specific areas within the Moraine: Natural Core Area, Natural Linkage Area, Countryside Area and Settlement Area as well as general and specific policies that apply throughout the ORMCP Area. The land use designations protect natural heritage lands and linkages within the ORMCP Area while also providing transition between natural areas and the surrounding agricultural and urbanized areas.

Collectively, the designations and policies ensure that the ecological and hydrological integrity of the Moraine is protected and the Moraine is maintained as a continuous natural landform. The policies ensure that land and resource uses maintain, improve or restore ecological and hydrological functions. Policy restrictions protect ecologically and hydrologically significant features, areas and functions. Land use permissions for new development, resource management, recreational and other uses are restricted near key natural heritage features and key hydrological features and are only permitted if they will not adversely affect these features. Development in landform conservation areas is also restricted to ensure that disturbance to landform character is kept to a minimum.

In the 2017, the ORMCP was amended to recognize the Agricultural System concept as a new approach to planning for agriculture. The Agricultural System includes the agricultural land base (prime agricultural areas and rural lands that are designated in local municipal official plans) and the agri-food network of services and assets that are important to the viability of the agri-food sector. The agricultural land base is intended to provide a continuous productive land base for agricultural activities to occur. Definitions and policies for permitted agricultural uses have been updated to improve consistency with the *Provincial Policy Statement, 2014* to ensure agricultural activities are supported with clear policy direction.

Settlement Areas in the ORMCP are intended to support urban uses and the development of complete communities. The development of community hubs and co-location of public services is encouraged. Existing infrastructure must be maintained and new infrastructure will be needed to continue serving existing and permitted land uses in the Greenbelt area, including the Oak Ridges Moraine. Growth, including planning for infrastructure, needs to be done in an integrated a co-ordinated manner that includes planning for vulnerabilities expected from climate change. Land use and master planning will need to assess and incorporate climate change adaptation and mitigation strategies.

### 2.4 The Oak Ridges Moraine Conservation Plan and the Regional Official Plan

In 2004, the Region adopted Regional Official Plan Amendment (ROPA) 7 to bring the ROP into conformity to the ORMCP (2002). ROPA 7 introduced a new policy section (2.2.9), as well as schedules and figures to the ROP that reflect the policies of the ORMCP (2002) including:

- Schedule D1 – ORMCPA Land Use Designations;
- Schedule D2 – Aquifer Vulnerability Areas for the ORMPA;
- Figure 12 – Landform Conservation Areas;
- Figure 13 – Wellhead Protection Areas; and,

- Figure 14 – Partial Service Areas.

Since the adoption of ROPA 7, the Province in 2017 reviewed and updated the four provincial plans, including the ORMCP, and as such the Region has begun a policy review of the ROP to bring the ROP into conformity with the ORMCP (2017).

### 3. Policy Direction and Analysis of the Oak Ridges Moraine Conservation Plan (2017)

The following Sections of the Discussion Paper (4 to 7) provides an overview of each policy element of the ORMCP (2017), policy changes that were introduced in the ORMCP (2017), and a summary of revisions to the Regional Official Plan that are recommended to ensure the Plan conforms to the ORMCP (2017).

#### 3.1 Summary of Key ORMCP (2017) Policy Changes and Gaps

Given the broad policy direction of the Regional Official Plan's ORMCP policies, most of the changes to the ORMCP (2017) do not require amendments to the Regional Official Plan. A summary of the more substantive changes introduced by the ORMCP (2017) that will require revisions to the Regional Official Plan is provided below:

##### **Updated Policies to Support Climate Change Planning**

- Recognition of role of ORMCP in adapting to and mitigating climate change.

##### **Updated Policies to Support Agricultural Systems Planning**

- New policy recognizes the Agricultural System as including the agricultural land base and agri-food network of businesses and assets needed to support the agricultural sector providing more flexibility and permitting a broader range of agriculture and on-farm diversified uses.
- New exemptions for agricultural uses within minimum vegetation zones and minimum areas of influence of key natural heritage features and key hydrologic features.
- New exemptions for agricultural lands from prohibitions of use within wellhead protection areas and areas of high aquifer vulnerability.
- Requirements for agricultural impact assessments for proposed infrastructure and mineral aggregate operations.
- New general policy for non-agricultural uses that such uses shall not have an adverse impact on agricultural uses or that impacts are minimized and mitigated to the extent possible.
- New policies requiring applications for certain non-agricultural uses to demonstrate that the use will have no, minimal or mitigated impact on agricultural use.

##### **Infrastructure**

- New policy requiring municipalities to integrate infrastructure planning with land use planning.
- New policy requiring municipalities to prepare stormwater master plans for Settlement Areas within the ORMCP Area.
- New policy section prohibiting waste disposal sites and facilities and soil conditioning sites in Natural Core Areas, Natural Linkage Areas, key natural heritage features, key hydrologic features and associated minimum vegetation protection zones.

**Updated Policies for the Management of Excess Soils**

- New section requiring official plan policies and development proposals to incorporate best practises for managing excess soil and fill generated and received during development or site alteration.

The Regional Official Plan has been reviewed to identify where additions, deletions, and/or modifications to policies are required to ensure conformity with the ORMCP (2017). Conformity with ORMCP (2017) policy requirements have been highlighted in the following sections of the Discussion Paper using '✓' or 'Δ' symbols as indicated below:

**Legend:**

Indicates that existing policy continues to conform with the ORMCP (2017) and no or only minor changes are required.



Indicates that the addition of a new or modification of an existing policy is required.

## 4. ORMCP (2017) Part I – General Policies

Part I of the ORMCP provides definitions of key terms of the Plan and general policies. Where the key terms of the Plan are mentioned in the ROP, the ROP indicates the terms as underlined text and directs readers to refer to the ORMCP for their definition.

### 4.1 Definitions (Section 3)

Overall, the ORMCP (2017) updates the definitions of 25 terms, changes the terminology of two terms (e.g. “hydrologically sensitive feature” is now referred to as “key hydrologic feature”), introduces eight new terms, and deletes two terms. The new terms introduced in the ORMCP (2017) include:

- Agri-tourism Uses
- Green Infrastructure
- Home Occupation
- Infrastructure
- On-farm Diversified Uses
- Special Concern Species
- Value-added Product
- Value-retaining Facilities

The amendments to the definitions section of the Plan are predominately minor, and generally do not result in conflict or gaps between the ROP and the ORMCP since the ROP refers to the ORMCP for term definition. For example, definitions for six of the terms were only amended to include the full name of the Ministry of Natural Resources and Forestry.

However, minor amendments to the ROP to update the terminology for “hydrologically sensitive feature” (now “key hydrologic feature”) and “habitat of endangered, rare and threatened species” (now simply “habitat of endangered and threatened species”) will be required. Additionally, the Preamble to ROP section 2.2.9 and ROP policy 2.2.9.3.1, which acknowledge the ORM as a provincially significant feature, will need to be amended by removing the underline of “significant” as the ORMCP definition for significant no longer specifically refers to the overall Moraine landform.

### 4.2 General Policies (Sections 4 – 9)

Part I provides general policies to generally prohibit the use of land, development or site alteration, and the erecting, moving, alteration or use of buildings or structures within the Plan Area except in accordance with the policies of the ORMCP. These exceptions include uses, buildings and structures that existed before November 17, 2001, or previously authorized single dwellings, and some applications for site plan approval that commenced before November 21, 2001. These policies have not changed.

### Proposed Changes to the Regional Official Plan ORMCP General Policies

- △ Minor changes to the ROP will be required to reflect changes in the definitions of key terms and terminology of the ORMCP (2017) and how these are cross referenced to the ORMCP in the ROP. The ORMCP (2017) also introduces additional context to recognize agriculture as a system, providing broader permissions for agricultural-related uses and recognizes the importance of addressing climate change and the need to carefully manage the Moraine's natural areas and water resources. The preamble wording in ROP section 2.2.9 will be reviewed and updated to reflect the direction of the revised ORMCP (2017) related to addressing climate change mitigation and adaptation.



## 5. ORMCP (2017) Part II – Land Use Designations

The ORMCP (2017) includes the ORMCP Land Use Designation Map which identifies four land use designations within the Plan Area: Natural Core Areas, Natural Linkage Areas, Countryside Areas, and Settlement Areas. The purpose of these land use designations are to maintain and improve the ecological integrity and linkages of natural features in the Moraine (Natural Core Area & Natural Linkage Areas); “encourage agricultural and other rural uses” (Countryside Areas); and “focus and contain urban growth” (Settlement Areas). Associated with each of these land use designations are policies about their purpose, objectives, and permitted uses. The ORMCP designations in Peel are shown on Schedule D1 (“Oak Ridges Moraine Conservation Plan Area Land Use Designations”) of the ROP.

The ORMCP also recognizes the importance of designating agricultural lands, including prime agricultural areas, to provide a continuous productive land base for agriculture and support the Agricultural System for the Greater Golden Horseshoe. As per the ORMCP, it relies on municipal official plan mapping to delineate prime agricultural areas. Related policies in the Growth Plan (2019), *Greenbelt Plan (2017)* and *Niagara Escarpment Plan (2017)* also reflect the direction that an agricultural system land base be mapped in accordance with provincial mapping procedures. Provincial agricultural land base mapping is being refined by the Region in accordance provincial implementation procedures and will include updated mapping of prime agricultural areas in the ROP. The updated mapping of prime agricultural areas and policy direction for the mapping of rural lands is recommended to be reflected in the Town of Caledon Official Plan within the ORMCP Area’s land use designations.

### 5.1 Expanded Purposes and Objectives of ORM Land Use Designations (Sections 11-13; 18)

Detailed purposes and objectives of the land use designations were amended in the ORMCP (2017) to include protecting and restoring natural areas and features that help with reducing the impacts of climate change (e.g. sequester carbon) and conserving cultural heritage resources for the Natural Core, Natural Linkage, and Countryside Areas designations. The detailed purposes and objectives of the Settlement Areas designations were also expanded, and now include encouraging communities that are accessible by sustainable modes of travel and provide a mix of employment, services and housing.

### 5.2 Changes to Permissions for Agriculture-related and On-farm Diversified Uses (Sections 11-13)

Permitted uses within Natural Core Areas and Natural Linkage Areas now permit agriculture-related and on-farm diversified uses in prime agricultural areas and a broader range of infrastructure uses. In Countryside Areas, agriculture-related uses and on-farm diversified uses are permitted more broadly and are not limited to prime agricultural areas.

### 5.3 Changes to Lot Creation Policies in Countryside Areas (Sections 14-15)

Sections 14 and 15 of the ORMCP (2017) allow for residential development in the Palgrave Estates Residential Community in the Town of Caledon and the creation of new lots for specified purposes in accordance with the ORMCP. Minor rounding-out of Rural Settlements is no longer a permitted purpose for the creation of new lots in Countryside Areas.

### Proposed Changes to the Regional Official Plan ORMCP Land Use Designation Policies

- △ ROP policy 2.2.9.3.7 is recommended to be updated to direct the Town of Caledon to identify agricultural land use designations, including prime agricultural areas and rural lands, within the ORMCP's Natural Core, Natural Linkage and Countryside Area designations, to provide a continuous land base for agriculture in accordance with the policies and mapping of the ROP. This change supports the implementation of the Agricultural System as required by the Growth Plan (2019) and *Greenbelt Plan* (2019).
- △ The changes to the purpose, objectives and permitted uses of the Natural Heritage Area, Natural Linkage Area, Countryside Area, and Settlement Area land use designations introduced in ORMCP (2017) reflect minor revisions to the ORMCP. ROP policy 2.2.9.3.7 summarizes the purposes and provides examples of permitted uses within each of the designations, while referencing the ORMCP for detailed policy direction. Direction is provided that detailed policies are to be provided in the Town of Caledon Official Plan. As such, given the general nature of the ORMCP policies of the ROP, the ROP policy continues to conform to the ORMCP (2017). Minor revisions are recommended to reference agriculture related and on-farm diversified uses as permitted uses subject to the policies of the ORMCP and to reference the lot creation policy applicable to the Countryside Area.

## 6. ORMCP (2017) Part III – Protecting Ecological and Hydrological Integrity

The Oak Ridges Moraine in Peel is home to a variety of habitats and important geological features and water resources. Consequently, the maintenance and improvement of their ecological integrity through land use planning and environmental planning is one of the chief purposes of the ORMCP.

### 6.1 Key Natural Heritage Features and Key Hydrologic Features (Sections 21; 22; 26)

Key Natural Heritage Features (KNHFs) and Key Hydrologic Features (KHF) in the Moraine and the immediate surrounding area (referred to as minimum vegetation protection zones) are protected by the ORMCP from development and site alteration, with exceptions for certain uses such as infrastructure and forest, fish and wildlife management. Furthermore, applications for development or site alteration on lands not immediately adjacent to key features but still within a distance that could impact the feature (referred to as the minimum influence area) are required to include a natural heritage evaluation and/or a hydrological evaluation prepared according to requirements set out in the ORMCP (2017).

#### 6.1.1 Application of Minimum Area of Influence and Minimum Vegetation Protection Zone (Section 21)

The table in Part III of the ORMCP identifies the minimum area of influence and minimum vegetation protection zone for each type of key natural heritage feature and key hydrologic feature, or identifies how the minimum vegetation protection zone may be determined. Section 21 of the ORMCP (2002) provides guiding policies on how the zones and areas should be applied, and directs that the more restrictive provision shall apply. The ORMCP (2017) clarifies Section 21, by stating that the largest minimum vegetation zone and minimum influence area shall apply in cases where land falls within more than one feature.

#### 6.1.2 New Exceptions for Agriculture within Minimum Vegetation Protection Zones [Sections 22(2); 26(2)]

The ORMCP (2017) clarifies that new agricultural uses other than uses associated with on-farm buildings and structures<sup>1</sup> are permitted within the minimum vegetation protection zones of KNHFs and KHF, but not within the features themselves. The ORMCP (2017) requires that such uses be carried out in accordance with best management practices to protect or restore key features and functions. Examples of agricultural uses other than uses associated with on-farm buildings and structures include livestock grazing or crop growing.

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<sup>1</sup> uses associated with on-farm buildings and structures include “livestock facilities, manure storage facilities, value-retaining facilities, and accommodations for full-time labour” [ORMCP (2017), Definitions].

### 6.1.3 New Exemptions from the Requirement to Provide Natural Heritage and Hydrological Evaluations [Sections 22(4); 26(4.1)]

Planning applications related to the construction of new buildings or structures for agricultural, agriculture-related and on-farm diversified uses within the minimum area of influence and located at least 30 metres away from KNHF/KNHFs are now excluded from the requirement to submit a natural heritage evaluation and/or hydrological evaluation.

### 6.1.4 New Requirements for Best Management Practises for Agricultural Uses in Minimum Areas of Influence [Sections 22(5); 26(4.2)]

Policies have been added requiring that agricultural uses, agriculture-related uses, and on-farm diversified uses within the minimum area of influence of a KNHF or KHF be carried out in accordance with best management practices.

### 6.1.5 New Exceptions for Development within Habitat of Endangered or Threatened Species in Countryside or Settlement Areas [Section 22(2)]

Development or site alteration within the habitat of endangered species and associated minimum vegetation areas in Countryside or Settlement Areas are now permitted provided the development or site alteration is not prohibited under the *Endangered Species Act, 2007*, and it complies with any requirements or restrictions under that Act.

### 6.1.6 Minor Changes to Content of Hydrological Evaluations [Section 26(4)]

Minor changes were also introduced in the ORMCP (2017) that require hydrological evaluations to address connectivity between KNHFs and KHFs in Natural Core Areas, Natural Linkage Areas, or Countryside Areas.

## Proposed Changes to the Regional Official Plan ORMCP Key Natural Heritage Features and Key Hydrologic Features Policies



### Minimum Area of Influence, Minimum Vegetation Protection Zone

The changes to Section 21 of the ORMCP (2017) regarding the application of the Table in Part III are for clarification purposes and do not require an amendment to the ROP. Minimum vegetation protection zones and minimum areas of influence are referred to throughout the Natural and Hydrological Features section within ROP policies 2.2.9.3.8 to 2.2.9.3.17, and are identified in the ROP as terms defined in the ORMCP. Additionally, ROP policy 2.2.9.3.13 directs the Town to prohibit development and site alteration within the minimum vegetation protection zone, “in accordance with Table in Part III of the ORMCP”.



### Exceptions for Agriculture in Minimum Vegetation Zones

ROP policy 2.2.9.3.13 directs the Town of Caledon to prohibit development and site alteration within KNHFs, KHFs and associated minimum vegetation zones, except as permitted by the

ORMCP.

However, ROP policy 2.2.9.3.16 prohibits the carrying out of new agricultural uses and agriculture related uses in KNHFs, KNFs and associated minimum vegetation protection zones. This policy will need to be amended to reflect the clarification introduced in ORMCP (2017) that permits agricultural uses other than uses associated with on-farm buildings and structures within the minimum vegetation protection zones.

**△ Exceptions for Agriculture in relation to Natural Heritage Evaluations and Hydrological Evaluations**

ROP policy 2.2.9.3.14 directs the Town of Caledon to require the submission of natural heritage evaluations and hydrological evaluations for applications for development or site alteration “as detailed in the ORMCP”. This policy should be amended to clarify that such evaluations are not required for applications to construct new structures or buildings for agricultural uses, agriculture-related uses, or on-farm diversified uses in the minimum area of influence located a minimum of 30 metres from key natural heritage features and key hydrologic features.

**△ New Requirements for Best Management Practises for Agricultural Uses in Minimum Areas of Influence**

This new policy requirement in the ORMCP (2017) will need to be reflected in the ROP. This policy requirement to implement best management practises will need to be addressed in planning approvals, should any planning approval be required for an agricultural use, agriculture-related use or on-farm diversified use, or through voluntary environmental farm plans, conservation, or rural water quality programs in cases where the development or site alteration is not subject to development planning approval.

**✓ Exceptions within Habitat of Endangered or Threatened Species in Countryside or Settlement Areas**

ROP policy 2.2.9.3.13 generally directs the Town of Caledon to prohibit development and site alteration within a key natural heritage feature and minimum vegetation protection zones, except as permitted by the ORMCP. As such, the ROP is already in conformity with the new ORMCP (2017) exemptions for development and site alteration within the habitat of endangered or threatened species in Countryside Areas or Settlement Areas and no changes are required.

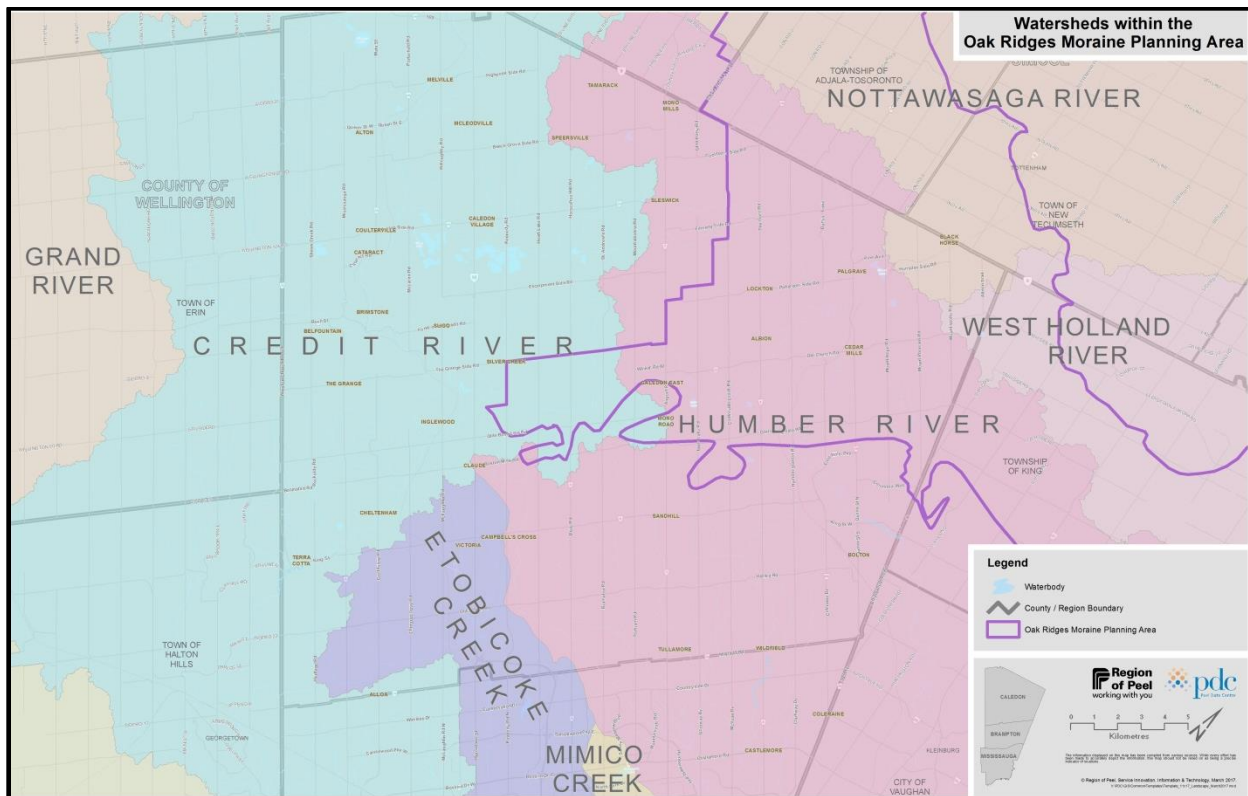
**✓ Minor Changes to Content of Hydrological Evaluations**

ROP policy 2.2.9.3.14, directs the Town to require hydrological evaluations “as detailed in the ORMCP”. As such, the ROP policy continues to conform to the *Greenbelt Plan (2017)* and no changes are required.

## 6.2 Water Resources (Sections 24; 25; 27-29; 42)

Water is essential to healthy ecosystems and complete communities. Peel is situated within seven watersheds. The majority of Peel is within the Credit River and Humber River watersheds. As shown in Figure 6.1, these two watersheds, along with the Nottawasaga River and West Holland River watersheds, are also located within the Oak Ridges Moraine planning area.

**Figure 6.1: Watershed Boundaries in the Oak Ridges Moraine Conservation Plan Area**



Source: Region of Peel. (2017).

To protect the Moraine as a significant groundwater recharge area and water resource, the ORMCP also prohibits certain uses within areas surrounding municipal wellheads (s.26) and areas of high aquifer vulnerability (s.29), and requires municipalities to implement official plan policies and mapping, accordingly (s.29; 42).

### 6.2.1 Water Related Studies: Watershed Plans (Section 24); Water Budgets and Conservation Plans (Section 25)

Watershed planning seeks to understand the water resources that are present within the watershed and identify ways in which water resources may be protected and enhanced in the future, considering human activity, population growth, and climate change (Conservation Ontario, 2018).

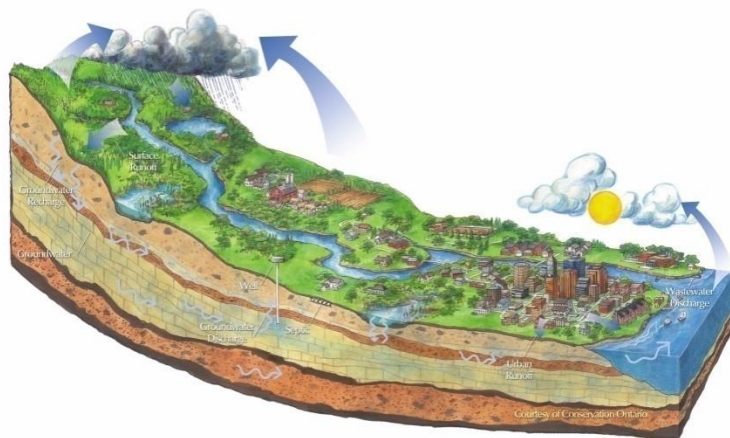
The ORMCP requires municipalities to have a watershed plan for every watershed whose streams originate within the municipality, and municipal official plans are to incorporate the objectives and requirements of the watershed plans. Major development is prohibited in the ORMCP unless it conforms to the watershed plans.

The content of watershed plans is prescribed in the ORMCP, and includes a water budget and water conservation plan. The ORMCP (2017) adds an assessment of the climate change impacts on sewage and water service systems and stormwater management systems to the requirements of watershed plans.

In addition to introducing new watershed planning requirements in the ORMCP (2017), the Province of Ontario has also introduced new requirements for watershed planning in the Growth Plan (2019), *Greenbelt Plan* (2017), and is currently developing a watershed planning guidance document for planning authorities.

Watershed plans have been prepared in the Region of Peel for all four of the watersheds within the ORMCP Area in accordance with the direction that watershed plans be prepared for all watercourses draining from the Moraine (ORMCP, 2002). In addition to the ORMCP, land use planning regarding water resources in Peel is also guided by the Province through the other three Provincial land use plans

(*Growth Plan*, *Greenbelt Plan* and *NEP*), *Great Lakes Protection Act, 2015*, *Ontario Water Resources Act, 1990* (regarding water quality and quantity control), *Water Opportunities Act, 2002* (Water Sustainability Plans), *Lake Simcoe Protection Act, 2008* and associated *Lake Simcoe Protection Plan* (2009), and *Clean Water Act, 2006* (Region of Peel, 2018 – Water Resources Discussion Paper #2).



### 6.2.2 Subwatersheds (Section 27)

The ORMCP (2017) prohibits development within the Plan Area (except for Settlement Areas), if it will cause the total impervious surface area of the subwatershed to exceed 10%. The ORMCP allows municipalities to set lower thresholds in their watershed plans. The ORMCP (2017) also clarifies that lower thresholds may also be specified in subwatershed plans.

### 6.2.3 Wellhead Protection Areas – Agricultural Lands now Exempt (Sections 28; 42)

To prevent groundwater contamination and damage to wildlife habitat, the ORMCP prohibits certain uses within wellhead protection areas, including the storage of substances that “are considered toxic, bioaccumulative, persistent, and difficult if not impossible to remove from groundwater once it has entered the subsurface” within wellhead protection areas and areas of high aquifer vulnerability

(ORMCP Technical Paper Series #14, Wellhead Protection – Site management and Contingency Plans, 2007). All official plans are required by the ORMCP to establish policies to identify wellhead protection areas, zones of travel (0-2 years, 2-10 years, and 10-25 years), and prohibit or restrict the uses that are identified in the ORMCP and other uses that the municipality considers will adversely affect groundwater.

The ORMCP (2017) exempts agricultural lands from these policies, provided that the standards and requirements of the *Nutrient Management Act, 2002*, and *Clean Water Act, 2006*, are satisfied.

Official plans are also required to contain policies that encourage restrictions to haulage routes of chemicals and volatile materials in wellhead protection areas and areas of high aquifer vulnerability [ORMCP, 42(2)]. This policy has not changed.

#### 6.2.4 Areas of High Aquifer Vulnerability (Sections 29; 42)

The ORMCP (2017) also prohibits certain uses from areas of high aquifer vulnerability (AHAVs) and requires that official plans contain policies encouraging restrictions on haulage routes of chemicals and volatile materials in AHAVs [29(1); 42(1)(c)]. A reference map for Ontario Regulation 140/02 (Oak Ridges Moraine Conservation Plan) made under the *Oak Ridges Moraine Conservation Act, 2001*, identifies where these AHAVs are located, and municipalities are permitted to further define the boundaries in their official plans [29(3)] with greater precision than shown on the provincial map.

Similar to the amendment to the wellhead protection area policies, a new subsection [29(1.1)] was added to the ORMCP (2017) to exempt agricultural lands in AHAVs from the restrictions on use within AHAVs if the owner or operator of the agricultural operation is carrying out operations that are regulated under the *Nutrient Management Act, 2002*, and complies to the standards under the Act.

### Proposed Changes to the Regional Official Plan ORMCP Water Resources Policies



#### Watershed Studies


In Peel, watershed planning is primarily led by the Credit Valley Conservation Authority and the Toronto and Region Conservation Authority. ROP policy 2.2.9.3.21 directs the Region to partner with the Town of Caledon and the Conservation Authorities to prepare watershed plans, including water budgets and water conservation plans, to meet the requirements of the ORMCP. Additionally, ROP policy 2.2.9.3.22 commits the Region to incorporate the objectives and requirements of the completed watershed plan into the Regional Official Plan and directs the Town of Caledon to do the same. Consequently, the changes introduced in the ORMCP 2017 to watershed plan requirements are sufficiently captured in the ROP.

The Region is currently working with the Town of Caledon and Conservation Authorities to review the need to update watershed plans that meet the new requirements of the ORMCP (2017), other Provincial plans and Provincial guidance. Once complete, the applicable objectives and recommendations will be reviewed to determine if further changes need to be incorporated into the ROP through a separate ROPA process.



 **Subwatersheds**

ROP Policy 2.2.9.3.23 provides that subwatershed studies may set lower thresholds than the 10% specified in the ORMCP. As such, the ROP policy continues to conform to the ORMCP (2017) and no changes are required.

 **Wellhead Protection Areas**

ROP policy 2.2.9.3.28 directs the Town of Caledon to prohibit specific agricultural uses in wellhead protection areas listed in Section 28 of the ORMCP (2017) (e.g. storage of fuels, pesticides, herbicides, and fungicides, and manure, animal agriculture etc.), except in accordance with Section 6(1) and Section 28(3) of the ORMCP [Section 6(1) refers to existing uses] but does not provide an exception for agricultural lands as now provided in the ORMCP (2017). Consequently, this policy will need to be amended to provide for the exception.

 **Areas of High Aquifer Vulnerability**

ROP policy 2.2.9.3.30 directs the Town of Caledon to prohibit the uses listed in ORMCP 29(5), “except in accordance with Section 6(1) of the ORMCP”, but does not provide an exception for agricultural lands as per the ORMCP (2017). As such, this policy should be updated to also include reference to Section 29(1.1) of the ORMCP and amended to provide the exception.

### 6.3 Landform Conservation Areas (Section 30)

The ORMCP (2017) Land Form Conservation Area policies and maps identifies two categories of landform conservation areas, and sets out submission requirements for development and major development planning applications within landform conservation areas as they relate to land form feature conservation and maximum impervious surface. No significant changes were made to this section of the Plan. The ORMCP maps of landform conservation areas remain the same. The Landform Conservation Areas mapped by the ORMCP are found in Figure 12 of the ROP.

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## 7. ORMCP (2017) Part IV – Specific Land Use Policies

The ORMCP identifies specific planning, design and development restrictions and requirements that may need to be met for specific uses and activities, including those related to lot creation.

### 7.1 Application (Section 31)

Part IV, Specific Land Use Policies, of the ORMCP provides policies related to specific land uses or types of development or site alteration, such as lot creation, mineral aggregate operations, major recreational uses, and infrastructure. Not every section in Part IV is applicable to each of the four ORMCP land use designations. Section 31 of the ORMCP identifies the applicable specific land use policies for each ORMCP land use designation.

### 7.2 Lot Creation (Section 32)

The lot creation policies for the Moraine are intended to protect the ecological integrity of the Moraine and support continued agricultural activity by ensuring sufficiently sized lots for farming and limiting new residential development. Section 32 of the ORMCP (2017) specifies the circumstances in which lots may be created within the Natural Core Areas, Natural Linkage Areas and Countryside Areas designations.

Policies in the ORMCP (2002) allowed for the creation of lots for the purposes of a farm retirement lot or lot for residential surplus, or to sever lots that were merged. This has been replaced in the ORMCP (2017) with policies that clarify the permissions for severances that are only allowed in the case of an owner and operator of a farming operation which has consolidated farm operations for the purposes of severing a surplus dwelling, severance of land for agricultural uses, acquiring land for infrastructure, lot adjustments, dividing existing uses or facilitating conveyances to public bodies or non-profit entities for natural heritage protections. Additionally, the new policies clarify minimum lot sizes for agricultural lot severances (100 acres / 40.45 hectares). These amendments align the policies the ORMCP (2017) with PPS (2014) policies on lot creation in prime agricultural areas (PPS, 2014, s.2.3.4).

#### Proposed Changes to the Regional Official Plan ORMCP Lot Creation Policies



##### Lot Creation

Land use planning in Peel is shared between the Region of Peel and Local Municipalities. Local Municipalities have been delegated the responsibility for approving lot creation (consents, subdivisions, part-lot control). Accordingly, ROP policy 2.2.9.3.3.2 states that “All applications for development or site alteration, which commenced on or after November 17, 2001, are required to conform to the ORMCP”. More detailed policies are not provided within the ROP because lot division authority under the *Planning Act* has been delegated to the local municipalities in Peel. The corresponding policy direction for this local authority is provided in the lower-tier official plans.

A minor clarification to ROP policy 2.2.9.3.3.3 is recommended to generally reflect the policy

direction for lot creation in the ORMCP (2017) and provide direction that more detailed policies are to be provided in the local municipal official plans similar to the ROP lot creation policies developed for the *Greenbelt Plan*.

### 7.3 Restrictions (Section 33)

In recognition of the valuable agricultural and mineral resources that are present on the Moraine, the ORMCP (2017) prohibits official plans and zoning by-laws from being more restrictive than the provisions of the ORMCP with respect to agriculture, mineral aggregate operations and wayside pits. This section of the ORMCP (2017) has not been modified.

### 7.4 Compatible Uses (Section 34) and New “No Adverse Impact on Agriculture” Policies

Sections 11 to 13 of the ORMCP list the types of uses that may be permitted in Natural Core Areas, Natural Linkage Areas and Countryside Areas, including agricultural uses and, more generally, “uses accessory to the uses set out in [those sections]” [s.11(3); 12(3); 13(3)]. Section 34 of the ORMCP (2002) describes the types of uses that are considered accessory to agricultural uses. The purpose of Section 34 Compatible Uses in the ORMCP is to protect the viability of agricultural uses on the Moraine from incompatible, non-agricultural uses.

The ORMCP (2017) strengthens the protection of agricultural uses by replacing Section 34 with a single policy stating that “a non-agricultural use shall not have an adverse impact on agricultural uses or shall minimize and mitigate such impacts on agricultural uses to the extent possible.” This policy applies to all non-agricultural uses that are on or are proposed to be on lands in the Natural Core Areas, Natural Linkage Areas, or Countryside Areas.

Throughout Part IV Specific Land Use Policies of the ORMCP (2017), new policies were added to require applications for non-agricultural uses to demonstrate that the proposed use will have no adverse impact on the prime agricultural area or surrounding agricultural operations, or that the impacts would be minimized and mitigated as much as possible as shown in Table 7.1.

For applications for aggregate operations or infrastructure in or on lands in prime agricultural areas, this is to be demonstrated through an agricultural impact assessment or equivalent. For applications for other non-agricultural uses (e.g. major recreation; small-scale commercial), the ORMCP does not specify how applications are to demonstrate no, minimal and/or mitigated impact.

**Table 7.1: Non-Agricultural Uses Demonstrating No Adverse Impacts on Agriculture**

<b>ORMCP Policy</b>	<b>Type of Application</b>	<b>Type of Study Required</b>	<b>Impact to be Studied</b>
<b>35(7) Mineral Aggregate and Wayside Pits</b>	Applications located in a prime agricultural area	Agricultural impact assessment	To the prime agricultural area
<b>38(5) Major Recreational Uses</b>	Applications to expand or establish such uses;	No prescribed assessment tool	On “surrounding agricultural operations”
<b>39(2) c. Trail System</b>	“The trail system shall... be located away from... prime agricultural areas and agricultural operations as much as possible	No prescribed assessment tool	N/A
<b>40(5) Small-Scale Commercial, Industrial or Institutional Uses</b>	Applications to expand or establish such uses	No prescribed assessment tool	On “surrounding agricultural operations”
<b>41(2.1) Infrastructure</b>	Applications for infrastructure in or on land in a prime agricultural area	Agricultural impact assessment or equivalent analysis	To the prime agricultural area

### Proposed Changes to the Regional Official Plan ORMCP Compatible Uses Policies



#### **Compatible Uses and “No Adverse Impact on Agriculture”**

As specific land use policies are more appropriate at the local municipal level, ROP policy 2.2.9.3.3 currently directs the Town of Caledon to develop official plan policies and zoning by-laws to implement the policies of the ORMCP. However, given the broadened policy language of Section 34 of the ORMCP (2017), the ROP will be amended to include a policy directing the Town of Caledon to provide policies to ensure that non-agricultural uses do not have an adverse impact on agricultural uses or the overall agricultural system.

## 7.5 Mineral Aggregate Operations and Wayside Pits / Comprehensive Rehabilitation Plans (Sections 35; 36)

Mineral aggregate operations and wayside pits supply aggregate materials essential to the building and construction of the Region and the Greater Toronto Area. However, if improperly planned and managed, aggregate operations can negatively impact the quality and quantity of water on and in the Moraine, the diversity and connectivity of key natural heritage features, the soil quality of prime agricultural areas, and the landform characteristics of the Moraine. Consequently, Section 35 of the ORMCP (2017) establishes requirements that applications for mineral aggregate operation or wayside pit must satisfy in order for the applications to be approved. Section 36 of the ORMCP (2017) encourages municipalities and the aggregate industry to work together to create comprehensive rehabilitation plans.

The ORMCP (2017) clarifies Section 35 with regards to rehabilitation.

### Proposed Changes to the Regional Official Plan ORMCP Mineral Aggregate Operations & Rehabilitation Policies



#### Application requirements for Mineral Aggregate Operations or Wayside Pits

ROP policy 2.2.9.3.34 currently prohibits “mineral aggregate operations or wayside pits unless the appropriate requirements in Section 35 of the ORMCP, and the applicable policies of the ROP and the Town of Caledon Official Plan, subject to Policy 2.2.9.3.33, have been addressed to the satisfaction of the Region of Peel and the Town of Caledon, in consultation with the applicable conservation authority”. As such, given the general reference to the requirements set out in Section 35 of the ORMCP, the ROP policy continues to conform to the ORMCP (2017) and no changes are required.



#### Comprehensive Rehabilitation Plans

ROP policy 3.3.2.8 promotes progressive rehabilitation of licensed mineral aggregate extraction sites in a manner that conforms to the ORMCP, but does not address comprehensive rehabilitation plans in the ORMCP Area. A policy should be added to the ORMCP Mineral Resources Policies of the ROP to reflect the new direction for comprehensive rehabilitation plans in Section 36 of the ORMCP (2017). The Region will be conducting a separate mineral aggregates policy review to address changes to the mineral aggregate resources policies in the Provincial Policy Statement (PPS), and to support the Region and the Town of Caledon’s rehabilitation master plan study.

## 7.6 Excess Soil and Fill (Section 36)

A new section on excess soil and fill was added to the ORMCP (2017), requiring official plan policies and development proposals to:

“incorporate best practises for the management of excess soil generated and fill received during any development or site alteration, including infrastructure development, to ensure that:

- a) excess soil is reused on-site or locally to the maximum extent possible;

- b) where feasible, excess soil reuse planning is undertaken concurrently with development planning and design; and
- c) the quality of fill received and the placement of fill at the site will not cause an adverse effect with regard to the current or proposed use of the property, the natural environment or cultural heritage resources and is compatible with adjacent land uses.” (ORMCP, 2017, Section 36.1).

The Province of Ontario is currently updating its excess soil and fill regulations. Furthermore, the Town of Caledon passed an interim by-law on June 28, 2016 to prohibit commercial fill operations until a commercial fill study to understand commercial fill practises in the Town and a policy and regulatory framework for commercial fill is conducted and adopted.

### Proposed Changes to the Regional Official Plan ORMCP Excess Soil and Fill Policies

#### Excess Soil and Fill

An excess soil and fill policy section should be added to the ROP to reflect the above policy direction. This policy requirement should be considered along with additional policy revisions that would be applicable Region-wide to implement the Province’s new *Excess Soil Management Policy Framework* and corresponding policy direction in the *Growth Plan (2017)* and local municipal excess soil and commercial fill policy reviews such as the Town of Caledon’s Commercial Fill Policy and Operations Review.

## 7.7 Recreational Uses and Trail System (Section 37 – 39)

The varied landforms within the Oak Ridges Moraine provide an array of opportunities for outdoor recreational activities. For visitors to the Moraine area, this has proven to be a contributor to positive mental and physical well-being. The ORMCP (2017) supports recreational uses in the Moraine, and provides direction for what, where, and when recreational uses and a trail system may be appropriate within the Moraine, including accessibility provisions for persons with disabilities. The ORMCP (2017) introduces new requirements for new major recreational uses to have no adverse impact on surrounding agricultural operations and to incorporate the use of energy-conservation technologies, and green infrastructure and low impact development techniques to manage runoff.

### Proposed Changes to the Regional Official Plan ORMCP Recreational Uses and Trails Policies

#### Recreational Uses and Trails

The amendments to the recreational use and trail policies in the ORMCP (2017) will not require an amendment to the ROP. The ROP contains policies that support the initiatives of other groups to establish trail systems on the Moraine and direct the Town of Caledon to develop official plan policies and zoning by-laws to address requirements of the ORMCP that are more appropriately addressed at the area municipal level. The ROP also contains encouragement policies to the local municipalities to establish policies promoting energy

efficient practises and green infrastructure.

In Peel, recreational facilities and services, and the approval of new or expanded major recreational uses, are coordinated by Local Municipalities, conservation authorities and the Niagara Escarpment Commission. Furthermore, Local Municipalities are the approval authority of most planning applications, and therefore also have the ability to require development to incorporate energy conservation technologies, green infrastructure and low impact development.

## 7.8 Small-scale Commercial, Industrial and Institutional Uses (Section 40)

Within Countryside Areas, small-scale commercial, industrial and institutional uses (e.g. schools, portable asphalt plants) that support, complement or are essential to other uses in the Countryside Area may be permitted. Section 40 of the ORMCP (2017) provides a definition for what is considered a small-scale commercial, industrial or institutional use, and establishes criteria that applications for such uses must demonstrate.

The ORMCP (2017) amends the definition to generally include “commercial sales or services related to the management or use of resources located in the surrounding area” (1). Additionally, all small-scale commercial, industrial or institutional uses, except for portable asphalt or concrete plants for public works, are now prohibited within a prime agricultural area in the Countryside Area (3; 4).

### Proposed Changes to the Regional Official Plan ORMCP Small-scale Commercial, Industrial and Institutional Uses Policies



#### **Small-scale Commercial, Industrial and Institutional Uses**

ROP policy 2.2.9.3.7 provides examples of general land uses that may be permitted within the Countryside land use designation, and directs the Town of Caledon to provide more detailed land use policies in the Town’s Official Plan. As such, the ROP policy continues to conform to the ORMCP (2017) and no changes are required.

## 7.9 Infrastructure (Section 41)

Infrastructure, such as roads, sewage and water service systems, electricity transmission systems, are essential to the settlements, agricultural and rural uses within the Moraine, but can also negatively affect the Moraine’s ecological and agricultural integrity. Consequently, applications for infrastructure in the Moraine, including across KNHFs and KHF and prime agricultural areas, may be permitted provided that applications for the development of infrastructure meet the requirements of the Section 40 of the ORMCP (e.g. requirements to demonstrate a need for the infrastructure).

The ORMCP (2017) provides additional study requirements for applications for the development of infrastructure. Whereas ORMCP (2002) provided different study requirements for infrastructure applications depending on the ORMCP land use designation, the ORMCP (2017) introduces additional



study requirements that apply to all applications for infrastructure anywhere in the ORMCP Area. These requirements relate to financial feasibility, water supply, stormwater management, low impact development, greenhouse gas reduction, and climate change adaptation (1.1; 1.2). New policies were also added to require (“shall not be approved unless”) applications for infrastructure on prime agricultural lands to include an agricultural impact assessment or equivalent and a demonstration of the need for the infrastructure (2.1).

The ORMCP (2017) also updates Section 40 to require municipalities to ensure that infrastructure is coordinated with land use planning and investment.

### Proposed Changes to the Regional Official Plan ORMCP Infrastructure Policies

#### ✓ Infrastructure Planning Requirements

ROP policy 2.2.9.3.20 generally prohibits infrastructure “in all land use designations ... unless the requirements of the ORMCP have been addressed to the satisfaction of the applicable approval authority...”. As such, the ROP policy continues to conform to the ORMCP (2017) and no changes are required.

The reference to the ORMCP policies will ensure new requirements for infrastructure planning regarding studies, financial feasibility, asset management, stormwater and climate change are addressed.

#### ⚠ Minimum Vegetation Zones

ROP policy 2.2.9.3.20 generally prohibits infrastructure “in all land use categories and KNHFs and KHFs unless the requirements of the ORMCP have been addressed...” This policy does not specify that infrastructure is also prohibited within related minimum vegetation zones and will need to be amended to clarify it also applies in a “related minimum vegetation protection zone”.

### 7.10 Sewage and Water Services / Partial Services (Sections 43 – 44)

The provision of water and treatment of wastewater to support development can have negative impacts on the water quality, quantity and consequently the ecological integrity of the Moraine. If water systems are improperly designed, water sources, such as lakes, rivers, streams and groundwater, can become depleted as water is drawn from them to supply development. Additionally, if wastewater is not properly treated before being released back into the ground or surface waters, the quality of the receiving waters can be significantly reduced and pose threats to human health (ORMCP, 2002, Technical Paper 16).

In order to ensure that major development will be supported by sewage and water servicing that does not negatively impact the ecological and hydrological integrity of the Moraine, Section 43 of the ORMCP (2017) requires applications for major development to be accompanied by a sewage and water system plan. Additionally, Section 44 of the ORMCP (2017) prohibits partial services on properties within the Moraine (i.e. water and sewage services must be considered together, and be either fully provided by a

municipality or private communal system; or fully provided by individual on-site water and sewage systems). An exception to the prohibition of partial services is provided to permit partial services to be allowed in the Palgrave Estate Residential Community in the Town of Caledon.

ORMCP (2017) amends Section 43 of the ORMCP (2002) by adding that sewage and water system plans shall demonstrate compliance to any applicable water and wastewater master plans or subwatershed plans, and demonstrate that the development will not cause the assimilative and attenuation capacities of lakes, rivers or streams or groundwater to be exceeded. No changes were made to Section 44 of the ORMCP (2002).

### Proposed Changes to the Regional Official Plan ORMCP Sewage and Water Services Policies



#### **Sewage and Water Services**

ROP policy 2.2.9.3.25 broadly directs the Town to prohibit major development unless ORMCP s.43 requirements are satisfied. As such, the ROP policy continues to conform to the ORMCP (2017) and no changes are required.

### 7.11 Stormwater Management and Stormwater Management Plans (Section 45 – 46)

Because the Moraine is a significant groundwater recharge area for Southern Ontario, Sections 45 and 46 of the ORMCP (2017) seek to control the quality and quantity of stormwater runoff from development and the way stormwater is to be discharged. Sections 45 and 46 require municipalities to seek reductions in impervious surfaces for applications for development and site alteration to minimize stormwater volumes and contaminant loads. Additionally, major development applications are required to include a stormwater management plan that, among other things, protect water quality, prevent increases in flood risk, and provide for an integrated sequence of measures and techniques to minimize and convey runoff (e.g. compact building form; grass swales) (ORMCP Technical Paper #17).

Under the ORMCP (2017), all municipalities are now required to develop stormwater master plans and stormwater management plans for Settlement Areas within the ORMCP that “incorporate appropriate low impact development techniques and green infrastructure elements; and ... identify opportunities for stormwater retrofits, where appropriate” [ORMCP, 2017, s.45(0.2) b. and c.].

New policies were also added to the ORMCP (2017) that require municipalities to consider ways to increase capacity to adapt to climate change when reviewing applications for development or site alteration [s.45(3)], and to include addressing climate change as an objective of stormwater management plans [s.46(1)].

## Proposed Changes to the Regional Official Plan ORMCP Stormwater Management Policies

### **Municipal Stormwater Master Plans for ORM Settlement Areas**

Caledon East is a designated Settlement Area in the ORMCP in Peel and is the only area in Peel for which a stormwater master plan/management plan would be required in accordance with new policy in Section 45 of the ORMCP (2017). A new policy will need to be added to ROP section 2.2.9, under the “Infrastructure” sub-heading or under a new “Stormwater” sub-heading to direct the Town of Caledon to develop a stormwater master plan for the ORMCP’s urban settlement areas (i.e. Caledon East) and to implement requirements for stormwater management plans for all major development on the Moraine in accordance with the requirements of the ORMCP (2017) and in consultation with the Region and Conservation Authorities as appropriate.

In addition to these new ORMCP (2017) policies, Section 3.2.7 of the *Growth Plan (2017)* also requires municipalities to develop stormwater master plans and stormwater management plans in settlement areas. The requirements of the ORMCP (2017) and the *Growth Plan (2017)* are similar in that both plans require stormwater master plans to be “informed by watershed planning”, in the case of the *Growth Plan (2017)* or “be based on the appropriate watershed scale studies”, in the case of the ORMCP (2017). Further discussion of the policy requirement will be required to ensure that watershed planning information is coordinated with stormwater planning.

### **Climate Change Considerations**

The ROP currently does not provide specific policy direction to the Town to seek to increase capacity to adapt to climate change when considering applications for development or site alteration. ROP policy 2.2.9.3.25 generally directs the Town of Caledon to prohibit specifically major development, unless the requirements of Sections 45 and 46 of the ORMCP (2017) are satisfied. The ROP will need to be amended to include a policy directing the Town to consider climate change when evaluating applications for site alteration or development.

## 7.12 Rapid Infiltration Basins and Columns (Section 47)

A rapid infiltration basin and column (also known as a recharge basin), is a type of best management practice (BMP) constructed in porous soil that punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer in order to rapidly infiltrate surface water runoff into the ground. The ORMCP policies prohibiting these types of stormwater management practice has not changed.

## 7.13 Waste Disposal Sites and Organic Soil Conditioning Sites (Section 47.1)

While infrastructure may be permitted anywhere in the ORMCPA, subject to Section 40 of the ORMCP (2017), a new policy clarifying that waste disposal sites and facilities, and soil conditioning sites are

prohibited in Natural Core Areas, Natural Core Areas, Natural Linkage Areas, KNHFs, KHFs, and related minimum vegetation protection zones has been added to the Plan.

### Proposed Changes to the Regional Official Plan ORMCP Waste Disposal Sites Policies



#### **Waste Disposal Sites**

ROP policy 2.2.9.3.20 generally prohibits infrastructure “in all land use categories and [KNHFs and KHFs] unless the requirements of the ORMCP have been addressed...” This policy does not specify that infrastructure is also prohibited within related minimum vegetation zones. This policy should be amended to further clarify that it also applies in “related minimum vegetation protection zone”.



#### **Waste Disposal Sites and Soil Conditioning Sites**

A new ROP policy will need to be added providing policy direction that prohibits waste disposal sites and organic soil conditioning sites in Natural Core Areas, Natural Linkage Areas, KNHFs, KHFs, and related minimum vegetation protection zones. These uses are also prohibited in wellhead protection areas and areas of high aquifer vulnerability in accordance with the policies of the ORMCP.

## 8. Proposed Draft Changes to ROP ORMCP (2017) Mapping

The ROP provides map schedules and figures that show the location of ORMCP Area land use designations, wellhead protection areas, areas of high aquifer vulnerability, landform conservation areas, and partial services areas. These maps were reviewed and updated as noted below with new data in cases where new mapping data was available. Table 8.1 provides a description of the summary changes proposed for the ROP mapping to reflect changes made to the schedules in the ORMCP (2017) (except for mapping related to partial services areas). All schedules and figures will be updated to reflect a new mapping template and background data. Proposed draft changes to the ORMCPA Schedules and Figures are shown in Appendix A.

**Table 8.1: Proposed Updates to ROP ORMCP Mapping**

<b>ORMCP (2017) Mapping</b>	<b>Corresponding ROP Schedule / Figure</b>	<b>Original Source</b>	<b>Availability of Updated Data</b>
<b>ORM Land Use Designations</b>	Schedule D1 (draft Schedule X9) - ORMCPA Land Use Designations	Province (April 2002)	Yes, Province (May 2017). See ORMCP s.2 for location
<b>Key Natural Heritage Features</b>	None. Policy 2.2.9.3.11 directs Town to identify known KNHFs and KHFs in Official Plan and ZBA where technically feasible.		
<b>Key Hydrological Features</b>	None. Policy 2.2.9.3.11 directs Town to identify known KNHFs and KHFs in Official Plan and ZBA where technically feasible.		
<b>Wellhead Protection Areas</b>	Figure 13 (draft Figure X3) – Wellhead Protection Areas for the ORMCPA	Region of Peel (2002)	Yes Region, TRCA and CVC Source Protection Authorities (2017)
<b>Areas of High Aquifer Vulnerability</b>	Schedule D2 (draft Schedule X10) – Aquifer Vulnerability areas in Peel for the ORMCPA	Province (March 2002)	No
<b>Landform Conservation Areas</b>	Figure 12 (draft Figure X2) – Landform Conservation Areas in Peel for the ORMCPA	Province (March 2002)	No
<b>Partial Service Areas</b>	Figure 14 (draft Figure X4) – Oak Ridges Moraine Conservation Plan Area (ORMCPA) Partial Service Areas	Region of Peel (2012)	No

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## 9. Conclusion and Next Steps

The Province has revised policies through the 2017 update of the ORMCP which has been represented in this Discussion Paper. The Region is responsible for implementing provincial direction and ensuring that the ROP conforms to Provincial land use planning policy, which is being completed as part of the Peel 2041 process.

This discussion paper presents an overview of each of the major policy elements of ORMCP (2017), the corresponding policies in the current ROP, and where necessary, recommendations on how the policy elements and mapping will need to be revised to conform with the revisions in the ORMCP (2017).

The current ROP serves to comprehensively plan for growth while protecting and maintaining the ecosystem integrity in Peel Region, including lands within the Greenbelt Plan Area. Ultimately, through the Peel 2041 policy review and update, Peel Region will be strengthening its ROP policies to ensure conformity with the current ORMCP (2017).





# Appendix A: Draft Schedules and Figures

