

**THE CORPORATION OF THE  
TOWNSHIP OF EAST GARAFRAXA  
BY-LAW NUMBER 50-2020**

**BEING A BY-LAW FOR THE ADOPTION FOR  
AN AMENDMENT TO THE OFFICIAL PLAN**

**THE Council of the Corporation of the Township of East Garafraxa in accordance with the provisions of Sections 17, 21 and 26 of the Planning Act, P.S.O. 1990 as amended hereby enact as follows:**

- 1. THAT Official Plan Amendment Number 8 to the Official Plan of The Township of East Garafraxa being the attached text and Schedules A1, A2, A3, A4, and A5, attached hereto as Schedule “A” 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 Official Plan Amendment Number 8 to the Official Plan of the Township of East Garafraxa and to provide such information as required by section 17 of the Planning Act, R.S.O. 1990, cP.13 as amended.**

**ENACTED and PASSED THIS 22<sup>nd</sup> DAY of December 2020**

Susan Stone (Original Signed)

**CLERK**

Guy Gardhouse (Original Signed)

**HEAD OF COUNCIL**

**THE CORPORATION OF THE  
TOWNSHIP OF EAST GARAFRAXA**

**OFFICIAL PLAN**

**AMENDMENT 8**

**AMENDMENT NUMBER 8**  
**TO THE OFFICIAL PLAN**  
**FOR THE**  
**TOWNSHIP OF EAST GARAFRAXA**

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## **THE CONSTITUTIONAL STATEMENT**

**PART A – THE PREAMBLE:** The Preamble provides an explanation of Amendment No. 8 to the Official Plan for the Township of East Garafraxa, including purpose, location and background information, but does not form part of this amendment.

**PART B – THE AMENDMENT:** The Amendment, consisting of text and schedules, designates the proposed changes to the Official Plan for the Township of East Garafraxa and constitutes Amendment No. 8.

**PART C – THE APPENDICES:** The appendices, if included herein, provide related information to the amendment but do not constitute part of this Amendment.



**AMENDMENT NUMBER 8**  
**TO THE OFFICIAL PLAN**  
**FOR THE**  
**TOWNSHIP OF EAST GARAFRAXA**

**PART A – THE PREAMBLE**

**1.0     LOCATION**

This Amendment applies to the lands of the Township of East Garafraxa in their entirety.

**1.1     PURPOSE OF THE AMENDMENT**

The purpose of this Amendment is to ensure the Township of East Garafraxa Official Plan is consistent with the Provincial Policy Statement, 2020 (PPS 2020) and to bring the Plan into conformity with the County of Dufferin Official Plan, the Credit Valley-Toronto and Region-Central Lake Ontario (CTC) Source Protection Plan; and the Grand River Source Protection Plan.

**1.2     BASIS OF THE AMENDMENT**

The Amendment reflects the results of a review of the Official Plan designed to ensure that the Plan:

- i) is consistent with the Provincial Policy Statement, 2020 (PPS 2020);
- ii) conforms with the County of Dufferin Official Plan, as consolidated March, 2020;
- iii) reflects consideration of the applicable approved Source Protection Plans established in accordance with the Ontario Clean Water Act, 2006: Credit Valley-Toronto and Region-Central Lake Ontario (CTC) Source Protection Plan; and Grand River Source Protection Plan; and
- iv) is updated to reflect a number of housekeeping matters (e.g. complete applications, garden suites, technical consents, parkland dedication).

The review builds on available existing information, including identified issues with the current Official Plan. Public and agency consultation were also a critical component of the Official Plan review.

The review did not address the issue of conformity with the latest Provincial Plans in particular the Growth Plan for the Greater Golden Horseshoe, 2019(Growth Plan 2019) and the Greenbelt Plan 2017. Through a future amendment, the Township will update the Plan to ensure all policies conform to the Growth Plan 2019 and the Greenbelt Plan 2017. The amendment will be developed once the County Official Plan has been reviewed and updated to reflect the changes to the Provincial plans.

**AMENDMENT NUMBER 8**  
**TO THE OFFICIAL PLAN**  
**FOR THE**  
**TOWNSHIP OF EAST GARAFRAXA**

**PART B – THE AMENDMENT**

**2.0     INTRODUCTION TO THE AMENDMENT**

**2.1     DETAILS OF THE AMENDMENT**

The Official Plan of the Township of East Garafraxa is hereby amended as follows:

**2.1.1    By:**

- i)       Modifying Schedules “A”, “A-1” and “A-2”, Land Use and Transportation, of the Official Plan of the Township of East Garafraxa to update the Environmental Protection designation, as well as a number of other updates, as shown on Schedules 1, 2 and 3 to this amendment;
- ii)      Modifying Schedule “B”, Environmental Features, of the Official Plan of the Township of East Garafraxa to update the environmental feature designations, as shown on Schedule 4 to this amendment; and,
- iii)     Adding a new Schedule “F”, Source Water Protection Areas, which is found as Schedule 5 to this amendment.

**2.1.2    THAT Section 1.1 titled INTENT OF THE PLAN is hereby amended by:**

- i)       Deleting the year “2031” in the first sentence of paragraph five and replacing it with the year “2036”; and,
- ii)      Deleting the phrase “every five years” in paragraph five, and replacing it with the following:  
  
          “in accordance with the Planning Act every ten years after it comes into effect as a new official plan, and every five years thereafter, “.

**2.1.3    THAT Section 1.2 titled BACKGROUND INFORMATION is hereby amended by:**

- i)       Deleting in paragraph two the phrase “Statement, 1996, as amended.” and replacing it with the following:

“Statements, 1996, 2005 and 2014, as amended. Further, the Township has amended the Plan to be consistent with the Provincial Policy Statement, 2020 which updated the Provincial Policy Statements 2014.”; and,

- ii) Deleting in paragraph three the phrase “the provincially endorsed Growth Management Study for the County of Dufferin and its Member Municipalities, including the Township of East Garafraxa” and replacing it with the following:

“the County of Dufferin Official Plan (adopted 2014, approved 2015 and consolidated 2017). In 2017, the Province brought into effect the Greenbelt Plan, 2017 and in 2019, the Growth Plan for the Greater Golden Horseshoe, 2019, Consolidation 2020 (Growth Plan). All planning decisions must conform to the Greenbelt Plan 2017 and the Growth Plan. Through a future amendment, the Township will update this Official Plan to ensure that all policies conform with the Greenbelt Plan 2017 and the Growth Plan.”

- 2.1.4 THAT Section 1.3 titled STRUCTURE, Subsection 1.3.4 Development Criteria, is hereby amended by:

- i) Deleting the period “.” from the end of the fourth sentence of paragraph one and replacing it with the following:

“, while Schedule F identifies Source Water Protection Areas, Schedule D identifies those lands that are within the Greenbelt Plan and Schedule E outlines Greenbelt Natural Heritage Features.”

- 2.1.5 THAT Section 1.3 titled STRUCTURE , Subsection 1.3.5 IMPLEMENTATION AND INTERPRETATION, is hereby amended by:

- i) Deleting the word “forms” and replacing it with the word “form”.

- 2.1.6 THAT Section 2.0 titled BASIS, is hereby amended by:

- i) Deleting from Subsection 2.2 the phrase “It is projected that “ and replacing it with the following:

“Growth forecasts and allocations in the County of Dufferin Official Plan establish that”;

- ii) Adding to Subsection 2.2 after the word “residents” the following:

“in 2031 and 3,180 residents in 2036”;

- iii) Deleting from Subsection 2.2 the words “year 2031” and replacing it with the following:

“years 2031/2036”; and,

- iv) Adding a new subsection following Subsection 2.4 and renumbering all subsequent subsections of Section 2.0 BASIS. The new Subsection to be added is as follows:

“2.5 The Township of East Garafraxa contains vulnerable areas associated with municipal wells located in the boundaries of the Credit Valley and Grand River Source Protection Areas. All development within vulnerable areas shall conform with the applicable Source Protection Plan and the source water protection policies of this Plan”.

2.1.7 THAT Section 3.2 titled PRINCIPLES, Subsection 3.2.3 is hereby amended by:

- i) Adding the word “the” after the word “through” and before the word “growth”.

2.1.8 THAT Section 4.0 titled OBJECTIVES, Subsection 4.6 is hereby amended by:

- i) Adding after the first word of the paragraph, “To”, the following:

“ensure all land use decisions conform with the applicable Source Protection Plan and the source water protection policies of this Plan to”.

2.1.9 THAT Section 5.0 titled FUTURE LAND USE is hereby amended by:

- i) Adding a seventh bullet to the list of Schedules after the first paragraph as follows: “

- Schedule F Source Water Protection Areas”.

2.1.10 THAT Section 5.1 titled AGRICULTURAL, Subsection 5.1.1 Identification, is hereby amended by:

- i) Adding to the first sentence of paragraph one after “A-2” the phrase as follows:

“and in the County of Dufferin Official Plan”.

2.1.11 THAT Section 5.1 titled AGRICULTURAL, Subsection 5.1.3 Permitted Uses, is hereby amended by:

- i) Adding to the first sentence of paragraph one after words “agricultural uses” the phrase as follows:

“and normal farm practices”;

- ii) Adding to the first sentence of paragraph one after the word “nursery”, the word “, biomass”;

- iii) Deleting the phrase “subject to the provisions outline in this Plan.” and replacing it with the phrase as follows:

“and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storage, and value-retaining facilities subject to the provisions outlined in this Plan.”;

- iv) Deleting subsection 5.1.3 b) and replacing it with the following:

“b) One secondary residential unit within an existing or new home, and an additional secondary residential unit in an existing or new accessory building, are permitted subject to meeting the requirements of Section 9.1.5 of this Plan including the requirements of the Ontario Building Code, where permitted by the Township zoning By-Law, and consideration of such matters as lot size public health, safety, servicing and parking.”;

- v) Replacing the period at the end of Section 5.1.3 c) with a comma and adding to subsection 5.1.3 d) the phrase “and home industries” after the word “occupations”;

- vi) Adding to subsection 5.1.3 e) after the word “agriculturally” the words as follows:

“or other rural”;

- vii) Deleting subsection 5.1.3 f) and replacing it with the following:

“f) Forestry, conservation uses, wildlife and fisheries management and passive recreational uses,”;

- viii) Deleting from subsection 5.1.3 i) the phrase “directly related to the agricultural community that must” and replacing it with the word “ that benefit”;

- ix) Deleting from subsection 5.1.3 i) the word “be” found after the word “operation,” and replacing it with the words “from being”;
- x) Deleting from subsection 5.1.3 i) the following:

“or are permitted as temporary uses within existing agricultural buildings”;
- xi) Deleting subsection 5.1.3 j) and replacing it with the following:

“j) On-farm diversified uses which include, but are not limited to: home occupations, home industries, and those uses which add value to farm produce such as the processing, preserving, storing and packaging of the farm’s products on the farm property, sales outlets for agricultural products produced on the farm, and agri-tourism uses such as farm machinery and equipment exhibitions (on a temporary basis) and other special events and facilities for such events, farm tours, petting zoos, hay rides and sleigh rides, processing demonstrations, pick-your-own produce establishments, small-scale farm theme playgrounds for children and small-scale educational establishments that focus on farming instruction. On-farm diversified uses are secondary to the principal agricultural use of the property and are limited in area. Proposed on-farm diversified uses will be compatible with, and will not hinder, surrounding agricultural operations and may be subject to site plan control,”;
- xii) Adding the following new subsections to 5.1.3 after subsection 5.1.3 k) as follows:
  - “l) Accessory buildings, structures and facilities and site modifications required to accommodate permitted uses,
  - m) Watershed management and flood and erosion control projects and parklands development carried out or supervised by a public agency; and,
  - n) The legally licensed production of marihuana shall only be permitted as a specialized agricultural use on lands in the Agricultural designation on a lot with a minimum size of 10 hectares subject to a zoning bylaw amendment and site plan control. Through the rezoning process the Township will be satisfied that compatibility with adjacent land uses can be achieved through approaches such as the installation and operation of odour and light mitigation systems, odour and light

control, maintenance and monitoring plans, maintaining appropriate setbacks from sensitive receptors and a waste management plan.”

2.1.12 THAT Section 5.1 titled AGRICULTURAL, Subsection 5.1.4 Severance Policies, is hereby amended by:

- i) Deleting subsection 5.1.4 a) and modifying the subsequent subsection lettering accordingly;
- ii) Deleting from subsection 5.1.4 b) “where the farm lands are to be added to an existing farm operation, the amount of lands removed from agricultural production are limited to a minimum size needed to accommodate the use and appropriate sewage and water services;” and revising the subsection as follows:

“b) Severances of any existing habitable dwellings surplus to a farm operation resulting from a farm consolidation shall be permitted provided that:

- i) The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
- ii) New residential dwellings shall be prohibited on the remnant parcel of farmland created by the severance; and,
- iii) The surplus farm dwelling will be subject to minimum distance separation formulae where deemed applicable.

Farm consolidation means the acquisition of an additional farm parcel or parcels to be operated as one farm operation.”; and,

- iv) Modifying Subsections 5.1.4 d) and e) as follows:

“d) A maximum of one lot may be severed per original farm of approximately 60 hectares or greater. The consent may be granted to only create an agricultural parcel, where both the severed and retained parcels are a minimum of 20 hectares in size or to recreate original Township lots each along the originally surveyed lot lines.

- e) The proposed lot must also comply with the policies set out in Section 8.2 Lot Creation, and Section 8.3 Technical Consents of this Plan.”

2.1.13 THAT Section 5.1 titled AGRICULTURAL, Subsection 5.1.5 Development Policies, is hereby amended by:

- i) Deleting the number “38” in subsection 5.1.5 a) and replacing it with the number “10”;
- ii) Deleting from subsection 5.1.5 d) “plan, subject to an application and report” and replacing it with the following:

“Plan, subject to an application and submission of appropriate studies, including an Agricultural Impact Assessment which demonstrates that the proposed use complies with the Provincial minimum distance separation formulae and a report justifying the use”;
- iii) Adding to subsection 5.1.5 d) i) after the word “feasible” the phrase as follows:

“and the use will not be located in an area that may have an impact on the future efficient and logical expansion of any settlement areas”;
- iv) Deleting from subsection 5.1.5 d) ii) the phrase “twenty year planning horizon” and replacing it with the phrase as follows:

“planning horizon of this Plan”;
- v) Deleting from subsection 5.1.5 d) v) the phrase “Provincial Minimum Distance Separation Formula I (MDSI)” and replacing it with the following:

“the Provincial minimum distance separation formulae.”;
- vi) Deleting from subsection 5.1.5 e) the word “new” and replacing it with the following:

“development in the Agricultural designation will be serviced with adequate sewage and water services. New”;
- vii) Adding to subsection 5.1.5 e) after the words “industrial uses” and before the words “must demonstrate”, the phrase as follows:

“or other non-agricultural uses”;
- viii) Adding to subsection 5.1.5 e) after the word “disposal” and before the word “system”, the phrase as follows:

“and stormwater management”; and,



- ix) Deleting from subsection 5.1.5 f) the phrase “plan wherein the use is permitted with the underlying designation remaining Agriculture is permitted” and replacing it with the phrase “Plan wherein the use is permitted”.

2.1.14 THAT Section 5.1 titled AGRICULTURAL, Subsection 5.1.6 Zoning, is hereby amended by:

- i) Adding a second paragraph to subsection 5.1.6 b) as follows:

“Where an existing habitable farm residence is rendered surplus as a result of farm consolidation and land is severed as a result of a surplus farm dwelling, the retained farm parcel shall be zoned to prevent further residential development. In addition, the new lot shall be limited to a minimum size needed to accommodate the use and appropriate sewage and water services.”; and,

- ii) Deleting from subsection 5.1.6 c) the phrase “Minimum Separation II Formula subject to section 7.4 Minimum Distance Separation Formula. New land uses and proposed lot creations must meet the Provincial Minimum Distance Separation I subject to Section 7.4 Minimum Distance Separation Formula” and replacing it with the following:

“minimum distance separation formulae. New land uses and proposed lot creations must meet the Provincial minimum distance separation formulae. However, in locating new livestock buildings and manure storage facilities consideration will be given to the relationship to adjacent vacant lots to ensure a reasonable building envelope is maintained on adjacent properties.”

2.1.15 THAT Section 5.2 titled RURAL, Subsection 5.2.1 Identification, is hereby amended by:

- i) Adding to the first sentence of paragraph one after “A-2” and before the second sentence the following:

“and reflect designations in the County of Dufferin Official Plan.”

2.1.16 THAT Section 5.2 titled RURAL, Subsection 5.2.2 Objectives, is hereby amended by:

- i) Deleting from subsection 5.2.2 c) the phrase “to prevent farming practices which may be harmful to the environment or health of residents”; and,
- ii) Adding to subsection 5.2.2 d) after “rural land uses” and before “which have minimal impact” the following:

“that require separation from other uses, but “.

2.1.17 THAT Section 5.2 titled RURAL, Subsection 5.2.3 Permitted Uses, is hereby amended by:

- i) Adding to subsection 5.2.3 a) after the first word, “Agricultural”, in the first sentence, the phrase as follows:

“and normal farm practices”;

- ii) Adding to subsection 5.2.3 a) the word “, biomass” after the word “nursery” and before the phrase “and horticultural crops;”;

- iii) Adding to subsection 5.2.3 a) the word “game,” before the word “poultry”;

- iv) Adding to subsection 5.2.3 a) the following phrase after the word “production” and before the phrase “subject to”:

“and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storage, and value-retaining facilities”;

- v) Deleting from subsection 5.2.3 b) the word “dwelling” and replacing it with the word “dwellings”;

- vi) Deleting from subsection 5.2.3 c) the first word of the subsection, “A”, and replacing it with the word “One”;

- ix) Deleting from subsection 5.2.3 c) and replacing it with the following:

“c) One secondary residential unit within an existing or new home, and an additional secondary residential unit in an existing or new accessory building, are permitted subject to meeting the requirements of Section 9.1.5 of this Plan including the requirements of the Ontario Building Code, where permitted by the Township zoning By-Law, and consideration of such matters as lot size public health, safety, servicing and parking.”;

- x) Adding to subsection 5.2.3 d) after the word “areas”, the phrase as follows:

“including resource-based and forestry uses, subject to an amendment to the Zoning By-law;”;

- xi) Deleting subsection 5.2.3 e) and replacing it with the following:

“e) On-farm diversified uses which include, but are not limited to: home occupations, home industries, and those uses which add value to farm produce such as the processing, preserving, storing and packaging of the farm’s products on the farm property, sales outlets for agricultural products produced on the farm, and agri-tourism uses such as farm machinery and equipment exhibitions (on a temporary basis) and other special events and facilities for such events, farm tours, petting zoos,

hay rides and sleigh rides, processing demonstrations, pick-your-own produce establishments, small-scale farm theme playgrounds for children and small-scale educational establishments that focus on farming instruction. On-farm diversified uses are secondary to the principal agricultural use of the property and are limited in area. Proposed on-farm diversified uses will be compatible with, and will not hinder, surrounding agricultural operations and may be subject to site plan control;"; and,

- xii) Deleting all subsections of 5.2.3 after subsection 5.2.3 f) and replacing them as follows:
  - "g) Small scale public uses such as schools, churches, cemeteries and community halls servicing the local community;
  - h) Small scale institutional uses which service the local residents and depend on the rural community and environment to support their function;
  - i) Small scale recreational and tourism related uses such as passive parks and trail uses provided that any detrimental impact of these uses on the scenic qualities and natural environment is kept to a minimum;
  - j) Forest, conservation uses, wildlife and fisheries management and passive recreation uses;
  - k) Conservation areas, reforestation areas, watershed management and flood and erosion control or parkland development projects carried out or supervised by a public agency;
  - l) Wayside pits and quarries and portable asphalt plants subject to the Aggregate Resources Act;
  - m) Accessory buildings, structures and facilities and site modifications required to accommodate those uses permitted in the Rural designation;
  - n) Agriculture-related commercial and agriculture-related industrial uses that are small in scale, support agriculture and are directly related to the farm operations in the area and benefit from being located in close proximity to farm operations, such as grain drying handling and storage facilities, abattoirs, livestock marketing or sales yard, a seed cleaning plant, an agricultural produce warehouse or similar agri-business, as well as operations providing direct products and/or services to farm operations as a primary activity. Proposed agriculture-related uses will

be compatible with, and will not hinder, surrounding agricultural operations.

- o) Recreational, agri-tourism and tourism related uses, and bed and breakfasts, provided that any use does not negatively impact the natural environment or reduce the scenic qualities of the Rural area;
- p) Transportation and utility facilities;
- q) Industrial or commercial uses associated with the management or use of resources, subject to an official plan amendment for a site specific permission;
- r) rural land uses that cannot be located in a settlement area owing to matters such as compatibility and subject to an official plan amendment for a site specific permission;
- s) The legally licensed production of marihuana shall only be permitted as a specialized agricultural use on lands in the Rural designation on a lot with a minimum size of 10 hectares subject to a zoning bylaw amendment and site plan control. Through the rezoning process the Township will be satisfied that compatibility with adjacent land uses can be achieved through approaches such as the installation and operation of odour and light mitigation systems, odour and light control, maintenance and monitoring plans, maintaining appropriate setbacks from sensitive receptors and a waste management plan; and
- t) Accommodation for full time farm labour when the size and nature of the operation requires additional employment subject to Policy 5.1.5 of the Plan.”

2.1.18 THAT Section 5.2 titled RURAL, Subsection 5.2.4 Severance Policies, is hereby amended by modifying the subsection as follows:

- “a) In accordance with the policies of Section 5.1.4, a maximum of three severances from any original Township lot of approximately 40 hectares, where the severed and retained lots are at least 10 hectares. However, the maximum of three severances will include any severance for a surplus farm dwelling in accordance with the policies of Section 5.1.4 a). .”

2.1.19 THAT Section 5.2 titled RURAL, Subsection 5.2.5 Development Policies, is hereby amended by:

- i) Adding to subsection 5.2.5 c) after the word “Township” in the first sentence, before the second sentence, the following:

“and will not create or add to a negative impact on the environment, adjacent sensitive land uses or traffic patterns”,

- ii) Adding to subsection 5.2.5 d) after the first sentence the following:

“In addition, outdoor storage areas and the storage/removal of on-site generated waste shall be developed in a manner to ensure protection and screening from all adjacent roads and residential uses.”,
- iii) Adding to subsection 5.2 e) the word “generally”, after the words “effluent shall” and before the words “not be permitted”,
- iv) Adding to subsection 5.2.5 e) the phrase “and shall require an amendment to this Plan”, after the words “*Rural area*” and before the words “which will include”,
- v) Adding to subsection 5.2.5 f) a second sentence after the first one as follows:

“Where required by the Township as a basis for their evaluation of a new development, the proponent will submit an impact assessment and remediation plan for any use that may have the ability to compromise or contaminate the subject lands or to create or potentially create environmental stress.”; and,
- vi) Adding a new subsection following subsection 5.2.5 f) and relettering all subsequent subsections of 5.2.5 accordingly. The new subsection shall be as follows:

“g) An appropriate separation distance, based on the Ministry of Environment, Conservation and Parks relevant guidelines related to land use compatibility, will be established between a rural industrial land use and any sensitive land use. This separation distance shall be enforced through a zoning amendment and/or site plan control.”

2.1.20 THAT Section 5.2 titled RURAL, Subsection 5.2.6 Zoning, is be hereby amended by:

- i) Deleting from subsection 5.2.6 b) the phrase “Minimum Separation II Formula and that new residential development and proposed lot creations meet the Provincial Minimum Distance Separation I Formula, subject to section 7.14 Minimum Distance Separation Formula” and replacing it with the following:

“minimum distance separation formulae and that new residential development and proposed lot creations meet the Provincial minimum distance separation formulae. However, in locating new livestock buildings and manure storage facilities consideration will be given to the relationship to adjacent vacant lots to ensure a reasonable building envelope is maintained on adjacent properties.”

2.1.21 THAT Section 5.3 ESTATE RESIDENTIAL, Subsection 5.3.2 Objectives, is hereby amended by:

i) Deleting subsection 5.3.2 b) and replacing it as follows:

“b) To provide a basis for the evaluation of any applications for development or redevelopment in existing Estate Residential areas.”

2.1.22 THAT Section 5.3 titled ESTATE RESIDENTIAL, Subsection 5.3.3 Permitted Uses, is hereby amended by:

i) Adding to the first sentence after the word “residences” before the second sentence as follows:

“on large lots and/or at low density.”;

ii) Deleting the second sentence, and replacing it with the word with the following:

“One secondary residential unit within an existing or new home, where permitted by the Township zoning by-law; and an additional secondary residential unit in an existing or new accessory building are permitted subject to meeting the requirements of Section 9.1.5 of this Plan including the requirements of the Ontario Building Code, where permitted by the Township zoning bylaw, and consideration of such matters as lot size, public health, safety, servicing and parking. ”; and,

iii) Deleting subsection 5.3.3 b) and replacing it as follows:

“b) Public utilities”.

2.1.23 THAT Section 5.3 titled ESTATE RESIDENTIAL, Subsection 5.3.5 Development Policies, is hereby amended by:

i) Adding a sentence at the beginning of subsection 5.3.5b) before the words “The depth”. The sentence to be added is as follows:

“Lots shall be well proportioned. “.

2.1.24 THAT Section 5.4 titled COMMUNITY, Subsection 5.4.2.1 Community Residential, is hereby amended by:

i) Deleting subsection 5.4.2.1 b), and replacing it with the following:

“ b) One secondary residential unit within an existing or new home, where permitted by the Township zoning by-law; and an additional secondary residential unit in an existing or new accessory building are permitted subject to meeting the requirements of Section 9.1.5 of this Plan including

the requirements of the Ontario Building Code, where permitted by the Township zoning bylaw, and consideration of such matters as lot size, public health, safety, servicing and parking. "; and,

- ii) Adding to subsection 5.4.2.1 e) the words "parks and" after the word "Public" and before the word "open".

2.1.25 THAT Section 5.4 titled COMMUNITY, Subsection 5.4.2.3 Community Institutional, is hereby amended by:

- i) Deleting from subsection 5.4.2.3 e) the word "and,";
- ii) Adding to subsection 5.4.2.3 f) the word "; and," after the word "facilities";
- iii) Adding a new subsection after subsection 5.4.2.3 f) as follows:

"g) day care facilities."; and,

- iv) Adding a new paragraph at the end of subsection 5.4.2.3 Community Institutional, after the list of permitted uses and before subsection 5.4.3 Drainage as follows:

"It is recognized that not all services and facilities that provide public services are owned and operated by public authorities or agencies. Where private facilities are proposed, those facilities shall be subject to site plan control.

Notwithstanding any other provisions of Section 5.4.2.3, it is recognized that the existing Township works yard on the west side of 13<sup>th</sup> Line south of County Road 3 in Marsville is an interim use. Upon the lands ceasing to be used for Community Institutional purposes, the lands shall be designated as Community Residential without requiring any further amendment to the Official Plan, and shall be shown as such on subsequent mapping of Schedule "A-1" to this Official Plan."

2.1.26 THAT Section 5.4 titled COMMUNITY, Subsection 5.4.5 Development Policies, is hereby amended by:

- i) Deleting from subsection 5.4.5 c) the word "walkable" and replacing it with the word "active"; and,
- ii) Deleting from subsection 5.4.5 f) the phrase "Section 2.2.8 of ".

2.1.27 THAT Section 5.4 titled COMMUNITY, Subsection 5.4.6 Zoning, is hereby amended by:

- i) Deleting paragraph one of subsection 5.4.6 and replacing it with the paragraph as follows:

“The zoning in the implementing Zoning By-law should reflect the direction provided by the applicable land use designations in this Plan.”

2.1.28 THAT Section 5.5 titled EMPLOYMENT AREA, Subsection 5.5.1 Identification, is hereby amended by:

- i) Adding the word “and” in the first sentence after the word “industrial,” and before the word “commercial”; and,
- ii) Deleting the words “and institutional” in the first sentence found after the word “commercial”.

2.1.29 THAT Section 5.5 titled EMPLOYMENT AREA, Subsection 5.5.2 Objectives, is hereby amended by:

- i) Adding to subsection 5.5.2 b) the word “and” after the word “commercial,” and before the word “industrial”; and,
- ii) Deleting from subsection 5.5.2 b) the words “and institutional” in the first sentence found after the word “industrial”.

2.1.30 THAT Section 5.5 titled EMPLOYMENT AREA, Subsection 5.5.3 Permitted Uses, is hereby amended by:

- i) Adding to subsection 5.5.3 i) the word “public” after the word “similar”;
- ii) Deleting from subsection 5.5.3 l) the word “and”;
- iii) Adding to subsection 5.5.3 m) the word “and,” after the word “unit;” and,
- iv) Adding a new subsection to the list of permitted uses after subsection 5.5.3 m) as follows:

“n) The legally licensed production of marihuana shall only be permitted on lands in the Employment Area designation in lands in an Industrial or Business Park Zone in an enclosed building subject to a zoning by-law amendment and site plan control. Through the rezoning process the Township will be satisfied that compatibility with adjacent land uses can be achieved through approaches such as the installation and operation of odour and light mitigation systems, odour and light control, maintenance and monitoring plans, maintaining appropriate setbacks from sensitive receptors and a waste management plan. “

2.1.31 THAT Section 5.5 titled EMPLOYMENT AREA, Subsection 5.5.4 Prohibited Uses, is hereby amended by:



- i) Deleting from subsection 5.5.4 e) the word “and”;
- ii) Deleting subsection 5.5.4 f) and replacing it as follows:
  - “f) new residential lots and other sensitive uses, not ancillary to the primary employment uses including schools, places of worship and hospitals; and,”; and,
- iii) Adding a new subsection to the list of prohibited uses after subsection 5.5.4 f) as follows:
  - “g) activities within a vulnerable area prohibited in accordance with Section 57 of the Ontario Clean Water Act, 2006.”

2.1.32 THAT Section 5.5 titled EMPLOYMENT AREA, Subsection 5.5.6 Development Policies, is hereby amended by:

- i) Deleting from subsection 5.5.6 b) the phrase “Section 2.2.6.5 of the Growth Plan” and replacing it with “the Growth Plan and the County Official Plan”.

2.1.33 THAT Section 5.5 titled EMPLOYMENT AREA, Subsection 5.5.7 Buffering, is hereby amended by:

- i) In the second paragraph, deleting the phrase “accordance with the Ministry of Environment” and replacing it with as follows:
  - “in accordance with the Ministry of Environment, Conservation and Parks”.

2.1.34 THAT Section 5.5 titled EMPLOYMENT AREA, Subsection 5.5.8 Infrastructure Amenities, is hereby amended by:

- i) Adding at the end of the first sentence, after the phrase “incorporate the following” the words as follows:
  - “through the site plan control process”.

2.1.35 THAT Section 5.6 titled EXTRACTIVE INDUSTRIAL, Subsection 5.6.1 Identification, is hereby amended by:

- i) Deleting from the first sentence of the first paragraph, the phrase “and high potential aggregate resources.” and replacing it with the following:
  - “. Licensed pits are designated *Extractive Industrial*.”;
- ii) Adding to the second sentence of the first paragraph, a comma “,” after the word “operations”;

- iii) Adding to the third sentence of the first paragraph, the text “, quarries,” after the word “pits”; and,
- iv) Adding a second paragraph as follows:

“High Potential Aggregate Resources are also identified on Schedule “B” so that such areas can be protected for long term use. However, the identification of such areas does not presume that all lands located in such areas are suitable for the establishment of new pits and quarries or expansions of existing pits and quarries. Further, it is recognized that there is potential for establishment of pits and quarries outside the identified areas. Any application for a pit or quarry will require an Official Plan amendment regardless of location.”

2.1.36 THAT Section 5.6 titled EXTRACTIVE INDUSTRIAL, Subsection 5.6.2 Objectives, is hereby amended by:

- i) Adding at the end of subsection 5.6.2 a) after the word “Township” the phrase as follows:

“and to protect them from activities that would preclude or hinder their continued use or expansion.”;
- ii) Adding to subsection 5.6.2 b) after the first word of the sentence, “To”, the words “identify and”; and,
- iii) Adding a new objective following subsection 5.6.2 c) as follows:

“d) To provide for the progressive rehabilitation of extractive operations to an appropriate after-use.”

2.1.37 THAT Section 5.6 titled EXTRACTIVE INDUSTRIAL, Subsection 5.6.3 Permitted Uses, is hereby amended by:

- i) Deleting the phrase “this category” in first sentence of Subsection 5.6.3 and replacing it with phrase “the Extractive Industrial designation”;
- ii) Deleting subsection 5.6.3 a) and replacing it with the following:

“a) Existing aggregate extraction operations, licensed in accordance with the Aggregate Resources Act including those Aggregate extraction operations designated under Official Plan Amendments 5 (Tri-County) and 6 (Greenwood);”;
- iii) Adding at the end of subsection 5.6.3 f) the following:

“that require little terrain or vegetation modification and few, if any, buildings or structures;”;

- iv) Adding a new subsection to the list of permitted uses following subsection 5.6.4 h) as follows:
  - “i) Watershed management and erosion control projects carried out or supervised by a public agency.”; and,
- v) Adding a new paragraph after the list of permitted uses at the end of Subsection 5.6.3 and before Subsection 5.6.4 as follows:

“Mineral aggregate resource conservation uses will also be permitted. However, accessory uses to aggregate operations such as asphalt plants and redi-mix plants are not permitted as of right. Any such use shall require a site-specific Official Plan amendment, and a zoning by-law amendment. Further, such uses will only be considered accessory to the use as established in Section 5.6.3. a), and if approved must cease when the use as set out in Section 5.6.3 a) ceases.”

2.1.38 THAT Section 5.6 titled EXTRACTIVE INDUSTRIAL, Subsection 5.6.5 Development Policies, is hereby amended by:

- i) Adding to the first sentence of paragraph one after the words “outside of”, the words “lands in”;
- ii) Deleting from the second sentence of paragraph one, the second instance of the word “Resource” and replace it with the word “Resources” and adding at the end of the sentence the phrase “in accordance with the policies of Section 5.6.10”;
- iii) Deleting paragraph two;
- iv) Adding to subsection 5.6.5 a) before the words “extractive operations” the following:

“and protect the surrounding sensitive uses,”;
- v) Adding to the end of subsection 5.6.5 a) after the words “public view” the following:

“and buffered through the use of berms and other mitigation measures in accordance with Section 5.6.5 i).”;
- vi) Deleting from subsection 5.6.5 e) the Ministry title “Ministry of Environment and Energy” and replacing it with the following:

“Ministry of Environment, Conservation and Parks”;
- vii) Adding to subsection 5.6.5 e) after the word “noise, “the word “vibration,”;

- viii) Deleting from subsection 5.6.5 f) the phrase “rehabilitation of the site is” and replacing it with the following:

“it is established through a rehabilitation plan that the agricultural rehabilitation of the site will be”;
- ix) Adding a second sentence to subsection 5.6.5 e) as follows:

“However, complete rehabilitation is not required where there is a substantial quantity of mineral aggregate resources below the water table warranting extraction or the depth of the planned extraction in a quarry makes restoration of pre-agricultural capability unfeasible and other alternatives have been considered by the applicant and found unsuitable and rehabilitation in the remaining area is maximized.”;
- x) Adding at the end subsection 5.6.5 h) ii) the phrase “with respect to quality and quantity” before the comma;
- xi) Deleting subsection 5.6.5 h) iii) and renumbering subsequent subsections accordingly;
- xiii) Adding to subsection 5.6.5 h) vi) after the word “landscapes”, the phrase as follows and deleting the word “and” at the end of the subsection:

“and significant built heritage resources and adjacent lands on or adjacent to the proposed site”;
- xiii) Adding three new subsections to subsection 5.6.5 h) as follows:
  - “vi) A haul route plan which places a priority on the use of Provincial Highways, County Roads or, if required, Township Roads which will be brought up to a standard acceptable to the Township including paving;
  - vii) The minimization of impacts through the removal and placement of fill, topsoil or overburden; and
  - viii) Conformity with the provisions of the Clean Water Act, 2006, the policies of the applicable Source Protection Plan and the source water protection policies of this Plan for vulnerable areas.”;
- xiv) Deleting from subsection 5.6.5 i) in the first sentence of paragraph one the phrase “while it is in progress and” and replacing it with the following:

“and buffered while it is in progress and such screening and buffering shall be substantially established”;

- xv) Deleting from subsection 5.6.5 i) the phrase “. Screening shall” and replacing it with the following:  
  
“and in consultation with the Township. Screening shall consider snow load and”;
- xvi) Adding a new subsection 5.6.5 j) as follows and relettering the subsequent subsections accordingly:  
  
“j) After extraction has ceased, progressive and final rehabilitation will be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to minimize impacts, to the extent possible. Final rehabilitation will take into consideration the pre-extraction land use designation and conditions, and compatibility with the character of the surrounding land uses and approved land use designations. The rehabilitation plan should demonstrate that the plan is consistent with the policies of this Plan. Wherever possible, rehabilitation shall be progressive as the extraction proceeds. Where it is not practical to rehabilitate immediately to the planned after use, interim rehabilitation shall occur.”;
- xvii) Adding to subsection 5.6.5 j) the words “or quarry” following both instances of the word “pit”;
- xvii) Adding to subsection 5.6.5 k) iii) a second sentence as follows:  
  
“Lands designated as Agricultural shall be rehabilitated as per Section 5.6.5 f).”;
- xix) Adding a new subsection after subsection 5.6.5 m). The new subsection is as follows:  
  
“n) All areas used for either wayside pits and quarries, portable asphalt plants and portable concrete plants will be rehabilitated in accordance with Section 5.6.5.”; and,
- xx) Modifying the title of Subsection 5.6.6 to add the phrase “Extractive Industrial” at the beginning and the number “1” after the word “Policy”.

2.1.39 THAT Section 5.6 titled EXTRACTIVE INDUSTRIAL is hereby amended by:

- i) Adding two new Subsections titled “HIGH POTENTIAL AGGREGATE RESOURCES” and “PETROLEUM RESOURCES” as follows:

**“5.6.10 HIGH POTENTIAL AGGREGATE RESOURCES**

High Potential Aggregate Resources are identified on Schedule “B” so that such areas can be protected for long term use. However, the identification of such areas with this overlay designation does not

presume that all lands located in such areas are suitable for the establishment of new pits and quarries or expansions of existing pits and quarries. Further, it is recognized that there is potential for establishment of pits and quarries outside the identified areas. Any application for a pit or quarry will require an Official Plan amendment regardless of location.

Where lands are identified with the overlay designation “High Potential Aggregate Resource” on Schedule “B”, Council shall consider applications for development in accordance with the applicable land use designation on Schedule “A” to this Plan. In addition, the impact of applications for non-aggregate uses, with the exception of agricultural uses, on the ability to extract aggregates from the lands prior to permitting such uses shall also be considered. Non-aggregate uses will only be permitted where it can be demonstrated that those uses will not preclude or hinder the expansion or continued use of an existing aggregate operation, the establishment of new aggregate operations or access to the aggregate resources. Such applications will be supported by studies that demonstrate that aggregate resource use would not be feasible, or that the proposed land use or development serves a greater long term public interest; and issues of public health, public safety and environmental impact are addressed.

#### **5.6.11 PETROLEUM RESOURCES**

Throughout the Township there is the potential for the exploration, discovery and production of petroleum resources. While activities associated with petroleum resources rarely involve Planning Act controls, the issue of new development encroaching on known deposits and existing producing well areas will be reviewed by the Township in conformity with the policies of Section 4.4.4 of the County Plan.”

2.1.40 THAT Section 5.7 titled ENVIRONMENTAL PROTECTION, Subsection 5.7.1 Identification, is hereby amended by:

- i) Deleting from subsection 5.7.1 g) the words “forest areas;” and replacing it with “woodlands;”;
- ii) Adding two new subsections following subsection 5.7.1 g). The subsections to be added are as follows:
  - “h) Valleylands; and

- i) Rivers, lakes, streams and creeks.”; and,
- iii) Adding a new sentence after the second sentence of paragraph two. The sentence to be added is as follows:

“Additional direction is also provided through the policies in Section 5.9, Greenbelt Protected Countryside and Section 7, Development Criteria.”

2.1.41 THAT Section 5.7 titled ENVIRONMENTAL PROTECTION, Subsection 5.7.2 Objectives, is hereby amended by:

- i) Adding to subsection 5.7.2 a) after “Township of East Garafraxa”, the phrase as follows:  
“and foster the creation of a connected natural heritage system”;
- ii) Adding to subsection 5.7.2 b) after the words “*Environmental Protection areas*”, the phrase as follows:  
“as per Section 7 of this Plan”;
- iii) Deleting from subsection 5.7.2 c) the period “.” and replacing it with “; and,”; and,
- iv) Adding a new objective following subsection 5.7.2 c). The new subsection is as follows:  
“d) To protect human life and property from water related hazards such as flooding and erosion, including the potential impacts of climate change that may increase the risk associated with such hazards.”

2.1.42 THAT Section 5.7 titled ENVIRONMENTAL PROTECTION, Subsection 5.7.3 Permitted Uses, is hereby amended by:

- i) Adding to subsection 5.7.3 c) after the word “lots” the following phrase:  
“including home occupations”;
- ii) Deleting from subsection 5.7.3 g) the period “.” and replacing it with “; and,”; and,
- iii) Adding a new subsection to the list of permitted uses after subsection 5.7.3 g). The new subsection is as follows:  
“h) Essential watershed management and flood and erosion control projects carried out or supervised by a public authority.”

2.1.43 THAT Section 5.7 titled ENVIRONMENTAL PROTECTION, Subsection 5.7.5 Development Policies, is hereby amended by:

- i) Deleting from subsection 5.7.5 c) the phrase “may be required to mitigate predicted impacts.” and replacing it with the following:  
  
“and a setback for development may be required to mitigate predicted impacts and will be established by the Township in consultation with the appropriate Conservation Authority to ensure no negative impacts on natural features or their ecological functions or areas of physical and environmental hazard.”;
- ii) Deleting from subsection 5.7.5 e) the phrase “because of physical or environmental hazards, the hazardous” and replacing it with the word “such”;
- iii) Adding to subsection 5.7.5 g) after the word “maintained” the phrase as follows:  
  
“and there is no net loss of the natural heritage features as established through an Environmental Impact Assessment”; and,
- iv) Adding a new development policy to the list after subsection 5.7.5 i). The new development policy is as follows:  
  
“j) Where an EIS determines the boundaries of the Environmental Protection designation or the natural features are more correctly shown on more detailed mapping, the boundaries on Schedules “A” and “B” may be refined without an amendment to this Plan and the policies of the abutting designations shall apply.”

2.1.44 THAT Section 5.8 titled OPEN SPACE, Subsection 5.8.2 Permitted Uses, is hereby amended by:

- i) Adding to subsection 5.8.2 a) after the word “includes,” and before the word “neighbourhood” the phrase as follows:  
  
“public parks including community parks,”; and,
- ii) Adding to subsection 5.8.2 b) after the word “centres” and before the word , public” the phrase as follows:  
  
“and ancillary commercial uses”.

2.1.45 THAT Section 5.9 titled GREENBELT PROTECTED COUNTRYSIDE, Subsection 5.9.6 Policies for Land Designated Greenbelt Protected Countryside - Extractive Industrial, is hereby amended by:

- i) Deleting from subsection 5.9.6 d) iii) the former Ministry name “Ministry of Natural Resources” and replacing it with the current Ministry name:



“Ministry of Natural Resources and Forestry”.

2.1.46 THAT Section 5.0 titled FUTURE LAND USE be amended by:

- i) Adding a new Subsection titled “5.10 SOURCE WATER PROTECTION”. The new Section to be added is as follows:

**“5.10 SOURCE WATER PROTECTION**

**5.10.1 Source Protection Plan Conformity**

The *Clean Water Act*, 2006 was enacted to protect existing and future sources of municipal drinking water. It requires the development and implementation of Source Protection Plans (SPPs) for Source Protection Areas throughout Ontario. It also requires the Province, Conservation Authorities and municipalities to develop and implement policies to manage the reduction and/or elimination of threats to sources of municipal drinking water. The policies of this Plan have been amended to conform with the applicable SPPs.

All planning applications shall be reviewed in conformity with this Plan, the applicable Dufferin County Official Plan policies and the applicable SPP to ensure proposed development will not pose a risk to existing and future municipal water sources. The applicable SPPs are:

- a) Grand River Source Protection Plan (GRSPP); and,
- b) Credit Valley, Toronto and Region, Central Lake Ontario (CTC) Source Protection Plan which contains the Credit Valley Source Protection Plan (CVSPP).

As required by the *Clean Water Act*, 2006, any decision made by the Township under the *Planning Act*, *Condominium Act*, 1998, or *Building Code Act* shall conform with significant threat policies set out in the applicable SPP and have regard to other policies set out in the applicable SPP.

Vulnerable areas within the Township include Wellhead Protection Areas (WHPAs). The following policies apply only to those vulnerable areas and issues contributing areas in the Township of East Garafraxa that are identified in the applicable SPPs and are shown on Schedule F. The WHPAs identified on Schedule F to this Plan are intended to function as an overlay on the primary land use designations.

### 5.10.2 Groundwater and Surface Water Protection

The Township will work in partnership with the Province, County of Dufferin and the Conservation Authorities to minimize and prevent negative impacts on groundwater and surface waters from existing and/or proposed incompatible land uses and activities.

### 5.10.3 Municipal Wellhead Protection Areas: General

Within WHPAs land use activities that include a significant drinking water threat may be restricted or prohibited as outlined in the applicable SPPs.

Wellhead Protection Areas (WHPA) means the area around a municipal drinking water well that may be vulnerable to threats to water quality or quantity in accordance with the following:

- a) For water quality threats, the size and delineation of the WHPAs are determined by how quickly water travels underground to the well, measured in years, as outlined below:
 

|         |   |
|---------|---|
| WHPA-A: | 100 m radius surrounding a well;  |
| WHPA-B: | 0 – 2 year Time of Travel;  |
| WHPA-C: | 2 – 5 year Time of Travel;  |
| WHPA-D: | 5 –25 year Time of Travel; and,   |
| WHPA-E: | Surface Vulnerability Zone - the vulnerable area for groundwater supplies which are under the direct influence of surface water. The area is calculated on a two hour travel time of surface water to well. |
- b) Issue Contributing Area (ICA): An area within a WHPA where existing or trending concentration of a parameter (i.e. sodium, nitrate) or a pathogen at a municipal well would result in the deterioration of the quality of water for use as a source of drinking water. ICAs in the Township are associated with the Town of Orangeville wells.
- c) WHPA:Q1: A cone of influence around a well that is estimated by calculating the level of drawdown in an aquifer under existing land use and pumping rates. This area can also include

the whole of cones of influence of all other wells that intersect the area.

- d) WHPA:Q2: The WHPA:Q1 (cone of influence) and any area where a future reduction in recharge would significantly impact the area.

#### **5.10.4 Municipal Wellhead Protection Areas: Prohibited/Restricted Activities**

Land uses which include one or more of the following activities may be prohibited, or restricted and require a risk management plan in accordance with Section 57, 58 and 59 of the *Clean Water Act* in any WHPA identified on Schedule F where they are or would be a significant municipal drinking water threat as determined by the Risk Management Official (RMO):

- a) The establishment, operation, or maintenance of a waste disposal site within the meaning of Part V of the *Environmental Protection Act*;
- b) The establishment, operation or maintenance of an on-site system that collects, stores, transmits or disposes of sewage;
- c) The use of land for the discharge from a stormwater management facility;
- d) The application of agricultural source material (ASM) to land;
- e) The storage of ASM;
- f) The management of ASM;
- g) The application of non-agricultural source material (NASM) to land;
- h) The handling and storage of NASM;
- i) The application of commercial fertilizer to land;
- j) The handling and storage of commercial fertilizer;
- k) The application of pesticide to land;
- l) The handling and storage of pesticide;
- m) The application of road salt;
- n) The handling and storage of road salt;

- o) The storage of snow;
- p) The handling and storage of fuel;
- q) The handling and storage of a dense non-aqueous phase liquid (DNAPLs) (excluding incidental volumes for personal/domestic use);
- r) The handling and storage of an organic solvent;
- s) The management of runoff that contains chemicals used in the de-icing of aircraft;
- t) The use of land as livestock grazing or pasturing land where the number of animals on the land at any time is sufficient to generate nutrients at an annual rate that is greater than 0.5 nutrient units/acre; and,
- u) An outdoor confinement area, or a farm animal yard provided that such uses are prohibited in WHPA-A, unless approval for such use is obtained through the Nutrient Management Act and the use is permitted in the Zone in which it is proposed.

Land uses which include the following activities may pose a threat to the quantity of municipal drinking water sources, and may be restricted in accordance with the policies of this Plan and the policies of the applicable SPP:

- a) An activity that takes water from an aquifer or surface water body without returning the water taken to the same aquifer or surface water body; and,
- b) An activity that reduces the recharge of an aquifer.

#### **5.10.5 Land Use Prohibitions, Regulations and Restrictions within WHPAs**

The significance of any of the drinking water threats listed in Section 3.13.4 of this Plan is determined based on a number of factors, including the characteristics of the use/activity and where it occurs or is planned to occur within a WHPA. The policies of the applicable SPP set out whether a significant drinking water threat is to be prohibited or regulated in accordance with Sections 57 and 58 of the *Clean Water Act*, 2006 and the applicable SPP.

Notwithstanding the land uses permitted by the underlying land use designation in this Plan:

- a) Permitted land uses that involve activities that include a significant drinking water threat within a WHPA identified in Schedule F to this Plan may be either prohibited or regulated by the SPP;
- b) These activities include, but are not limited to, the use of Dense Non-Aqueous Phase Liquids (DNAPL's). DNAPL's are described as chemicals that are both denser than water and do not dissolve readily in water. Because of these traits, DNAPLs tend to sink below the water table and only stop when they reach impenetrable bedrock. The presence of DNAPLs is considered a significant threat if they occur anywhere within the five year time of travel of a WHPA as detailed in the SPPs.
- c) Development which proposes the construction of impervious surfaces within WHPAs shall consider the impact of the application of road salt in accordance with the policies of the applicable SPP.
- d) Where the Township has determined through pre-screening that there is the potential for a significant drinking water threat, the RMO shall review the proposal and determine if there would be a significant drinking water threat, and the RMO will provide direction with respect to whether the processing of the application may proceed or whether or the application may not proceed due to the potential for a significant drinking water threat. The RMO shall have regard to the policies of the applicable SPP and, where applicable, the policies of Sections 5.10.6, 5.10.7 and 5.10.8.

#### **5.10.6 WHPA –Q1 /WHPA –Q2**

The following policies are applicable to areas identified as “WHPA-Q1/WHPA-Q2” on Schedule F of this Official Plan:

- a) “WHPA-Q1” is the area where activities that take water without returning it to the same aquifer may be a threat. Where a threat is identified, new development or site alteration shall only be permitted where it has been demonstrated that any increase in water demand beyond the allocated demand is sustainable as determined by the Ministry of Environment, Conservation and Parks in accordance with the applicable Source Protection Plan and *Ontario Water Resources Act*. “

- b) “WHPA-Q2” is an area delineated through a Tier 3 Water Budget and Water Quantity Risk Assessment as being an area that includes a WHPA-Q1 and an area where a future reduction in recharge would significantly impact the WHPA-Q1 area. Within a WHPA-Q2 Area, a Water Balance Study, or similar study, may be required to the satisfaction of the Township, in accordance with the applicable SPP, and in consultation with the Conservation Authority and/or Township staff, in order to demonstrate that pre-development recharge rates will be maintained. In instances where pre-development recharge rates cannot be maintained, proponents will be required to provide for off-site recharge enhancement elsewhere within the WHPA-Q2 commensurate with the predicted loss of recharge attributable to the proposed development.
- c) The use of best management practices such as low impact development to maintain pre-development recharge rates for non-major development or site alterations in a WHPA-Q2 (as identified in the applicable SPP) assigned a moderate risk level will be implemented.

Planning Approval Authorities shall examine municipal water supply servicing constraints including servicing capacity and the maintenance of the hydrological integrity of municipal wells as part of its municipal comprehensive review when considering settlement area expansions.

#### **5.10.7 Infrastructure Restrictions in WHPAs**

- a) New private or municipal sewage system infrastructure should be located, wherever possible, outside of all WHPAs. New systems that must be located within WHPAs may be considered where compliance with the policies set out in Section 13 of this Plan and the applicable SPP has been demonstrated.
- b) No new lots requiring septic systems, including holding tanks or utilizing sub-surface disposal, governed under the *Building Code Act* shall be created where the activity would be a significant drinking water threat.
- c) The use of land for the establishment of facilities for the storage of sewage shall be prohibited where the activity would be a significant drinking water threat in a WHPA-A.

- d) Where a new small on-site sewage system could be a significant municipal drinking water threat on a lot located within a WHPA, development may only be permitted where the lot is of a sufficient size to accommodate a small, on-site sewage system designed and constructed in accordance with the standards of the Ontario Building Code. Existing lots of record as of the date of Ministry of Environment, Conservation and Parks' approval of the applicable SPP are not subject to this policy. Large private septic systems (greater than 10,000 L of effluent treated per day) may only be permitted in WHPAs where it has been demonstrated through an Environmental Assessment or similar process that the location is acceptable and the safety of the municipal drinking water system will not be compromised.
- e) The location, design and construction of stormwater management facilities within WHPAs shall be permitted in compliance with the applicable SPP. However, the use of land for the establishment of a new stormwater management facility shall be prohibited where the discharge (including infiltration) of stormwater would be into a significant threat area in a WHPA-A and all stormwater management facilities shall direct discharge of stormwater outside of WHPAs where the activity would be a significant municipal drinking water threat. The use of best management practices such as low impact development will be encouraged for all developments.
- f) The establishment of new parking lots in excess of 2 000 m<sup>2</sup> utilizing the application of road salt shall be prohibited in a WHPA-A.

#### **5.10.8 Development Approvals**

- a) Where development is proposed within a WHPA which could potentially pose a risk to a municipal water source and which requires approval under the *Building Code Act*, *Planning Act* or *Condominium Act*, 1998, the proposal will require review by the RMO. This requirement will be established as a condition of the submission of a complete application in accordance with the provisions of Section 9.8 of this Plan.
- b) In addition to any requirements pursuant to the *Building Code Act*, for all applications made under the *Planning Act* or *Condominium Act*, 1998 within WHPAs, a Section 57, 58 or 59

Notice under the *Clean Water Act*, 2006 from the RMO shall be required for an application to be deemed complete. The Section 57, 58 or 59 Notice is required because certain activities within WHPAs, as set out in the approved SPPs, may be prohibited, restricted or require a risk management plan. This requirement shall be established as a condition of the submission of a complete application in accordance with the provisions of Section 9.8 of this Plan.

- c) In addition to any requirements pursuant to the *Building Code Act*, for all applications made under the Planning Act or Condominium Act, 1998 within WHPAs, a master environmental servicing plan (MESP) that addresses stormwater pond discharges and sanitary sewers and related pipes may be required at the discretion of the Township.
- d) All new development within WHPAs, shall be subject to Site Plan Control as described in Section 9.3 of this Plan.”

2.1.47 THAT Section 6.0 titled TRANSPORTATION AND UTILITIES, Subsection 6.1 MUNICIPAL STANDARDS, is hereby amended by:

- i) Adding new sentences to subsection 6.1 a), before the first sentence. The sentences to be added are as follows:

“The Township, as a condition of development or redevelopment for any development application including plans of subdivision and condominium, site plan approval, severances, and official plan and zoning amendments, may require lands for the purposes of road widening to be dedicated to the appropriate authority having jurisdiction in accordance with the policies of this Plan. Additional lands in excess of the typical right-of-way widths may also be required to be conveyed for works related to, but not limited to, extensive cut/fill operations, intersection improvements, bridges, sight triangles, and drainage and buffering improvements.”

2.1.48 THAT Section 6.0 titled TRANSPORTATION AND UTILITIES, Subsection 6.3 TOWNSHIP ROADS, is hereby amended by:

- i) Adding to subsection 6.3 b) a second sentence as follows:

“Within settlements a narrower right-of-way may be permitted in order to preserve the character of the community and mature trees.”

2.1.49 THAT Section 6.0 titled TRANSPORTATION AND UTILITIES, Subsection 6.6 DEVELOPMENT POLICIES, is hereby amended by:



- i) Adding at the end of the first sentence before the colon the phrase as follows:  
“, for lands within the Greenbelt the policies of the Greenbelt Plan also apply:”  
; and,
- ii) Deleting from subsection 6.6 d) the Greenbelt Plan section number “Section 4.2 of “.

2.1.50 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.1 AGRICULTURAL LIVESTOCK OPERATIONS, is hereby amended by:

- i) Deleting from subsection 7.1 a) the words “Minimum Distance Separation Formulae” and replacing it with the following:  
“Provincial minimum distance separation formulae”.

2.1.51 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.2 AREAS OF NATURAL AND SCIENTIFIC INTEREST, is hereby amended by:

- i) Adding before the colon the following:  
“it has been demonstrated there will be no negative impacts on the natural features or their ecological functions through the following”.

2.1.52 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.3 BIOSOLIDS, is hereby amended by deleting the Subsection and renumbering the subsequent subsections.

2.1.53 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.4 COMPATABILITY, is hereby amended by:

- i) Deleting from paragraph two the first word, “Where”, and replacing it with the following:  
“To satisfy these criteria, where”;
- ii) Adding two new paragraphs, after paragraph one. The two paragraphs to be added are as follows:  
“In particular, major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, to 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, the Township shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of

proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:

- i) there is an identified need for the proposed use;
- ii) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- iii) adverse effects to the proposed sensitive land use are minimized and mitigated; and
- iv) potential impacts to industrial, manufacturing or other uses are minimized and mitigated.”; and,
- iii) Deleting the word “Where” at the beginning of the second paragraph and replacing it with the phrase “ To satisfy these criteria, where”.

2.1.54 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.7 ENVIRONMENTAL IMPACT, is hereby amended by:

- i) Adding to subsection 7.7 a) after “An Environmental Impact Assessment” the words “or Study”;
- ii) Adding to subsection 7.7 a) before the word “proposed” the following:  

“within or adjacent to a Natural Heritage Feature as shown on Schedule B. Adjacent to shall generally mean lands contiguous to a natural heritage feature or area where development may have a negative impact on the natural feature or area. For the purposes of this Official Plan, the extent of adjacent lands are determined to include all lands within a specified distance of the boundary of the natural heritage features or areas. This specified distance is”;
- iii) Deleting from subsection 7.7 a) the first word of the second sentence of paragraph one, “For”, and replacing it with the words “Further, for”;
- iv) Adding to subsection 7.7 a) after the list of adjacent distances, a second paragraph. The second paragraph to be added is as follows:  

“No development or site alteration shall be permitted in a natural heritage feature or on adjacent lands unless the ecological function of the feature and the adjacent lands has been evaluated and it has been demonstrated through an Environmental Impact Assessment that there will be no negative impact on the natural features or their functions.”;

- v) Deleting from subsection 7.7 b) the word “Assessment” and replacing it with the word “Assessments”;
- vi) Adding to subsection 7.7 b) before the colon at the end of the first sentence in paragraph one the following:  
 “, as well as addressing any other requirements established by the Township”;
- vii) Deleting from subsection 7.7 b) vi) the semicolon, “;”, and replacing it with the following:  
 “including the identification of potential linkages between and among natural heritage features and areas and surface and groundwater features to support the implementation of the Township’s natural heritage system;”;
- viii) Deleting from subsection 7.7 c) vii) the word “and,”;
- ix) Deleting from 7.7 c) viii) the period “.” and replacing it by adding another point to the list as follows:  
 “; and,  
 ix) A key hydrologic feature in the Greenbelt Protected Countryside.”;
- xviii) Adding to subsection 7.7 d) in the first sentence after the word “Assessment” the following:  
 “as determined by the Township, in consultation with the appropriate Conservation Authority.”;
- xix) Deleting from subsection 7.7 d) in the second sentence the word “Assessments” and replacing it with the word “Assessment”;
- xii) Adding to subsection 7.7 e) after the word “Council” the phrase as follows:  
 “, in consultation with the appropriate Conservation Authority and other appropriate agencies,”; and,
- xiii) Deleting from subsection 7.7 e) i) the phrase “surface water and plant and animal life;” and replacing it with the following:  
 “soil, surface water and plant and animal life or human health;”.

2.1.55 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.8 FISH HABITAT, is hereby amended by:

- i) Deleting from subsection 7.8 e) the former Ministry titles “Ministries of Environment and Natural Resources” and replacing it with the following:

“Ministry of Environment, Conservation and Parks and Ministry of Natural Resources and Forestry.”.

2.1.56 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.9 FLOOD PLAINS, is hereby amended by:

- i) Deleting both instances of the former Ministry title “Ministry of Natural Resources” and replacing them with the current title “Ministry of Natural Resources and Forestry”.

2.1.57 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.10 FOREST AREAS, is hereby amended by:

- i) Adding to subsection 7.10 a) in the second sentence of paragraph one before the word “currently”, the word “are”;
- ii) Deleting from subsection 7.10 a) in the third sentence of paragraph one the word “fores” and replacing it with the word “forest”;
- iii) Deleting from subsection 7.10 a) in the third sentence of paragraph one the letter “o” found after “Section 7.7” and before “this Plan”, replacing it with the word “of”; and,
- iv) Deleting from subsection 7.10 a) in the second sentence of paragraph two the word “are”.

2.1.58 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.11 SIGNIFICANT HABITAT AREAS, is hereby amended by:

- i) Deleting from subsection 7.11 a) the former Ministry title “Ministry of Natural Resources”, and replacing it with the current Ministry title “Ministry of Natural Resources and Forestry”.

2.1.59 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.12 HAZARD LANDS, is hereby amended by:

- i) Deleting the Ministry title “Ministry of Natural Resources and Environment”, and replacing it with the following:  
  
“Ministry of Natural Resources and Forestry and Environment, Conservation and Parks”.

2.1.60 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.13 HERITAGE RESOURCES, is hereby amended by:

- i) Deleting the title of Subsection 7.13 “HERITAGE REASOURCES” and replacing it with the title as follows:

**“CULTURAL HERITAGE RESOURCES”;**

- ii) Deleting the first sentence of paragraph one and replacing it with the following:

“In order to protect the integrity of potentially sensitive sites, cultural heritage resources in the Township are not shown on a map. The cultural heritage resources of the Township include archaeological resources, built heritage resources, and cultural heritage landscapes. Council will consider utilization of its authority under the Ontario Heritage Act to designate individual properties under Part IV. The Township will also maintain a register of all properties listed or designated under the Ontario Heritage Act.”;
- iii) Deleting in the second paragraph the phrase “lands in the vicinity of a”, and replacing it with the following:

“a significant or potentially significant site or lands in the vicinity of a significant or”;
- iv) Adding to subsection 7.13 a) after the word “potential”, the phrase as follows:

“and no development or site alteration will be permitted on such sites or areas unless significant archaeological resources have been conserved”;
- v) Deleting from subsection 7.13 b) the phrase “Existing heritage features, areas and properties”, and replacing it with the following:

“Significant built heritage resources and significant cultural heritage landscapes”;
- vi) Deleting from subsection 7.13 b) the phrase “an impact assessment report prepared by a professional archaeologist where development is proposed on a site containing heritage resources”, and replacing it with the following:

“a heritage impact assessment report prepared by a professional heritage consultant and/or archeologist where development is proposed on a site containing cultural heritage resources. Such an assessment will recommend mitigation and conservation measures.”;
- vii) Adding to subsection 7.13 c) after the “cultural” after the word “existing”;
- viii) Adding to subsection 7.13 d) iii) after the semicolon “;”, the words “and/or,”;
- ix) Deleting from subsection 7.13 f) the words “landscapes or” and replacing them with the following:

“heritage landscapes or cultural”;

- x) Adding after subsection 7.13 a) a new point to the list of development criteria that applies and relettering the subsequent subsection accordingly. The new subsection is as follows:
  - “b) Archaeological assessments carried out by archaeologists licensed under the Ontario Heritage Act will be required as a condition of any development proposal affecting areas containing a known archaeological site, or considered an area of archaeological potential, a known or suspected cemetery or burial site or applications for shoreline development.”; and,
- xi) Adding two new points to the list of development criteria that applies following subsection 7.13 f). The two new subsections to be added are as follows:
  - “g) Development or site alteration will not be permitted on adjacent lands to protected heritage properties except where proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected property will be conserved.
  - h) The Township shall engage Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.”

2.1.61 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.14 MINIMUM DISTANCE SEPARATION FORMULAE, is hereby amended by deleting the Subsection and replacing it with the following:

**“7.14 MINIMUM DISTANCE SEPARATION FORMULAE**

- a) When considering a planning application for lot creation, Official Plan amendment and rezoning or a building permit application, such application must meet the Provincial minimum distance separation formulae, as amended from time to time.
- b) Notwithstanding Policy 7.14 a) above and any other policy in this Official Plan to the contrary, the minimum distance separation formulae is applied as follows under the following circumstances:
  - 1. Does not apply to building permit applications for new dwellings on an existing lots of record that were created prior to March 1, 2017;
  - 2. Does not apply to a surplus farm dwelling consent where the barn is located on a separate lot;

3. MDS1 setbacks from existing livestock facilities and anaerobic digesters will not be applied for land use planning applications establishing new agricultural- related uses and on-farm diversified uses characterized by Type A low density of human occupancy and activities. However, Type B human occupancy or activity such as agri-tourism, food service, accommodation and retail operations shall apply MDS1;
4. MDS2 setbacks from proposed new or altered livestock facilities and anaerobic digesters will not be applied for land use planning applications establishing new agricultural- related uses and on-farm diversified uses characterized by Type A low density of human occupancy and activities. However, Type B human occupancy or activity such as agri-tourism, food service, accommodation and retail operations shall apply MDS2; and,
5. Existing cemeteries shall be considered a Type A land use for the purposed of MDS2 setbacks. “

2.1.62 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.17 STEEP SLOPES AND RAVINES, is hereby amended by:

- i) Adding a sentence before the first sentence of paragraph one. The sentence to be added is as follows:

“Development shall be directed away from areas subject to hazards due to steep slopes, unstable slopes and/or erosion.”.

2.1.63 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.18 STORMWATER MANAGEMENT, is hereby amended by:

- i) Deleting from the first sentence of paragraph one the words “Management Report” and replacing them with the following:

“Quantity/Quality Management Report, including consideration of low impact development approaches,”;

- ii) Deleting from the second and third sentence in paragraph one the words “Stormwater Management Report. The report shall be prepared in accordance with the Township’s design criteria and the following:”, and replacing it with the following:

“Stormwater Quantity/Quality Management Report. The report shall be prepared in accordance with the Township’s design criteria, taking into consideration any applicable stormwater management guidelines or materials

of the appropriate Conservation Authority, integration with any planning for sewage and water services, and the following:”

- iii) Deleting subsection 7.18 a) and replacing it with the following:
  - “a) the Stormwater Management Planning and Design Manual (2003), or its successor, as prepared by the Ministry of Environment, Conservation and Parks;” and,
- iv) Deleting from subsection 7.18 e) the words “provided in section 4.2.3.2 and 4.2.3.3”.

2.1.64 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.23 WATER QUALITY, is hereby amended by:

- i) Deleting the initial phrase “The following development criteria shall apply to “of the Subsection and replacing it with the following:

“The policies of Section 5.10 with respect to Source Water Protection provide the primary direction with respect to water quality however, the following development criteria will also be considered for”;
- ii) Deleting the phrase “or the spreading of agricultural or bio-solid nutrients” in subsection 7.23 b);
- iii) Deleting the word “shall” in the first sentence of subsection 7.23 f) and replacing it with the phrase “may be required to”; and,
- iv) Deleting subsection 7.23 h).

2.1.65 THAT Section 7.0 titled DEVELOPMENT CRITERIA, Subsection 7.24 WATER QUANTITY, is hereby amended by:

- i) Deleting the initial phase of the Subsection, “The following development criteria shall apply to”, and replacing it with the following:

“The policies of Section 5.10 with respect to Source Water Protection provide the primary direction with respect to water quantity, however, the following development criteria will also be considered for”.

2.1.66 THAT Section 7.0 titled DEVELOPMENT CRITERIA is hereby amended by:

- i) Adding the following sentence to the end of Subsection 7.25 a) Wetlands:

“The Township will consult with the Conservation Authority with respect to the protection of wetlands.”;



- ii) Moving the last sentence in Subsection 7.25 c) to create a new subsection 7.25 d); and,
- iii) Adding a new Subsection called “7.26 EXCESS SOIL”. The new Section is as follows:

**“7.26 EXCESS SOIL**

The Township will support, where feasible, on-site and local re-use of excess soil through planning and development approvals while protecting human health and the environment.”

2.1.67 THAT Section 8.0 titled GROWTH MANAGEMENT, Subsection 8.1 PROVINCIAL GROWTH PLAN, is hereby amended by:

- i) Deleting the title of Subsection 8.1 “PROVINCIAL GROWTH PLAN” and replacing it with the title as follows:

**“POPULATION AND EMPLOYMENT GROWTH”;**

- ii) Deleting from the second sentence, the phrase “Based on the recommendations in the Growth Management Study, the” and replacing it with the following:

“The growth forecasts for the lower-tier municipalities within the County of Dufferin are reflected in the County Official Plan and guide planning decisions over the planning horizon. The “;

- iii) Adding after the words “residents to the year 2031” the phrase as follows:

“and 3,180 residents to the year 2036,”; and,

- iv) Deleting from the third sentence, the second instance of the words “year 2031” and replacing it with the following:

“years 2031/2036. The County and the Township will monitor population and employment growth on an on-going basis in accordance with the policies of the County Plan. The majority of the Township growth will be directed to the Township’s community settlement areas – primarily Marsville and secondarily Orton.”

2.1.68 THAT Section 8.0 titled GROWTH MANAGEMENT, Subsections 8.2 RATE OF GROWTH, 8.3 LOCATION OF GROWTH AND 8.4 LOT CREATION, are hereby amended by:

- i) Deleting Subsections 8.2 RATE OF GROWTH, and 8.3 LOCATION OF GROWTH and renumbering Subsection 8.4 LOT CREATION and Subsection 8.2; and,

- ii) Deleting from subsection 8.4 f) the words “Minimum Distance Separation Formulae” and replacing them with the following:

“minimum distance separation formulae”.

2.1.69 THAT Section 8.0 titled GROWTH MANAGEMENT, Subsection 8.5 TECHNICAL CONSENTS, is hereby amended by:

- i) Deleting from subsection 8.5 i) the word “and”;
- ii) Deleting from subsection 8.5 ii) the period “.”, and replacing it with a semicolon “,”;
- iii) Deleting from subsection 8.5 iii) the phrase “approximately 40 hectares (100 acres)” and the period “.”, and replacing the period with “; and”; and,
- iv) Adding a new subsection to the list of permitted purposes for consents following 8.5 iii). The subsection to be added is as follows:

“iv) Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way;”.

2.1.71 THAT Section 9.0 titled IMPLEMENTATION, Subsection 9.1 titled ZONING BY-LAWS, Subsection 9.1.1 Implementing By-law, is hereby amended by:

- i) Adding to subsection 9.1.1 a) in the second sentence of paragraph one, after the phrase “enlargement of uses”, the phrase as follows:

“, including the reconstruction of buildings or structures destroyed through natural disaster such as fire,”;

- ii) Deleting subsection 9.1.1 a) ii), and replacing it with the following:

“ii) generally comply with the Provincial minimum distance separation formulae subject to Section 7.14 Minimum Distance Separation Formulae;”; and,

- iii) Deleting the “w” in the word “woods” in subsection 9.1.1 a) v) and replacing it with a “W”.

2.1.72 THAT Section 9.0 titled IMPLEMENTATION, Subsection 9.1 titled ZONING BY-LAWS, Subsection 9.1.4 Temporary Uses, is hereby amended by:

- i) Deleting in subsection 9.1.4 c) the words “garden suites”, and replacing them with the following:

“one garden suite on a lot as a temporary dwelling”; and,

- ii) Deleting from subsection 9.1.4 c) iii) the word “principle”, and replacing it with the word “principal”.

2.1.73 THAT Section 9.0 titled IMPLEMENTATION, Subsection 9.1 titled ZONING BY-LAWS is hereby amended by:

- i) Adding a new Subsection, Housing, following Subsection 9.1.4 Temporary Uses. The subsection to be added is as follows:

**“9.1.5 Housing**

a) General

The Township shall encourage the development of a range and mix of housing options and densities which are appropriate for the Township to meet projected market-based and affordable housing needs of current and future residents including permitting secondary residential units. In addition, the Township will consider assisting in the implementation of the Dufferin County 10 Year Housing and Homelessness Plan where appropriate for the Township having regard for the Township’s financial resources.

b) Secondary Residential Units

In accordance with the Planning Act, where a single detached dwelling is a permitted use in the Agricultural, Rural, Estate Residential and Community Residential designations in the Official Plan, the Township may permit one secondary residential unit in a new or existing single detached dwelling and one secondary residential unit in a new or existing accessory building on the same lot subject to, but not limited to, the following requirements:

- i) applicable fire codes are satisfied;
- ii) where permitted by the Zoning By-law or by amendment to the By-law provided the applicable Building Code, Zoning By-law and other By-law regulations are satisfied, in particular an accessory residential unit shall not be permitted in any area identified as a natural hazard area by the Township, in consultation with the applicable conservation authority;
- iii) the lot is of sufficient size that adequate sewage and water capacity can be provided to support the additional accessory residential unit(s) and satisfy applicable health regulations; and,

- iv) appropriate parking is provided.

c) Special Needs Housing

Special needs housing is defined in the County Official Plan and includes, but is not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities and housing for older persons such as group homes and seniors housing. Such housing may be permitted in all designations with the exception of the Employment Area, Extractive Industrial, and Environmental Protection designations subject to a zoning by-law amendment. The Zoning By-law shall establish regulations for such uses to ensure that the development is compatible with adjacent uses and adequate infrastructure and services are available to accommodate the use.

2.1.74 THAT Section 9.0 titled IMPLEMENTATION, Subsection 9.2 NON-CONFORMING USES, is hereby amended by:

- i) Deleting from subsection 9.2d) ii) the former Ministry titles “Ministry of Natural Resources and the Ministry of Environment and Energy”, and replacing them with the current Ministry titles as follows:

“Ministry of Natural Resources and Forestry and the Ministry of Environment, Conservation and Parks”.

2.1.75 THAT Section 9.0 titled IMPLEMENTATION, Subsection 9.3 titled SITE PLAN CONTROL, Subsection 9.3.2 Policies, is hereby amended by:

- i) Deleting the phrase “exceeding 150 nutrient units” in subsection 9.3.2 a); and,
- ii) Adding a new subsection after subsection 9.3.2 a), and relettering all subsequent subsections of subsection 9.3.2 Policies accordingly. The new subsection to be added is as follows:

“b) In addition, all new development within WHPAs, as described in Section 5.10 of this Plan and as shown on Schedule F, shall be subject to site plan control to ensure, where possible:

- i) the extent and location of impervious surfaces such as parking lots, roadways and sidewalks are minimized;
- ii) site grading and drainage is designed to reduce ponding; and,
- iii) run-off is either directed outside of the WHPAs or to storm sewers.

In addition, development within WHPAs may be subject to site plan control to implement the recommendations of a water balance assessment or similar study to:

- i) maintain pre-development recharge to the greatest extent feasible through best management practices such as Low Impact Development stormwater management approaches; and,
- ii) minimize impervious surfaces and provide for lot level infiltration.

A salt management plan may also be established as a condition of the submission of a complete application for site plan in accordance with the provisions of Section 9.7 of this Plan.”

2.1.76 THAT Section 9.0 titled IMPLEMENTATION, Subsection 9.4 titled OFFICIAL PLAN AMMENDMENTS is hereby amended by:

- i) Deleting from the title of the Section the word “AMMENDMENTS”, and replacing it with the word “AMENDMENTS”.

2.1.77 THAT Section 9.0 titled IMPLEMENTATION, Subsection 9.6 CONSERVATION AUTHORITY REGULATIONS, is hereby amended by:

- i) Adding to the first sentence of paragraph one, the word “Authority” following the word “Conservation”.

2.1.78 THAT Section 9.0 titled IMPLEMENTATION is hereby amended by:

- i) Adding new subsections following Subsection 9.6 CONSERVATION AUTHORITY REGULATIONS. The new Subsections are as follows:

**“9.7 PROPERTY STANDARDS**

**9.7.1** The Township may prescribe maintenance standards and the conditions of occupancy for all types of property through a property standards by-law enacted in accordance with the provisions of the Building Code Act.

**9.7.2** The Township may appoint a Municipal Enforcement Officer who will be responsible for administering and enforcing the property standards by-law.

**9.8 PRE-APPLICATION CONSULTATION AND COMPLETE APPLICATION REQUIREMENTS**

**9.8.1 Pre-Application Consultation**

- a) Prior to the submission of an application for an Official Plan amendment, Zoning By-law amendment, draft plan of subdivision or condominium, site plan approval, consent or variance, applicants are required to consult with Township staff and with the staff of the County of Dufferin, the appropriate Conservation Authority and any other agency deemed relevant by the Township.
- b) Where lands which are the subject of a proposed application listed in Section 9.8.1 a) are located in a WHPA as described in Section 5.10 of this Plan and as shown on Schedule F, consultation shall be required with the RMO. This requirement shall be a condition of submission of a complete application, together with a Section 57, 58 or 59 Notice under The Clean Water Act, 2006 from the RMO. In addition, to be declared complete, an application for site plan approval may also require submission of a salt management plan.
- c) The pre-consultation process is intended to identify and scope issues associated with the proposed development and/or change in land use and establish specific requirements for a complete application. The form of pre-consultation shall be scoped based on the application type and context.
- d) Any development application shall not be deemed complete by the Township and the time period in which the Council is required to make a decision shall not commence, unless the application is accompanied by:
  - i) the prescribed information and material as required under the Planning Act; and,
  - ii) other information and material deemed necessary by the Township in accordance with this Plan.

#### **9.8.2 Complete Application Requirements**

In addition to the requirements identified in the various sections of this Official Plan, the Township may require additional information and material to be submitted as part of a complete application. The following categories identify additional information and material that may be required and the type of studies or documents that may be identified during the pre-consultation process for submission as part of a complete development application:

## a) Natural Heritage

The submission of reports, studies and/or drawings, which identify and demonstrate, to the satisfaction of the Township, in consultation with the appropriate Conservation Authority, that there will be no negative impacts on natural heritage features and areas or their ecological functions; and which identify proposed mitigation measures to ensure ecological functions, diversity, and connectivity of natural heritage features and areas are maintained, restored, and where possible enhanced. Any information and material submitted must recognize linkages between and among natural heritage features and areas and surface water features and groundwater features.

This may include, but shall not be limited to:

- i) Environmental Impact Assessment or Study (or scoped Environmental Impact Assessment or Study) within 120 metres of a significant woodland, significant wetland, Life Science ANSI, fish habitat, significant wildlife habitat, significant valleylands, habitat of endangered and threatened species, and within 50 metres of an Earth Science ANSI;
- ii) Environmental Implementation Report;
- iii) Ecological Land Classification;
- iv) Natural Hazard Assessment that addresses flooding and erosion hazards;
- v) Hydrogeological Study;
- vi) Hydrology Study;
- vii) Water Budget;
- viii) Soil Stability and Geotechnical Analysis;
- ix) Tree and/or Vegetation Inventory Report;
- x) Vegetation Compensation Plan;
- xi) Topographical Survey/Slope Analysis; and,
- xii) Geotechnical Report.

b) Planning

The submission of reports, studies, plans, and/or statements that demonstrate, to the satisfaction of the Township, how the proposed development and/or change in land use is consistent with the applicable provisions of the Provincial Policy Statement, conforms to the Official Plan, conforms to any Provincial Plans that are in effect, and provides an integrated approach to land use planning.

This may include, but shall not be limited to:

- i) Planning Justification Report;
- ii) Statement of Conformity and/or Consistency with applicable policies;
- iii) Employment and/or Residential Lands Needs Analysis;
- iv) Employment Lands Conversion Justification Report;
- v) Conceptual Site Plan Layout; and,
- vi) Detailed Site Plan.

c) Transportation

The submission of reports, studies and/or drawings, which address any change or impact to the transportation network resulting from a proposed development and/or change in land use. Such analyses will demonstrate, to the satisfaction of the Township, how the proposed development can be accommodated by the existing transportation network or where new transportation infrastructure is required. Where an expansion to the existing transportation infrastructure is necessary, such analyses will demonstrate that the expansions will be adequate to accommodate the proposed development.

This may include, but shall not be limited to:

- i) Traffic Impact or Transportation Study;
- ii) Parking Study;
- iii) Transportation Demand Management Plan; and,



iv) Trails Plan for new subdivision development particularly in Marsville and Orton.

d) Servicing

The submission of reports, studies and/or drawings, which demonstrate, to the satisfaction of the Township, that the existing or proposed site servicing is sufficient to accommodate the proposed development and/or change in land use.

This may include, but shall not be limited to:

- i) Water Supply (well) Report;
- ii) Stormwater Management/Drainage Report and Plan; and,
- iii) Private Septic System Report.

e) Cultural Heritage Resources

The submission of reports, studies and plans that demonstrate, to the satisfaction of the Township, how a proposed development and/or change in land use will not negatively impact on designated cultural heritage or identified archaeological resources.

This may include, but shall not be limited to;

- i) Cultural Heritage Review;
- ii) Cultural Heritage Impact Assessment;
- iii) Scoped Cultural Heritage Impact Assessment;
- iv) Cultural Heritage Conservation Plan;
- v) Cultural Heritage Landscape Assessment; and,
- vi) Archaeological Assessment.

f) Development Impacts

The submission of reports, studies and/or drawings that assess all potential nuisance or safety issues arising from natural and human made hazards which may result from or affect the proposed development and/or change in land use. Such analyses shall demonstrate, to the satisfaction of the Township,

that potential nuisances or safety issues can be effectively mitigated.

This may include, but shall not be limited to:

- i) Noise Impact Study;
  - ii) Vibration Study;
  - iii) Acoustical Design Study;
  - iv) Lighting Plan;
  - v) Site Screening Questionnaire;
  - vi) Phase 1 Environmental Site Assessment;
  - vii) Phase 2 Environmental Site Assessment;
  - viii) Record of Site Condition; and,
  - ix) Agricultural Impact Assessment.
- g) Fees and Costs

The submission of any fees required by the Township, the County or other public agencies such as the appropriate Conservation Authority. In addition, the applicant shall acknowledge responsibility for any costs incurred by the Township in the processing of the application, including any costs incurred by the Township in support of the applicant for hearings before the Local Planning Appeal Tribunal.

The Township will, within 30 days of receiving a development application, provide notice to the applicant that the application is complete or incomplete. If deemed incomplete, the Township will indicate additional information and material that is required to constitute a complete application.

The date of application shall be the date upon which all required information and material is submitted in a form that is satisfactory to the Township.

The information and material described in this section that may be required to accompany a development application is not intended to preclude the Township from requiring additional reports, studies and/or drawings that may be identified during the development review process

if circumstances necessitate the need for such information and material as part of the decision making process.

Where necessary, the Township may retain outside consultants, at the cost of the applicant, to review the information and materials submitted in conjunction with a development application.”

2.1.79 THAT Section 10.0 titled INTERPRETATION, Subsection 10.7 LEGISLATION, is hereby amended by:

- i) Deleting the Subsection in its entirety and replacing it with the following:

**“10.7 LEGISLATION AND TERMINOLOGY**

Where this Plan makes reference to legislation, regulations, or the names of Provincial Ministries, agencies or other documents, it is intended to reflect the most current legislation, regulations, or in effect at the time.”

2.1.80 THAT Section 10.0 titled INTERPRETATION, Subsection 10.8 DEFINITIONS, is hereby amended by:

- i) Adding after the first sentence of paragraph one the following:

“Terms in this Official Plan which are not defined in Provincial documents, but are defined in the County of Dufferin Official Plan are defined as per the County Plan.

In addition, the following definition from the Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas, Ministry of Agriculture, Food and Rural Affairs is applicable:

Value retaining facilities are facilities located on farms serve to maintain the quality of raw commodities produced on the farm (i.e., prevent spoilage) to ensure they remain saleable. This includes facilities involving refrigeration (cold storage), controlled-atmosphere storage, freezing, cleaning, grading, drying (e.g. grains, oilseeds, tobacco), as well as simple, bulk packaging that helps maintain the quality of farm commodities. Value-retaining facilities may also include operations that provide a minimum amount of processing to make a farm commodity saleable, such as grading eggs, evaporating maple syrup and extracting honey. Agricultural commodities undergoing value-retaining processes are often shipped in bulk to value-added operations.”

2.1.81 THAT Section 10.0 titled INTERPRETATION, Subsection 10.6 FLEXIBILITY, is hereby amended by deleting the Subsection in its entirety and replacing it with the following:

**“10.6 FLEXIBILITY**

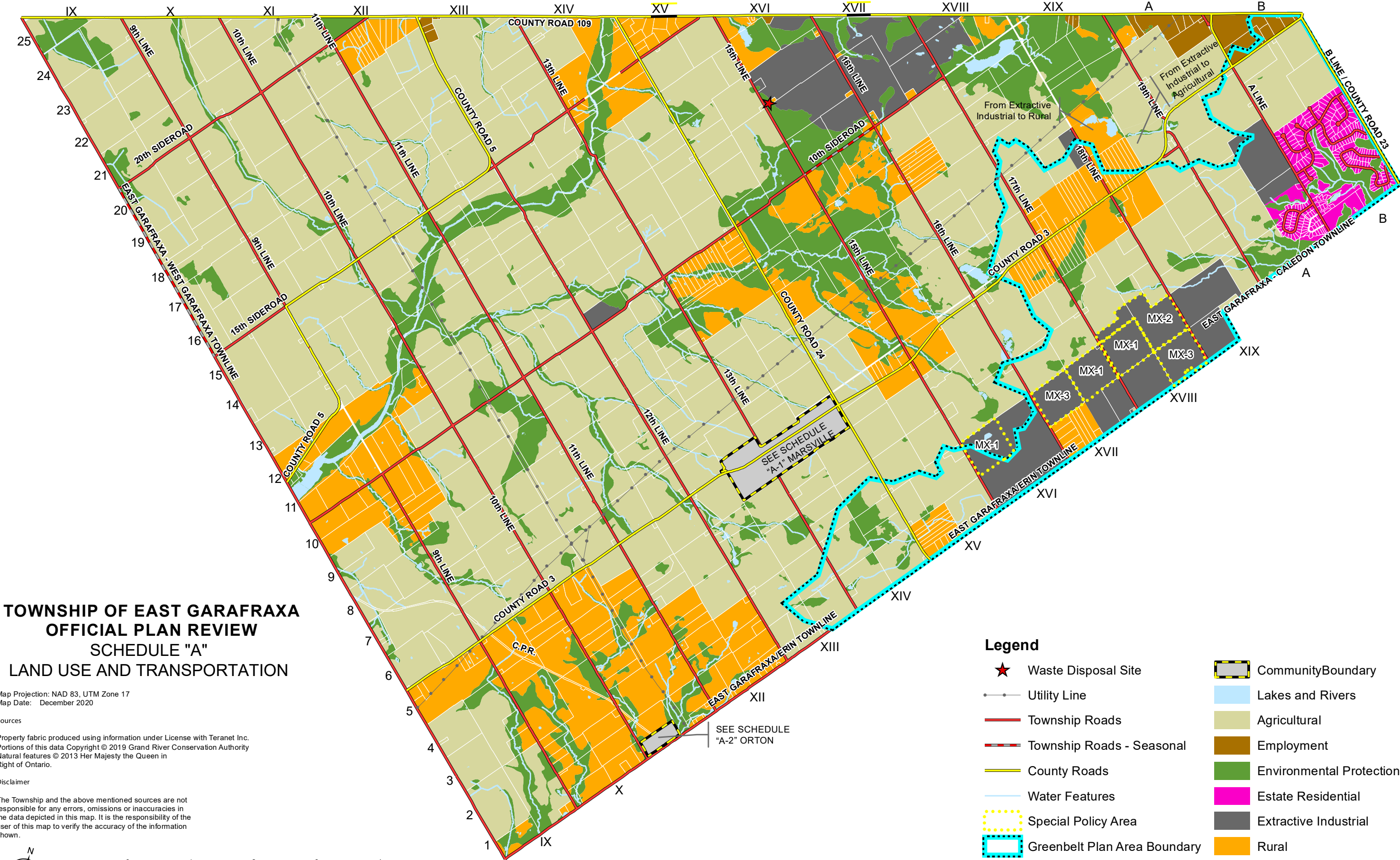
The interpretation of the numerical figures can be varied within 10 per cent of the figures in the text and such minor variation will not require an amendment. The boundaries of land use designations and other features or areas shown on the Schedules will be considered approximate, except where they coincide with roads, railways or other easily recognizable physical features.”

2.2 IMPLEMENTATION

Section 9 “Implementation” of the Official Plan Shall apply to the implementation of this Amendment.

2.3 INTERPRETATION

The provisions of the Official Plan, as amended from time to time, regarding the interpretation of the Plan shall apply with respect to this Amendment.



**TOWNSHIP OF EAST GARAFRAXA  
OFFICIAL PLAN REVIEW  
SCHEDULE "A"  
LAND USE AND TRANSPORTATION**

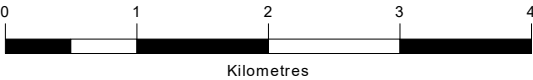
Map Projection: NAD 83, UTM Zone 17  
Map Date: December 2020

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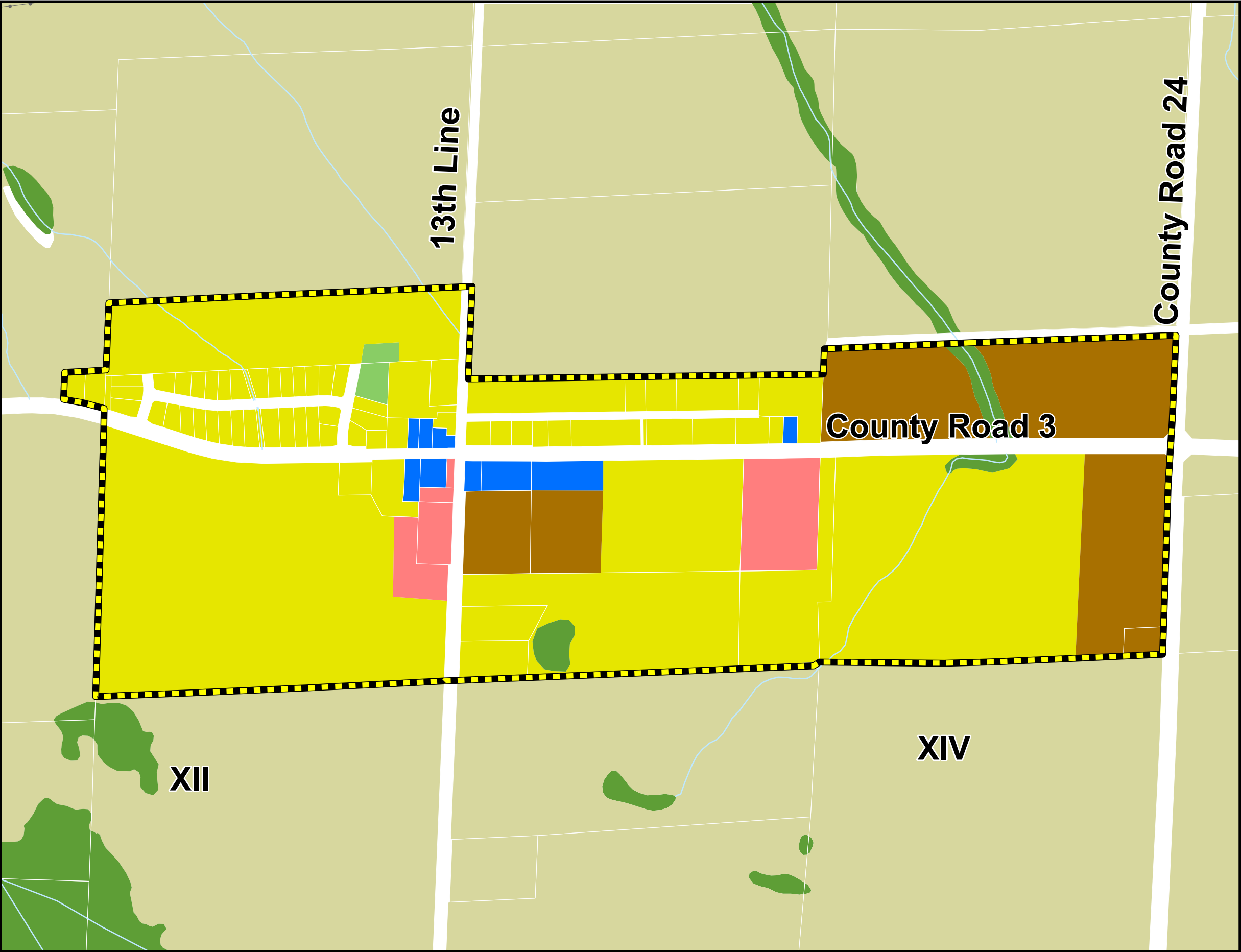
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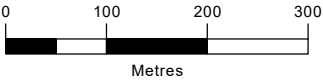
**Legend**

- ★ Waste Disposal Site
- Utility Line
- Township Roads
- Township Roads - Seasonal
- County Roads
- Water Features
- Special Policy Area
- Greenbelt Plan Area Boundary
- Parcels
- Community Boundary
- Lakes and Rivers
- Agricultural
- Employment
- Environmental Protection
- Estate Residential
- Extractive Industrial
- Rural



TOWNSHIP OF EAST GARAFRAXA  
OFFICIAL PLAN

SCHEDULE "A-1"  
MARSVILLE  
LAND USE AND TRANSPORTATION



Map Projection: NAD 83, UTM Zone 17  
Map Date: December 2020

Sources

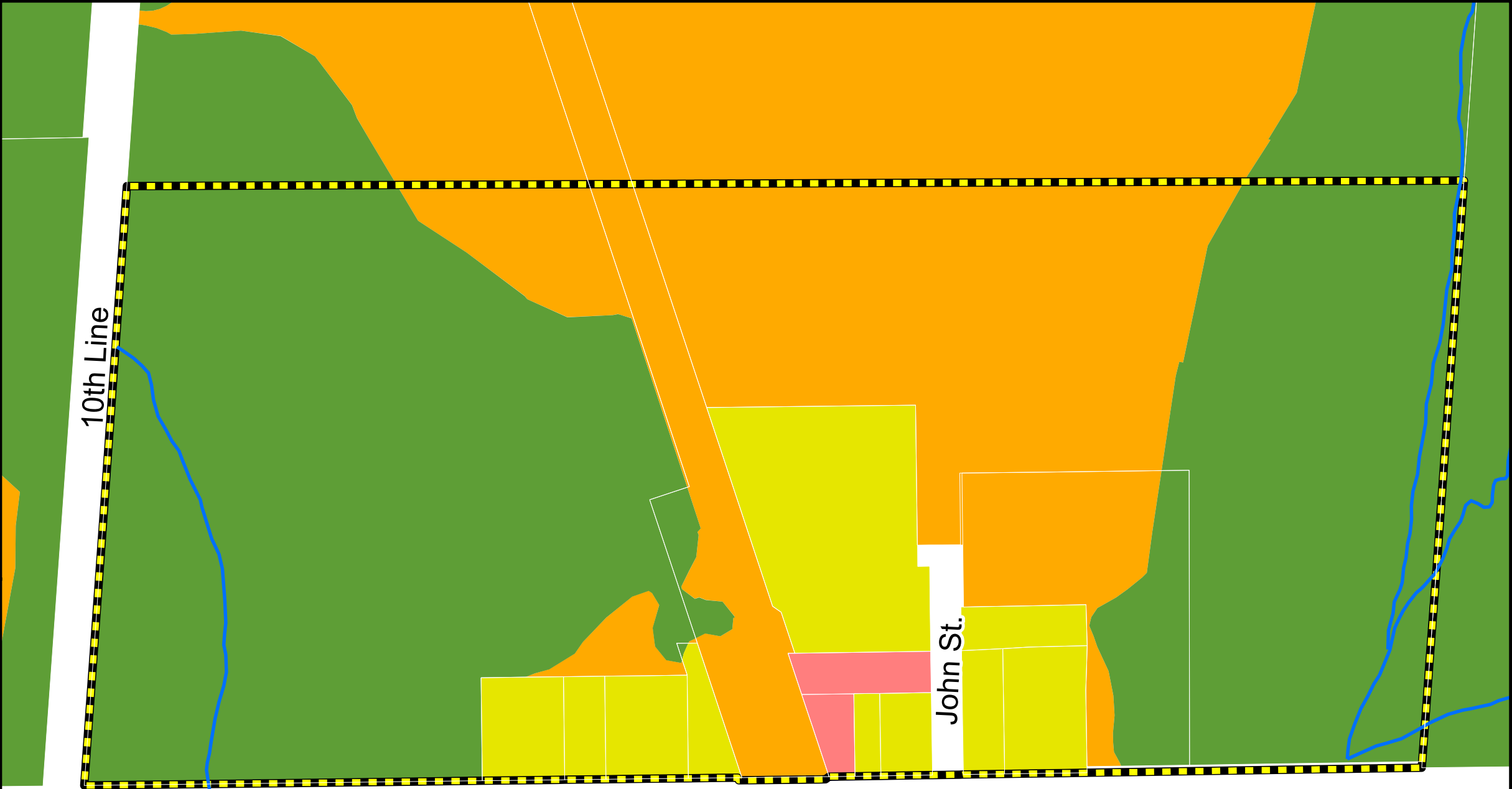
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Legend

- Utility Line
- Water Features
- CommunityBoundary
- Agricultural
- Community Commercial
- Community Institutional
- Community Residential
- Employment
- Environmental Protection
- Open Space



East Garafraxa-Erin Townline

TOWNSHIP OF EAST GARAFRAXA  
OFFICIAL PLAN

SCHEDULE "A-2"  
ORTON  
LAND USE AND TRANSPORTATION



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Map Date: December 2020

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- Legend**
- Community Residential
  - Community Institutional
  - Environmental Protection
  - Rural
  - CommunityBoundary
  - Water Features



