

Chapter

24

INTERPRETATION

MUNICIPALITY OF CLARINGTON OFFICIAL PLAN

24. INTERPRETATION

- 24.1 All Maps must be read in conjunction with the applicable policies of the text. All policies must be considered together to determine conformity. Individual policies shall not be read or interpreted in isolation. Unless otherwise specified, deviation from the provisions of the text and Maps will require an amendment to this Plan.
- 24.2 Where examples of permitted uses are listed under any specific land use designation, they are intended to provide examples of possible uses. Other similar uses may be permitted provided they conform to the intent and all applicable provisions of this Plan.
- 24.3 Where the boundaries of various land use designations as shown on Map A coincide with physical features such as creeks, rail lines, roads and utility lines, or instruments such as *lot* and concession lines or property limits, these boundaries are meant to be exact. In the absence of any of the above, minor deviations to the boundary may be permitted without amendment provided such deviations do not alter the intent of this Plan.
- 24.4 Unless otherwise specified, detailed policies, including secondary plan policies prevail over the general policies or strategic policies in the event of conflict.
- 24.5 Figures, measurements, and quantities contained in this Plan are meant to be approximate unless otherwise specified. A flexible interpretation shall not be allowed for the purpose of convenience but may only be considered if warranted on valid planning grounds. However any deviation shall be minor and in no case, shall exceed 10%.
- 24.6 The information shown on Maps C, D and G are not land use designations. The Maps show the general location of the identified features and should be read in conjunction with the applicable policies. Minor deviations to the boundaries of the identified features may be permitted without amendment provided such deviations do not alter the intent of this Plan.
- 24.7 *Development* proponents shall be responsible for fulfilling all applicable requirements of other regulatory agencies, including but not limited to Certificates of Approval issued under the Environmental Protection Act.
- 24.8 Where the policies of this Plan contradict the policies of the Oak Ridges Moraine Conservation Plan, the policies of the Oak Ridges Moraine Conservation Plan shall prevail. In those cases where the provisions of this Official Plan are more restrictive, such restrictive provisions shall apply with the exception of policies related to agriculture and *aggregate* extraction areas.

- 24.9 In the event any provision of this Plan is in conflict with the Durham Regional Official Plan, the latter shall prevail to the extent of the conflict. In those cases where the provisions of this Plan are more restrictive, such restrictive provisions shall prevail.
- 24.10 In the event the Durham Regional Official Plan is silent or there is an absence of detailed policy, the provisions of this Plan shall prevail provided they do not contravene the intent of the Durham Regional Official Plan.
- 24.11 It is recognized that various provisions of the existing Zoning By-law 84-63 as amended, are not in conformity to this Plan. It is the intent of Council to amend the said by-law or to prepare a new Zoning By-law so as to ensure the provisions of this Plan are properly implemented.
- 24.12 The indication of roads, parks, schools and other services shall not be interpreted as being a commitment by the Municipality to provide such services at the planned location by a certain point in time. They are subject to detailed design and capital budget approval by Council on an annual basis.
- 24.13 Where a property is covered by an amendment to the Official Plan of the former Town of Newcastle duly approved by the Minister of Municipal Affairs or the Region of Durham, it is not the intention of Council to apply the policies of this Plan retroactively. However, if *development* does not proceed within 5 years from the date of adoption of this Plan by Council, it is Council's intention to review the appropriateness of such amendments at the next official plan review.
- 24.14 The **definitions** of terms contained in this Plan are as follows:
- Accessory Use:** the use of any land, building or structure which is subordinate or incidental to the principal use located on the same *lot*.
- Adjacent:** in relation to natural features identified on Map C and Map D, means contiguous to a natural feature where there is a probability that *development* may have a *negative impact* on that feature.
- Adverse Effect:** means any impairment, disruption, destruction or harmful alteration.
- Adversely Affect:** means to have an *adverse effect* on.
- Affordable Housing:** housing with market price or rent that is affordable to households of low or moderate income, which are households within the lowest 60% of the income distribution for the housing market area, as determined by the Provincial Government. Affordable in this context means annual housing costs do not exceed 30% of gross annual household income.

Aggregate: means sand, gravel, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite and other non-metallic ores.

Agricultural Uses: (Oak Ridges Moraine) – means:

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

Agriculture-Related Uses: (Oak Ridges Moraine) - means commercial and industrial uses that are:

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

Amenity Area: an interior area within a building or an outdoor area exterior to a building which is designed and intended primarily for the leisure and recreation of the occupants.

Animal Agriculture: (Oak Ridges Moraine) - means growing, producing and raising farm animals including, without limitation:

- a) livestock, including equines, poultry and raptures;
- b) fur-bearing animals;
- c) bees;
- d) cultured fish;
- e) deer and elk; and
- f) game animals and birds.

Apartment-in-House: a self-contained second *dwelling unit* within a permitted residential dwelling created through converting part of or adding on to an *existing dwelling unit*.

Aquifer Vulnerability: means an aquifer's intrinsic susceptibility, as a function of the thickness and permeability of overlying layers, to contamination from both human and natural impact on water quality.

Archaeological Resource: the remains of any building, structure, activity, place, cultural feature or object which, because of the passage of time, is on or below the surface of land or water, and is of significance to the understanding of the history of a people or place.

Areas of Natural and Scientific Interest (ANSI): means areas of land and water containing natural landscapes or features which have been

identified by the Ministry of Natural Resources as having values related to natural heritage protection, scientific study, or education.

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

Buffer: an area intended to minimize potential conflict between land uses.

Connectivity: means the degree to which *natural heritage features* are connected to one another by links such as plant and animal movement corridors, hydrological and nutrient cycling, genetic transfer, and energy flows through food webs.

Conservation: the management of resources in a way to maintain, restore, enhance and protect their quality and quantity for sustained benefit to people and the natural *environment*.

Cumulative Impact: the combined effects or potential effects of one or more *development* activities in a specified area over a particular time period which may occur simultaneously, sequentially, or in an interactive manner.

Design Guidelines: a set of discretionary statements and/or plans to guide land *development* to achieve a high quality physical *environment*.

Development: means any of the following events:

- the construction, erection, or placing of a building or structure
- the addition to or alteration of a building or structure
- the creation of a new *lot* and/or increase in the number of permitted units on a *lot*
- the change in use or the increase in intensity of use of any building, structure, or premises
- activities such as *site*-grading, excavation, removal of topsoil or peat, the placing or dumping of fill, or the extraction of mineral *aggregate*; or drainage works, except for the maintenance of *existing* municipal and agricultural drains

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

- a) the construction of facilities for transportation, *infrastructure* and utilities uses, by a public body, or

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

Development Charges: refers to charges levied by the Municipality under the authority of the Development Charges Act on '*development*' as defined under the Act and the Municipality's by-law.

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

Earth Science Values: means values that relate to the geological, soil and *landform features* of the *environment*.

Ecological Features: means naturally occurring land, water and biotic features that contribute to ecological integrity.

Ecological Functions: in regards to natural features and functions, means the natural processes, products or services that plant and animal species and the non-living *environment* provide or perform that are necessary to the maintenance of the integrity of *ecosystems*.

Ecological Integrity: which includes *hydrological integrity*, means the condition of *ecosystems* in which:

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

Ecological Value – (Oak Ridges Moraine): means the value of vegetation in maintaining the health of the natural heritage feature and the related *ecological features* and *ecological functions*, as measured by factors such as the diversity of species, the diversity of *habitats*, and the suitability and amount of *habitats* that are available for *rare, threatened and endangered species*.

Ecosystem: a system in which living organisms, including humans, interact with each other and their non-living physical *environment* in a series of complex and inter-related relationships. Ecosystems exist at different scales, including *site*, local, regional, provincial, national and global scales.

Endangered Species: means any native species, as listed in the regulations under the Endangered Species Act, that is at risk of extinction throughout all or part of its Ontario range if the limiting factors are not reversed.

Environment: refers to both the natural and man-made environments, which include air, soil, water, plant and animal life, social and cultural conditions, buildings or structures, or any combination thereof.

Environmental Assessment Process: refers to a process for approving, modifying or denying an undertaking under either the Canadian Environmental Assessment Act or the Ontario Environmental Assessment Act.

Existing - (Oak Ridges Moraine): means lawfully in existence on November 15, 2001, and for greater certainty does not include a use, building or structure that is in existence on that date without being lawful.

Farm Produce Outlets: means a building in which farm produce, exclusive of meat or poultry, is offered for sale, and may include the limited sale of farm produce which has been reprocessed.

Farm Retirement Lot – (Oak Ridges Moraine): means a *lot* that is severed from land that is being used in a farming operation, on the application of a person who:

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

Fish Habitat: the spawning grounds and nursery, rearing and food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes as further identified by the Department of Fisheries and Oceans (Canada).

Flood Plain: the area of land *adjacent* to a watercourse that may be subject to flooding.

Floodway: the channel of a stream and the inner portion of the *flood plain* where the severity of flood depths and velocities would pose a threat to life or cause property damage.

Floor Space Index (FSI): the ratio of the total floor area of a building or buildings excluding enclosed parking areas, loading facilities and garbage rooms to the area of the *lot* on which the building or buildings are located. For example, a floor space index (FSI) of 2.0 would indicate that the total

floor area of a building could be up to two times the area of the *lot* on which it is located. Floor space indices are meant to be exact.

Forest Access Road: means a one or two -lane unpaved road that is designed to provide access to and within a *woodland* for wildlife, fish and forest management purposes.

Forest Management: means the management of *woodlands* in a *sustainable* manner which may include *accessory uses* such as the construction and maintenance of *forest access roads* and maple syrup production facilities:

- a) for the production of wood and wood products, including maple syrup;
- b) to provide outdoor recreation opportunities;
- c) to maintain, and where possible improve or restore, conditions for wildlife, and
- d) to protect water supplies.

Garden Suite: a self-contained, portable *dwelling unit* located in a side or rear yard of an *existing* residential property, designed to provide temporary residential accommodation for the care of an elderly, sick or disabled person.

Good Forestry Practices: means the proper implementation of harvest, renewal and maintenance activities known to be appropriate for the forest and environmental conditions under which it is being applied and which minimize detriments to forest values, including: *significant ecosystems*, important fish and *wildlife habitat*, soil and water quality and quantity, forest productivity and health; and the aesthetic and recreational opportunities of the landscape. Good forestry practices include the cutting and removal of hazardous, severely damaged, diseased and insect infested trees which must be removed in order to prevent contamination or infestation of other trees, or which no longer contribute to the achievement of forest values.

Gross Leasable Floor Area: means the total floor area, measured from exterior walls, excluding areas for mechanical services, public common areas, interior pedestrian walkways, enclosed parking areas and areas associated with institutional and residential uses.

Ground Water Discharge: the significant addition of ground water to surface water systems.

Ground Water Recharge: the significant addition of water by natural processes to the ground water regime.

Group Home: a provincially-licensed detached dwelling used as *special needs housing* accommodating up to 10 persons, exclusive of staff, but shall not include halfway houses for ex-offenders.

Habitat: means areas of the natural *environment* upon which animal or aquatic wildlife, and plants depend for survival as self-sustaining populations, including land and water needed for protection, breeding, or food supply.

Habitat of Rare, Endangered, and Threatened Species: means land that:

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

Hazardous Waste: has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990.

Heritage Resource: property of cultural or natural heritage importance, that being natural and cultural lands, areas and corridors and the features thereof, including buildings and other structures, archaeological and paleontological sites, cemeteries and other burial places.

High Capability Agricultural Lands: lands that are predominately Class 1 to 3 according to the Canada Land Inventory of Soil Capability for Agriculture.

Home Industry: a small scale industrial use such as furniture restoration, small engine repair, welding, crafts, or producing value-added agricultural products such as cider, honey or wine, which is accessory to a *single detached dwelling*. It shall not include auto repair, furniture stripping or outside storage of materials or the storage of commercial motor vehicles. A home industry may be conducted in whole or in part in an accessory or farm building.

Home-based Occupation: use of a residential dwelling for the purpose of conducting businesses including professional offices, personal services, instructional services, homecraft business, private day care, *bed and breakfast*, repair services excluding small engines and vehicles.

Hydrological Cycle: means the circulation of water from the atmosphere to the earth and back through precipitation, runoff, infiltration, groundwater flow and evapotranspiration, including the occurrence, circulation, distribution, and chemical and physical properties of water on the surface

of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the *environment* including its relation to living things.

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

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

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

Infrastructure: the combination of public works and facilities including roads, transit terminals, municipal water and sewage systems, stormwater systems, schools, hospitals, libraries, parks, community and recreation centres, and any other public projects.

Institutional Use – (Oak Ridges Moraine): includes, without limitation, a long-term care facility, hospital, school, university or college.

Intensification: the creation of new residential units or accommodation in *existing* buildings or on previously developed and/or serviced land, generally including:

- creation of rooming, boarding, and lodging houses
- creation of apartments-in-houses and *garden suites*
- conversion of non-residential structures to residential use
- infill *development* on *lots* created through consent or plan of subdivision within the built-up portion of the urban area
- *redevelopment*, but does not include draft approved *lots* or vacant *lots* in registered plans of subdivision within developing greenfield areas

Kame: means a mound, hummock or conical hill of glacial origin.

Kettle Lake: means a depression formed by glacial action and permanently filled with water.

Landform Conservation Area – (Oak Ridges Moraine): is an area possessing *significant landform features* such as step slopes, *kames*, kettles, ravines and ridges.

Landform Feature: means distinctive physical attributes of land such as slope, shape, elevation and relief.

LEED Rating System: refers to the Leadership in Energy and Environmental Design Green Building Rating System established by the Canada Green Building Council as amended from time to time.

Life Science Values: means values that relate to the living component of the *environment*.

Liquid Industrial Waste: has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990.

Lot: means a parcel of land that is:

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

Major Development – (Oak Ridges Moraine): means *development* consisting of:

- a) the creation of four or more *lots*;
- b) the construction of a building or buildings with a ground floor area of 500 m² or more; or
- c) the establishment of a major recreational use such as a ski hill, golf course or serviced campground.

Massing: the overall bulk, size, physical volume, or magnitude of a building or structure.

Meander Belt: means the area within which a stable river channel can be expected to move laterally back and forth over a given stream reach during the next 100 years.

Minimum Distance Separation Formulae: means formulae developed by the Province to separate land uses so as to reduce incompatibility concerns about odour from livestock facilities.

Mixed Use: a *development* comprised of a mix of land uses either in the same building or in separate buildings. The mix of land uses may include commercial, industrial, and/or *institutional uses* but must include residential dwellings.

Natural Heritage Features – (Oak Ridges Moraine): include those key natural heritage features and/or hydrologic features as defined by the Province.

Natural Heritage System: a connected group of natural areas, and the native flora, fauna, and related geological features and landforms that contribute to the health and biodiversity of the natural *environment*.

The natural heritage system includes core areas, natural corridors, and linkages including naturalized road or rail allowances.

Natural Self-Sustaining Vegetation: means *self-sustaining vegetation* dominated by native plant species.

Negative Impact: as it relates to *natural heritage features*, the feature or the *ecological functions* for which the feature is identified are either lost or significantly impaired.

Net Density: the overall density of a *site* excluding public roads and widenings, public parks, non-developable land, school *sites* and similar public land areas.

Net Developable Area – (Oak Ridges Moraine): means the area of a *lot* or *site*, less any area that is within a natural heritage feature or a hydrologically sensitive feature.

Office Floor Space: commercial floor space designed specifically for occupancy by business, professional, medical or dental offices or by a financial institution and includes second storey offices, free-standing offices and free-standing banks.

Old Growth Woodland: means any *woodland* or stand, whether natural or planted, within which trees 100 years or older predominate.

Original Half Lot – (Oak Ridges Moraine): means half of an original lot that contained 80.9 hectares (200 acres), more or less.

Original Lot – (Oak Ridges Moraine): means a township *lot* shown on a plan certified by the Surveyor General of Ontario as being the original plan of an original survey.

Partial Service – (Oak Ridges Moraine): means connections linking a building to:

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

Pitch and Putt Golf Course: an area of land operated for the purpose of a par 3 golf course in which the maximum distance from the tee to hold shall be 160 metres. A pitch and putt golf course shall not include *accessory uses* such as a golf driving range, a mini-putt, a club house, a restaurant or a bar. A pitch and putt golf course shall be designed with no changes to *existing* natural grade with the exception of minimal changes for tees and greens.

Plantation: shall mean a *woodland* or portion of a *woodland* in which the majority of trees have been planted.

Portable Asphalt Plant: means a facility:

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

Prime Agricultural Land – (Oak Ridges Moraine): means:

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

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

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

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

Rare Vegetation Community: means either a provincially rare community or a vegetation community that is poorly represented in the Region of Durham as identified by the Natural Heritage Information Centre (NHIC), or local conservation authority having jurisdiction.

Recreation – Active: uses which are higher in intensity and require modification of the land surface, accompanied by the introduction of buildings and structures.

Recreation- Low Intensity: uses that have minimal impact on the natural *environment*, and require very little terrain or vegetation modification and few, if any, buildings or structures, including but not limited to the following

uses: non-motorized trail uses; natural heritage appreciation, unserviced camping on public and institutional land.

Recreation – Passive: uses of relatively low intensity requiring minimal modification of the land surface, the minimal removal of trees, and relatively few if any buildings or structures.

Redevelopment: *development* of land where demolition or conversion of the *existing* structure is to take place, or has taken place.

Regulatory Flood: the standard used to define the *flood plain* limits for regulatory purposes based on Hurricane Hazel, a one hundred year flood, or subject to the approval of the Minister of Natural Resources, an observed flood event.

Residence Surplus to a Farming Operation – (Oak Ridges Moraine): means:

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

Retail Floor Space: ground floor commercial floor space designed primarily for occupancy by *retail uses* but may be suitable for office or community uses.

Retail Impact Study: a detailed study conducted by a qualified market analyst which examines the feasibility and impact of a proposed retail *development* on the planned function and future growth of designated Central Areas.

Retail Uses: uses where goods or merchandise are sold such as, food, general merchandise, apparel, hardware, home furnishings, specialty retail, beer, liquor and wine, automotive products, and home improvement products, including department stores and supermarkets.

Retail Warehouse: a building or part of a building suitable for occupation by a single user which contains at least 1,400 square metres of gross leasable floor space, of which at least 80% is visible to shoppers, and is used primarily for the combination of storage and display for retail sale of goods in a warehouse format.

Retirement Home – (Oak Ridges Moraine): means a building in which:

- a) accommodation is provided, mainly for retired persons;

- b) common kitchen and dining facilities are provided for the residents; and
- c) common lounges, recreation rooms and health care facilities may also be provided for the residents.

Rural Lot – (Oak Ridges Moraine): means a *lot* that is at least 97.5 per cent of the land that is left in an *original lot* or an *original half lot* after the deduction of any land that is:

- a) conveyed at any time for transportation, utilities and *infrastructure* facilities, whether before, on, or after November 16, 2001; or
- b) validly conveyed before June 27, 1970.

Rural Residential Cluster: shall mean a definable node of non-farm residential *lots* located in the rural area. A Cluster shall consist of a minimum of five dwellings with frontage on an open public road and located either on both sides of a road or within the quadrant of an intersection. *Rural Residential Clusters* are recognized by the Official Plan as rural settlement areas and are designated on Map A.

Rural Residential Concentration: shall mean a group of at least five *lots* which may be located either on the same side or both sides of an open public road in the rural area. The *lots* in a Rural Residential Concentration may have a dwelling constructed on them or be undeveloped, provided that each undeveloped *lot* must have zoning in force which permits the construction of a *single detached dwelling* on it. The maximum distance between any two *adjacent* residential buildings in a Rural Residential Concentration shall be 150 metres, and the maximum linear extent of a Rural Residential Concentration along a road frontage shall be 600 metres. Where a *lot* is larger than the minimum required *lot* area, the *lot* area for the purposes of describing the limits of the Rural Residential Concentration shall be 0.6 ha which shall incorporate the primary residential structure when the *lot* is occupied for residential purposes. Rural Residential Concentrations are not recognized by the Official Plan as rural settlement areas and are not designated on Map A. They have been identified only for the purposes of Section 4.5.16 and Map G of the Plan.

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

- a) has sparse or patchy vegetation that is dominated by plants that are:
 - i. adapted to severe drought and low nutrient levels; and
 - ii. maintained by severe environmental limitations such as drought, low nutrient levels and periodic disturbances such as fire.

- b) has less than 25 per cent tree cover;
- c) has sandy soils (other than shorelines) exposed by natural erosion, depositional process or both; and
- d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.

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

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

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

Self-Sustaining Vegetation: means vegetation dominated by plants that can grow and persist without direct human management, protection, or tending.

Sensitive Land Use Activities: a use associated with residences, schools, hospitals and senior citizen homes or other land use activities where humans or the natural *environment* may be *adversely affected* by industrial emissions.

Service Uses: Uses such as restaurants, hair salons, dry cleaners, shoe repair, video rental stores, tailors, laundromats, travel agencies, photographers, veterinary clinics, fitness and health clubs, medical and dental offices, legal and real estate offices, financial and insurance offices, bank kiosks, appliance repair shops, and personnel agencies.

Significant: in regard to natural features and functions, ecologically important to the natural *environment* in terms of the amount, content, representation, or effect, thereby contributing to the quality and integrity of an identifiable ecological region or *natural heritage system*. Significance is based on criteria and guidelines established by the province or on comparable municipal evaluations.

Significant Plantation: shall mean a *plantation* greater than 4 ha, which is structurally diverse and in good health, and which provides important *ecological functions*. Significance of a *plantation* within the Oak Ridges Moraine is determined by the Ministry of Natural Resources using evaluation procedures established by that Ministry, or by a study conducted in accordance with this Plan.

Significant Wildlife Habitat: may consist of areas which are seasonally important to wildlife; rare vegetation communities or specialized *habitats* for wildlife; *habitats* of species of *conservation* concern; and wildlife movement corridors.

Significant Woodland: shall mean an *old growth woodland*, or a *woodland*, greater than 4 ha located in the rural areas of the Municipality, or greater than 1 ha in urban areas and Hamlets. Significance of *woodlands* within the Oak Ridges Moraine is determined by the Ministry of Natural Resources using evaluation procedures established by that Ministry, or by a study conducted in accordance with this Plan. "Significant Woodland" may also include *plantations*.

Single Detached Dwelling – (Oak Ridges Moraine): means a building containing only one *dwelling unit*.

Site: means the land subject to an application.

Site Alteration – (Oak Ridges Moraine): means activities such as filling, grading and excavation that would change the landform and natural vegetative characteristics of land, but does not include:

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

Special Needs Housing: housing that is suited to the specific needs of certain households or individuals and includes *group homes*, nursing homes, crisis care facilities, rest homes and independent permanent living arrangements where support services such as meal preparation, grocery shopping, laundry, housekeeping, respite care and attendant services are provided.

Stable Slope: means the angle a slope would achieve when erosion or human activities are absent.

Stormwater Management Pond: means a detention basin that temporarily stores or treats collected stormwater runoff and releases it at a controlled rate.

Streetscape: the visual appearance of a street formed by the location of physical features such as roads, buildings, walkways and landscaping.

Subwatershed: means an area that is drained by a tributary or some defined portion of a stream.

Surface Catchment Area: means the area including and surrounding a *kettle lake* or wetland, from which surface runoff drains directly into the *kettle lake* or wetland.

Sustainable: when used with respect to a natural resource, means that the natural resource is able to support a particular use or activity without being *adversely affected*.

Tallgrass Prairie: means land (not including land that is being used for agricultural purposes and no longer exhibits tallgrass prairie characteristics) that:

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

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

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

Transitional Woodland: transitional woodlands are successional areas that are characterized by trees and/or shrub species typical of early pioneer plant communities (e.g. trees - poplar, birch, and shrubs - hawthorn, buckthorn). These areas are generally characterized by younger, predominantly open canopy cover.

Unserviced Park: means a park that provides recreational opportunities and facilities, including playing fields, but without outdoor lighting, accessory commercial facilities, paved parking *lots* or permanent water or sewer facilities.

Valleyland: lands within a depression along either side of a watercourse as determined from top-of-bank plus any applicable *buffers* as required for slope stability.

Waste: includes domestic waste, industrial waste, commercial waste, institutional waste, and any other material defined as waste by applicable provincial legislation.

Watershed: means an area that is drained by a river and its tributaries.

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

Wetlands: lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is at or close to the surface as defined by either the Ministry of Natural Resources, the Conservation Authority, or through a comparable evaluation. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Wetland Complex: two or more individual *wetlands* along with their *adjacent* lands that are related in a functional manner and are grouped within a common wetland boundary. The whole complex is evaluated and classified and not its individual wetland area components.

Wetland Functions: means the biological, physical, and socio-economic interactions that occur in an *environment* because of the properties of the *wetlands* that are present, including, but not limited to:

- *ground water recharge and discharge*
- flood damage reduction
- shoreline stabilization
- sediment trapping
- nutrient retention and removal
- food chain support
- *habitat* for fish and wildlife
- attendant social and economic benefits

Wildlife Habitat: means areas of the natural *environment* where plants, animals, and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concerns may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory and non-migratory species.

Woodland: shall mean a treed area that provides environmental and economic benefits such as erosion prevention, water retention, and the provision of *habitat* but shall not include a cultivated fruit or nut orchard or a *plantation* established for the production of Christmas trees.

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