



J. Paul Dubé, Ombudsman

BY EMAIL

September 6, 2024

Township of Jocelyn
c/o Mark Henderson
3670 5th Side Road, R.R #1
Hilton Beach, ON P0R 1G0

Dear Members of Council for the Township of Jocelyn:

Re: Report – Office of the Ontario Ombudsman

I have completed my investigation into a complaint about meetings held by council for the Township of Jocelyn on January 10 and 13, February 7, April 4, and October 10, 2023. Please find my final report enclosed.

In accordance with section 14.1(8) of the *Ombudsman Act*, the Township should make my report available to the public, and we ask that this be done no later than the next council meeting. In accordance with section 239.2(12) of the *Municipal Act, 2001*, council should pass a resolution stating how it intends to address this report.

Pursuant to section 14.1 (9) of the *Ombudsman Act*, I will also post a copy of the report on my website at www.ombudsman.on.ca.

Yours truly,

A handwritten signature in black ink, appearing to read 'Paul Dubé'.

Paul Dubé
Ombudsman of Ontario

CC: DeeDee Thompson, Deputy Clerk

483 Bay Street, 10th Floor, South Tower / 483, rue Bay, 10^e étage, Tour sud
Toronto, ON M5G 2C9

Tel./Tél. : 416-586-3300 Facsimile/Télécopieur : 416-586-3485 TTY/ATS : 1-866-411-4211

www.ombudsman.on.ca

Facebook : facebook.com/OntarioOmbudsman Twitter : twitter.com/Ont_Ombudsman YouTube : youtube.com/OntarioOmbudsman





Ombudsman Report

**Investigation into meetings held by council
for the Township of Jocelyn on January 10 and 13,
February 7, April 4, and October 10, 2023**

**Paul Dubé
Ombudsman of Ontario**

September 2024

Complaint

- 1 My Office received three complaints that council for the Township of Jocelyn (the “Township”) held closed meetings on January 10 and 13, February 7, April 4, and October 10, 2023 that did not fit within the closed meeting exceptions in the *Municipal Act, 2001*¹ (the “Act”). One complaint raised concerns that illegal votes were held at the first four of these closed meetings. Another complaint alleged that members of the public were unable to attend the start of the October 10, 2023 meeting because the doors to the meeting room were locked.
- 2 My investigation determined that the closed session discussions on each of these dates fit within the Act’s closed meeting exceptions. My investigation also determined that no illegal voting occurred at the meetings on January 10 and 13, February 7 and April 4, 2023. However, it is recommended as a best practice that council clearly identify any specific directions given in closed meetings, formally vote on them, and record that vote in the closed meeting minutes.
- 3 Lastly, my investigation determined that although the Township’s closed meeting discussion on October 10, 2023 fit within the cited exception for advice subject to solicitor-client privilege, the Township contravened the Act by failing to pass a resolution to enter into its closed meeting, failing to take closed meeting minutes, and by improperly closing the beginning of the meeting to the public by locking the door to council chambers.

Ombudsman jurisdiction

- 4 Under the Act, all meetings of council, local boards, and committees of either must be open to the public, unless they fall within prescribed exceptions.
- 5 As of January 1, 2008, the Act gives anyone the right to request an investigation into whether a municipality or local board has complied with the Act in closing a meeting to the public. The Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own.
- 6 The Ombudsman is the closed meeting investigator for the Township of Jocelyn.

¹ SO 2001, c 25.

- 7 When investigating closed meeting complaints, we consider whether the open meeting requirements in the Act and the municipality's procedure by-law have been observed.
- 8 Our Office has investigated hundreds of closed meetings since 2008. To assist municipal councils, staff, and the public, we have developed an online digest of open meeting cases. This searchable repository was created to provide easy access to the Ombudsman's decisions on, and interpretations of, the open meeting rules. Council members and staff can consult the digest to inform their discussions and decisions on whether certain matters can or should be discussed in closed session, as well as issues related to open meeting procedures. Summaries of the Ombudsman's previous decisions can be found in the digest: www.ombudsman.on.ca/digest.
- 9 The Ontario Ombudsman also has the authority to conduct impartial reviews and investigations of hundreds of public sector bodies. This includes municipalities, local boards, and municipally-controlled corporations, as well as provincial government organizations, publicly funded universities, and school boards. In addition, the Ombudsman's mandate includes reviewing complaints about the services provided by children's aid societies and residential licensees, and the provision of French language services under the *French Language Services Act*. Read more about the bodies within our jurisdiction here: www.ombudsman.on.ca/have-a-complaint/who-we-oversee.

Investigative process

- 10 My Office notified the municipality of our intent to investigate the complaints on November 23 and December 14, 2023.
- 11 My Office spoke with the Mayor, all councillors present at the relevant meetings, the Treasurer, the office administrator, and the Deputy Clerk. We reviewed the Township's procedure by-law, meeting agendas, open meeting minutes and related material for each of the five meetings. We also reviewed the closed meeting minutes for all but the October 10, 2023 meeting, where no closed meeting minutes were prepared.
- 12 My Office received full co-operation in this matter.

January 10, 2023 council meeting

- 13 On January 10, 2023, council met in council chambers for a regular council meeting. After some discussion in the open session, council resolved to move *in camera* to discuss the topic “P Line and Otter Lake Road right of way” under the exceptions for acquisition or disposition of land and advice subject to solicitor-client privilege.
- 14 Council’s *in camera* discussion of this topic had two portions. The Township had recently come to learn that a section of a municipally owned road was situated on two privately owned properties. The Township was determining how to resolve the issues stemming from this, while still maintaining public access to a nearby lake.
- 15 In the first portion of the discussion, council reviewed and discussed correspondence from the lawyer of one of the affected property owners. The correspondence proposed options to council to resolve the issue.
- 16 In the second portion of the *in camera* discussion, a different member of the public affected by the matter was invited into the discussion and made a proposal to council to assist in resolving the issue.
- 17 Following this discussion, council returned to open session and resolved to direct the Clerk to co-ordinate a meeting with the Township solicitor on January 13, 2023 to obtain advice on the topic.

Analysis

Exception for advice subject to solicitor-client privilege, s. 239(2)(f)

- 18 Council cited the exception for advice subject to solicitor-client privilege to discuss “P Line and Otter Lake Road right of way” in closed session.
- 19 Under this exception, a meeting or part of a meeting may be closed to the public if the discussion includes communications between the municipality and its solicitor in seeking or receiving legal advice intended to be confidential.² The purpose of this exception is to ensure that municipal officials can speak freely about legal advice without fear of disclosure.

² Letter from the Ombudsman of Ontario to the Township of Ryerson (November 8, 2013), online: <<https://www.ombudsman.on.ca/resources/reports,-cases-and-submissions/municipal-meetings/2013/township-of-ryerson-en>>; Letter from the Ombudsman of Ontario to the Township of Adelaide Metcalfe (May 23, 2012), online: <<https://www.ombudsman.on.ca/resources/reports,-cases-and-submissions/municipal-meetings/2012/township-of-adelaide-metcalfe>>.

- 20 Our investigation did not identify any instances where council discussed or received legal advice that was subject to solicitor-client privilege during its *in camera* discussion on January 10, 2023. Accordingly, the *in camera* discussion did not fit within the exception for advice subject to solicitor-client privilege.

Exception for acquisition or disposition of land, s. 239(2)(c)

- 21 Council also relied on the exception for acquisition or disposition of land during the closed session on January 10, 2023. The purpose of the exception is to protect the municipality's bargaining position during negotiations for a land transaction. For the exception to apply, a municipality must be either the seller or purchaser of the land. Further, the discussion must involve an actual land transaction that is either pending or has been proposed.
- 22 Previously, my Office has found that this exception applies to discussions regarding how to dispose of specific property. In a 2014 letter to the Town of Ajax, my Office investigated a closed meeting where council discussed how to respond to a property owner's encroachment on municipal property, including whether or not to sell, lease all, or lease portions of the land to the property owner.³ My Office found that the exception for acquisition or disposition of land applied to this discussion, as council was determining how it would dispose of property.
- 23 In the present case, the first portion of council's discussion related to various options for acquiring the land over which a portion of a municipally owned road runs, including the specific price the Township might pay for the land, and the land it would be willing to swap as a fair exchange.
- 24 In the second portion of the discussion, council discussed how it might proceed with a land transaction that was proposed as a potential solution to the issue of public access to a lake.
- 25 The Township would potentially need to enter into transactions with multiple property owners to resolve issues relating to the boundaries of Otter Lake Road. The agreement reached in each transaction would impact the Township's bargaining position in the other related negotiations.

³ Letter from the Ombudsman of Ontario to the Town of Ajax (March 28, 2014), online: <<https://www.ombudsman.on.ca/resources/reports,-cases-and-submissions/municipal-meetings/2014/town-of-ajax>>.

- 26 Consequently, council had a bargaining position to protect regarding the acquisition of specific property during both portions of the *in camera* discussion, and I am satisfied that the discussion on January 10, 2023 fit within the exception for acquisition or disposition of land.

Voting

- 27 Under section 239(6) of the Act, voting is only permitted *in camera* if the subject matter is permitted or required to be discussed in closed session, and if the vote is for a procedural matter or for giving direction or instructions to officers, employees, or agents of the municipality, local board or committee of either of them, or persons retained by or under a contract.
- 28 There is no evidence that council conducted a vote during the January 10, 2023 *in camera* meeting.

January 13, 2023 council meeting

- 29 On January 13, 2023, council met in council chambers for a council meeting. Council promptly moved *in camera* to discuss the agenda items “Otter Lake Road” and “P Line and Otter Lake Road right of way” under the exceptions for acquisition or disposition of land and advice subject to solicitor-client privilege, respectively.
- 30 Once in closed session, a lawyer for one of the affected private property owners briefly spoke to council to inquire about a potential land transaction. The property owner’s legal counsel then left the closed session.
- 31 Next, council sought legal advice from the Township solicitor related to this proposal. Council also conferred with the solicitor about the proposal it heard at the previous *in camera* meeting.
- 32 Following its discussion, council returned to open session, and resolved to direct the Township solicitor to negotiate a land exchange with the property owner’s lawyer, and to hold a public meeting on February 7, 2023, to finalize its plan for portions of P Line Road.

Analysis

Applicability of the exception for advice subject to solicitor-client privilege, s. 239(2)(f)

- 33 Council cited the exception for advice subject to solicitor-client privilege to discuss P Line and Otter Lake roads *in camera* on January 13, 2023. As previously stated, this exception allows a municipality to proceed *in camera* to discuss or receive advice subject to solicitor-client privilege.⁴
- 34 At the beginning of its discussion, council heard from the lawyer for one of the property owners with which it was negotiating. There is no evidence that council received or discussed legal advice from the Township solicitor during this portion of the meeting. Therefore, this portion did not fit within the exception for advice subject to solicitor-client privilege.
- 35 After the property owner's lawyer exited the meeting, council directly consulted with the Township solicitor and received advice about the legality of the transaction it envisioned. Since council received legal advice, this latter portion of the meeting fit within the exception for solicitor-client privilege.

Exception for acquisition or disposition of land, s. 239(2)(c)

- 36 Council also cited the exception for acquisition or disposition of land during the closed session on January 13, 2023. As previously stated, this exception protects a municipality's bargaining position by permitting *in camera* discussions about a proposed or pending acquisition or disposition of land.⁵
- 37 In this case, council received input from the property owner's lawyer on a potential land transaction, and subsequently discussed the details of that transaction and another related transaction. Public disclosure of council's discussion could have adversely impacted the municipality's bargaining position in both of these specific transactions. Consequently, council had a bargaining position to protect, and all of the *in camera* discussion fit within the exception for acquisition or disposition of land.

⁴ *Supra* note 2.

⁵ *Supra* note 3.

Voting

- 38 There is no evidence suggesting that council voted *in camera* on January 13, 2023.

February 7, 2023 council meeting

- 39 Council met again on February 7, 2023 for a council meeting. After some discussion in open session, council proceeded *in camera* to discuss the western portion of Otter Lake Road under the exception for acquisition or disposition of land.
- 40 In closed session, council received and discussed correspondence from the lawyer of the owner of the land on which the western portion of Otter Lake Road runs, inquiring about a potential land transaction. Council then discussed how it might proceed in this land transaction.
- 41 Council voted on a resolution *in camera* to direct the Township solicitor regarding this land transaction. Council returned to open session and directed the Clerk to provide information to the Township solicitor to negotiate a resolution with the owner of the land on which the western portion of Otter Lake Road runs.

Analysis

Exception for acquisition or disposition of land, s. 239(2)(c)

- 42 Council relied on the exception for acquisition or disposition of land to discuss the western portion of Otter Lake Road *in camera* on February 7, 2023. This exception permits *in camera* discussions about proposed or pending acquisitions or dispositions of property and protects a municipality's bargaining position relating to those transactions.⁶
- 43 In this meeting, council discussed the specific deal it would propose in a land transaction for a specific piece of property. Consequently, council had a bargaining position that it was protecting in closed session, and its discussion fit within the exception for acquisition or disposition of land.

⁶ *Ibid.*

Voting

- 44 As previously stated, council is permitted to vote in closed session when the subject matter is permitted or required to be discussed in closed session, and the vote is for a procedural matter or for giving direction or instructions to officers, employees, or agents of the municipality, or persons retained by or under a contract. In this case, council's discussion was properly closed to the public and the vote was regarding a direction to the Township solicitor. Accordingly, the *in camera* vote on February 7, 2023 was permitted.

April 4, 2023 council meeting

- 45 Council met again on April 4, 2023. Following discussion of unrelated items in open session, council resolved to move into closed session to discuss the agenda item "Algie consent" under the exception for advice subject to solicitor-client privilege, and the agenda item "Land Development – 10th Side Road" under the exception for personal matters about an identifiable individual.

"Algie consent" severance application

- 46 Once in closed session, council first discussed the "Algie consent" matter. This related to a severance application by a member of the public to divide their property, and a contentious condition the municipality sought to impose in potentially granting this application. The Township solicitor was not present at this meeting.
- 47 Council received correspondence from the applicant's lawyer, setting out the history of the property, a position on the condition being sought by the municipality, and proposed options for moving forward. The correspondence also detailed a personal dispute relating to the property involving the applicant and another member of the public.
- 48 Our review indicates that council discussed this letter and how to proceed on the matter, with particular focus on a proposed easement raised in the correspondence. Council did not come to any decisions following this discussion.

“Land Development – 10th Side Road”

- 49 Council subsequently discussed *in camera* the matter of “Land Development – 10th Side Road.” This matter referred to an area in the municipality by a steep hill, along 10th Side Road, a section of which was acquired by the Township several decades ago. The Township had recently learned information which would affect the publicly used trail in the area, and council was discussing how to move forward.
- 50 The Mayor provided an update to council about a recent dialogue he had with the owner of an abutting property. The property owner and the specific property contemplated were both identified. After receiving this update, council discussed options for how it might proceed, although no decisions were made.
- 51 Following this discussion, council returned to open session and requested the Clerk arrange a future teleconference with the Township solicitor. The meeting was then adjourned.

Analysis

Exception for advice subject to solicitor-client privilege, s. 239(2)(f)

- 52 Council relied on the exception for advice subject to solicitor-client privilege to discuss the matter of “Algie consent” *in camera*. This exception allows a municipality to proceed *in camera* to discuss, receive or review confidential advice that is subject to solicitor-client privilege.⁷
- 53 There is no evidence that council received or discussed legal advice during its *in camera* meeting. The Township solicitor was not present, and none of the individuals interviewed by my Office could recall any legal advice being discussed.
- 54 Consequently, the *in camera* discussion does not fit within this exception.

Exception for acquisition or disposition of land, s. 239(2)(c)

- 55 Although not cited by council, my Office also assessed whether the exception for acquisition or disposition of land could apply to the *in camera* discussion of the “Algie consent” matter on April 4, 2023.

⁷ *Supra* note 2.

- 56 As previously noted, my Office has found the exception to apply where council debates *how* to proceed with a disposition of a specific property.⁸ In this case, council was discussing how to move forward in a potential property transaction in light of a disagreement between the municipality and the property owner. Council discussed a potential easement and debated various proposals put forth by the property owner. This discussion could have impacted the municipality's bargaining position in the transaction if publicly disclosed.
- 57 Consequently, council's discussion of the "Algie consent" matter fit within the exception for acquisition or disposition of land.

Exception for personal matters about an identifiable individual, s. 239(2)(b)

- 58 Council relied on the exception for personal matters about an identifiable individual to discuss the topic of "Land Development – 10th Side Road" in closed session.
- 59 This exception applies to discussions that reveal personal information about an identifiable individual. To qualify as personal information, it must be reasonable to expect that an individual could be identified if the information were disclosed publicly.⁹ The information must also qualify as personal; that is, not as professional information or information in a business capacity¹⁰ or as information related to profit-motivated business activity.¹¹
- 60 In this case, council discussed a property owner's preliminary expression of interest in an undefined land transaction, which had been proposed by the municipality in an effort to resolve a property issue. There was no expectation that the property owner would profit from the transaction. The information was not related to the individual in a professional or business capacity, or to profit-motivated business activity, and the property owner's willingness to consider the transaction constitutes personal information.
- 61 Furthermore, because the individual in question was identified by name during the discussion, they would be identifiable to the public.

⁸ *Supra* note 6.

⁹ *Ontario (Ministry of Correctional Services) v Goodis* [2008], OJ No 289 at para 69.

¹⁰ *Amherstburg (Town of) (Re)*, 2022 ONOMBUD 11, online: <<https://canlii.ca/t/jr5rc>>.

¹¹ *Burk's Falls / Armour (Village of / Township) (Re)*, 2015 ONOMBUD 26, online: <<https://canlii.ca/t/gtp6w>>.

- 62 Therefore, council's *in camera* discussion about "Land Development – 10th Side Road" fit within the cited exception.

Voting

- 63 With respect to the complaint that council improperly voted in closed session on April 4, 2023, our review was inconclusive about whether or not a vote was conducted in either open or closed session. The open meeting minutes indicate the Clerk was requested to arrange a teleconference with the Township solicitor, but there is no indication this direction was voted on. Those my Office spoke with could not remember whether or not a vote occurred, or if it happened in open or closed session.
- 64 My Office has deemed a "verbal consensus" to be a vote of council under the Act.¹² Consequently, the direction made to the Clerk in this case can be considered a vote. If this vote occurred *in camera*, council was permitted to do so because the meeting was both appropriately closed and was a direction to staff.
- 65 Nevertheless, as a best practice for the future, council should clearly identify the specific direction given, formally vote on it, and record that vote in its closed meeting minutes.

October 10, 2023 council meeting

- 66 Council met again on October 10, 2023 for a regular council meeting. This meeting began with the *in camera* portion, followed by the open session. We were told the meeting was structured this way to accommodate the Township solicitor, who was attending the *in camera* session.
- 67 Our review indicates that council chambers were locked from the beginning of the meeting – including during the initial call to order by council – until the completion of the closed session. Our review also indicates there was no resolution passed by council to move *in camera*.
- 68 Council discussed three agenda items *in camera* under the exception for advice subject to solicitor-client privilege: "Ken Wards Hill and the private roads access act," "P-Line Taxes – Legal counsel to prepare letter," and "To make addendum to existing code of conduct by-law. Legal counsel review draft changes."

¹² *Plympton-Wyoming (Town of) (Re)*, 2021 ONOMBUD 4, online: <<https://canlii.ca/t/jd49k>>.

- 69 First, council discussed “Ken Wards Hill and the private roads access act.” This is the same topic discussed at council’s April 4, 2023 meeting under the description “Land Development – 10th Side Road.” Council again discussed issues related to municipally owned land in this area. Council spoke with the Township solicitor about concerns related to the use of a trail in the area, and the solicitor provided legal advice.
- 70 Next, council discussed “P-Line Taxes – Legal counsel to prepare letter.” This topic refers to a Township citizen who was seeking relief from municipal taxes owed. Council received legal advice about potential tax relief for the individual. Ultimately, council directed the Township solicitor to draft a letter.
- 71 Lastly, council discussed making an addendum to its code of conduct by-law. Council consulted with the Township solicitor as to the legality of possible changes to the code of conduct. No decisions or changes were made.

Analysis

Exception for advice subject to solicitor-client privilege, s. 239(2)(f)

- 72 Council relied on the exception for advice subject to solicitor-client privilege to discuss three topics in closed session. This exception applies to discussions where council receives or reviews confidential advice that is subject to solicitor-client privilege.¹³
- 73 During the October 10, 2023 meeting, council directly consulted with and received advice from the Township solicitor for each of the topics discussed. Consequently, the *in camera* discussions fit within the cited exception.

¹³ *Supra* note 2.

Public attendance at the October 10, 2023 meeting

- 74 One complaint raised concerns that members of the public were not able to attend the October 10, 2023 meeting in person because the council chamber doors were locked. My Office's investigation found that the doors to council chambers were locked for the beginning of council's meeting, including the initial call to order, and remained locked until council returned from closed session and proceeded into open session.
- 75 Section 239(1) of the Act requires that all meetings of a municipal council be open to the public, subject to prescribed exceptions. My Office has previously found that council meetings where portions were publicly inaccessible due to doors being physically locked contravened this section of the Act.¹⁴
- 76 In this case, although chamber doors were locked for only a brief period just prior to council entering into a closed session, this portion of council's October 10, 2023 meeting was improperly closed to the public, contrary to the Act.
- 77 The Mayor advised my Office that council does not typically hold closed sessions at the start of its meetings, and that this format led to the mistakenly locked door. The Mayor told my Office that council in future will ensure the issue does not occur again.

Resolution to enter into closed session at the October 10, 2023 meeting

- 78 At its October 10, 2023 meeting, council did not vote on or pass a resolution to move into closed session.
- 79 Section 239(4)(a) of the Act requires that before holding a meeting that is to be closed to the public, a municipality shall state by resolution the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting. My Office has reiterated that the Act requires council to pass a resolution stating the fact of holding a closed meeting and the general nature of the matter *before* holding a closed session.¹⁵

¹⁴ Letter from the Ombudsman of Ontario to the City of London (May 12, 2023), online: <<https://www.ombudsman.on.ca/resources/reports,-cases-and-submissions/municipal-meetings/2023/city-of-london-en>>.

¹⁵ *Supra* note 15.

- 80 In this case, council neither voted on nor passed a resolution in open session to move *in camera* on October 10, 2023, contrary to section 239(4)(a) of the Act.

Minutes of the closed portion of the October 10, 2023 meeting

- 81 My Office learned in the course of its investigation that council did not take meeting minutes during the closed portion of its October 10, 2023 meeting. My Office was told this was because the Township was in a transitional period, and newly hired staff were given responsibility for recording meeting minutes shortly after this meeting.
- 82 Section 239(7) of the Act requires that a municipality record, without note or comment, all resolutions, decisions and other proceedings at its meetings. This obligation applies to both open and closed meetings.
- 83 My Office has also previously stated that “keeping complete and accurate minutes of closed session meetings ensures that members of the public feel confident that matters dealt with in closed session were appropriate for *in camera* discussion and that requirements of the *Municipal Act* and local by-laws have been followed.”¹⁶
- 84 In this case, council did not take meeting minutes during the *in camera* portion of its October 10, 2023 meeting. Consequently, council contravened section 239(7) of the Act.

Opinion

- 85 Council for the Township of Jocelyn did not contravene the *Municipal Act, 2001* in its January 10, 2023 meeting. Council was permitted to discuss issues relating to P Line and Otter Lake roads under the exception for acquisition or disposition of land.
- 86 Council did not contravene the *Municipal Act, 2001* in its January 13, 2023 meeting. Council was permitted to discuss issues relating to P Line and Otter Lake roads under the exceptions for advice subject to solicitor-client privilege and acquisition or disposition of land.

¹⁶ *Tehkummah (Township of) (Re)*, 2018 ONOMBUD 3, online: <<https://canlii.ca/t/hvmtp>>.

- 87 Council did not contravene the *Municipal Act, 2001* in its February 7, 2023 meeting, as it was permitted to discuss issues relating to the western portion of Otter Lake Road under the exception for advice subject to solicitor-client privilege.
- 88 Council did not contravene the *Municipal Act, 2001* in its April 4, 2023 meeting, as it was permitted to discuss the “Algie consent” issue and “Road Development – 10th Side Road” under the exceptions for acquisition or disposition of land and personal matters about an identifiable individual.
- 89 Council did not conduct any illegal votes at these four meetings.
- 90 Council contravened the *Municipal Act, 2001* at its October 10, 2023 meeting by improperly closing the beginning of its meeting to the public, failing to pass a resolution to move into closed session, and failing to take closed meeting minutes. However, council was permitted under the Act to hold its *in camera* discussion under the exception for advice subject to solicitor-client privilege.

Recommendations

- 91 I make the following recommendations to assist the Township of Jocelyn in fulfilling its obligations under the *Municipal Act, 2001*, and enhancing the transparency of its meetings:

Recommendation 1

All members of council for the Township of Jocelyn should be vigilant in adhering to their individual and collective obligation to ensure that the municipality complies with its responsibilities under the *Municipal Act, 2001* and its procedural by-law.

Recommendation 2

Council for the Township of Jocelyn should ensure that complete and accurate records are kept of all meetings, including closed meetings.

Recommendation 3

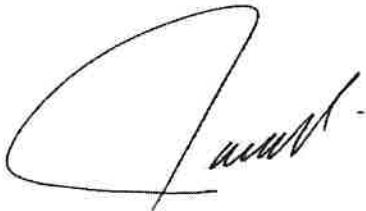
Council for the Township of Jocelyn should pass a resolution in open session stating the fact of a closed meeting and the general nature of the subject(s) to be discussed before proceeding *in camera*.

Recommendation 4

Council for the Township of Jocelyn should ensure that the public has access to observe all open sessions of council, including those that take place just prior to a closed session.

Report

- 92** Council for the Township of Jocelyn was given the opportunity to review a preliminary version of this report and provide comments to my Office. No comments were received.
- 93** This report will be published by my Office's website and should also be made public by the Township of Jocelyn. In accordance with section 239.2(12) of the *Municipal Act, 2001*, council is required to pass a resolution stating how it intends to address this report.



Paul Dubé
Ombudsman of Ontario

Township	Resolution Details
Bradford West Gwillimbury	resolution from the Town of Bradford West Gwillimbury regarding the AMO and OMA Joint Health Resolution campaign.
St. Charles	Support - Increased Funding to Libraries & Museums
St. Charles	Support - Phase-Out of Water Well Testing
Lake of Bays	Request for the provincial government to recognize the physicians shortage
Red Rock	Catch and Release Justice
Larder Lake	Motion to support AMO/OMA regarding the joint health resolution campaign
Terrace Bay	AMO/OMA Joint Health Resolution MD Shortage in Ontario
Terrace Bay	Resolution - Public Health Phasing out Free Water Testing For Private Wells
Terrace Bay	Letter of Support for NOMA – Support for OINP.
Terrace Bay	Ontario Long Service Medals.
West Nipissing	Sustainable infrastructure Funding for Small Rural Municipalities
West Nipissing	Solutions to resolve significant financial and budgetary pressures relating to infrastructure development, maintenance and
Quinte West	Resolution - The Canada Community-Building Fund
Grimsby	Resolution - Increasing Funding for Public Libraries and Community Museums
Cambridge	Letter From Mayor - Mental Health and Addictions Crisis
Essex	Declaring Intimate Partner Violence an Epidemic, Bill 173
Stirling-Rawdon	Public Sector Salary Disclosure
Toronto	Resolution - Support Family Physicians
Russell	Resolution to Support AMCTO Provincial Updates to the Municipal Elections Act
Brantford	Decisions of Brantford City Council - August 27, 2024 - Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement
Orillia	Resolution regarding a request for the Province to support family physicians
Plympton-Wyoming	City of Quinte West Council - Resolution - The Canada Community-Building Fund

Township of Jocelyn

From: Sturgeon, Tyler (OPP) <Tyler.Sturgeon@opp.ca>
Sent: August 16, 2024 10:33 AM
To: Natalie Bray; John Thomas (jthomas@city.elliottlake.on.ca); rdebortoli@city.elliottlak.on.ca; Municipal Clerk Township of The North Shore; pamlortie@townofspanish.com; Katie Scott; Ryan Belair; Pam Walsh; natashia@huronshores.ca; lindsay@thessalon.ca; maria@thessalon.ca; info@brucemines.ca; Info; admin@tarbutt.ca; Carol Trainor; Johnson Twp; info@hiltonbeach.com; Hilton Twp; clerkadmin@stjosephtownship.com; Township of Jocelyn; lesley.boulrice@thessalonfirstnation.ca; James Cada; Brent Niganobe (Chief); Wilma-Lee.Johnston@serpentriverfn.com; Tracey Seabrook (Director.support@serpentriverfn.com); Santerre, Lindsey (She/Her) (MAG); Alyssa Spooney; Amanda Timmermans (aknuff@nshn.care); Beth Cumming; cgordon@nshn.care; Jeremy Stevenson; N.Ewen@elfht.ca; Armstrong, Todd (AGCO); Collins, Michael (AGCO); Konopelky, Faye (TBS); Leblanc, Darlene (SOLGEN); 'nlindahl@algomapublichealth.com'; Boissonneault, Marc (MAG); Spooner, Jason (SOLGEN); Robin Kerr; Lamont Jennifer (ONT); Jackie Martin; mdell@counsellingcentre.org; Christine Desjardins
Cc: Barrette, Andre (OPP); Gordon, Suzanne N. (OPP); Salminen, Mike (OPP)
Subject: Change of Command - East Algoma OPP

Good Morning Everyone,

As most/many of you know, I have been away from the East Algoma Detachment for the last year on a temporary assignment at OPP North East Region Headquarters.

I am happy to report that as of Monday, August 19, 2024, I will be returning to my home position as Commander of the East Algoma Detachment. I'd like to thank A/Inspector Andy Barrette for covering for me during my absence. I know the East Algoma Detachment has been in good hands while I've been away.

Much has changed over the course of the last year, so please bear with me while I get caught up on matters here in East Algoma. I know there are many projects and initiatives that have been undertaken in my absence.

I'm also happy to report that Staff Sergeant Mike Salminen will be joining us in East Algoma as our new Operations Manager, effective September 2, 2024. S/Sgt. Salminen is an experienced Operations Manager and is transferring in from the Oxford County Detachment in West Region. We are looking forward to welcoming him and benefiting from his vast experience. Thank you to A/Staff Sergeant Sue Gordon for covering the Operations Manager portfolio on an interim basis.

As always, for general administrative inquiries, it is best to contact the East Algoma Detachment via email at OPP.East.Algoma@opp.ca. For court related inquires, it is best to use OPP.East.Algoma.Court@opp.ca.

I'm looking forward to getting back and working with all of you again.

Have a great weekend,

-Tyler

A/Superintendent Tyler Sturgeon
North East Region Headquarters
Ontario Provincial Police
tyler.sturgeon@opp.ca

**PROVINCIAL PLANNING
STATEMENT, 2024**

Under the *Planning Act*

PROVINCIAL PLANNING STATEMENT, 2024

Approved by the Lieutenant Governor in Council, Order in Council No. 1099/2024

The Provincial Planning Statement was issued under section 3 of the *Planning Act* and came into effect October 20, 2024. It replaces the Provincial Policy Statement that came into effect on May 1, 2020.

© King's Printer for Ontario, 2024

ISBN 978-1-4868-8225-0 (Print)

ISBN 978-1-4868-8226-7 (PDF)

ISBN 978-1-4868-8227-4 (HTML)

Disponible en français

Table of Contents

CHAPTER 1: INTRODUCTION	1
Vision	1
Role of the Provincial Planning Statement	2
Legislative Authority	2
How to Read the Provincial Planning Statement	3
CHAPTER 2: BUILDING HOMES, SUSTAINING STRONG AND COMPETITIVE COMMUNITIES	6
2.1 Planning for People and Homes	6
2.2 Housing	7
2.3 Settlement Areas and Settlement Area Boundary Expansions	8
2.4 Strategic Growth Areas	9
2.5 Rural Areas in Municipalities	11
2.6 Rural Lands in Municipalities	12
2.7 Territory Without Municipal Organization	12
2.8 Employment	13
2.9 Energy Conservation, Air Quality and Climate Change	15
CHAPTER 3: INFRASTRUCTURE AND FACILITIES	16
3.1 General Policies for Infrastructure and Public Service Facilities	16
3.2 Transportation Systems	16
3.3 Transportation and Infrastructure Corridors	17
3.4 Airports, Rail and Marine Facilities	17
3.5 Land Use Compatibility	18
3.6 Sewage, Water and Stormwater	18
3.7 Waste Management	20
3.8 Energy Supply	20
3.9 Public Spaces, Recreation, Parks, Trails and Open Space	20
CHAPTER 4: WISE USE AND MANAGEMENT OF RESOURCES	21
4.1 Natural Heritage	21
4.2 Water	22
4.3 Agriculture	23
4.4 Minerals and Petroleum	25
4.5 Mineral Aggregate Resources	26
4.6 Cultural Heritage and Archaeology	28
CHAPTER 5: PROTECTING PUBLIC HEALTH AND SAFETY	29
5.1 General Policies for Natural and Human-Made Hazards	29
5.2 Natural Hazards	29
5.3 Human-Made Hazards	31
CHAPTER 6: IMPLEMENTATION AND INTERPRETATION	32
6.1 General Policies for Implementation and Interpretation	32
6.2 Coordination	34
7: FIGURE 1 – NATURAL HERITAGE PROTECTION LINE	36
8: DEFINITIONS	38
9: APPENDIX – SCHEDULE 1: LIST OF LARGE AND FAST-GROWING MUNICIPALITIES	56

Chapter 1: Introduction

Vision

Ontario is a vast, fast-growing province that is home to many urban, rural and northern communities distinguished by different populations, economic activity, pace of growth, and physical and natural conditions. More than anything, a prosperous Ontario will see the building of more homes for all Ontarians. This is why the province has set a goal of getting at least 1.5 million homes built by 2031.

Ontario will increase the supply and mix of *housing options*, addressing the full range of housing affordability needs. Every community will build homes that respond to changing market needs and local demand. Providing a sufficient supply with the necessary mix of *housing options* will support a diverse and growing population and workforce, now and for many years to come.

A prosperous and successful Ontario will also support a strong and competitive economy that is investment-ready and recognized for its influence, innovation and diversity. Ontario's economy will continue to mature into a centre of industry and commerce of global significance. Central to this success will be the people who live and work in this province.

Ontario's land use planning framework, and the decisions that are made, shape how our communities grow and prosper. Prioritizing compact and *transit-supportive* design, where locally appropriate, and optimizing investments in *infrastructure* and *public service facilities* will support convenient access to housing, quality employment, services and recreation for all Ontarians. Cultural heritage and archaeology in Ontario will provide people with a sense of place. And while many Ontarians still face a complex range of challenges, municipalities will work with the Province to support the long term prosperity and well-being of residents through the design of communities responsive to the needs of all Ontarians.

Ontario's vibrant agricultural sector and sensitive areas will continue to form part of the province's economic prosperity and overall identity. Growth and development will be prioritized within urban and rural settlements that will, in turn, support and protect the long-term viability of *rural areas*, local food production, and the *agri-food network*. In addition, resources, including natural areas, water, aggregates and agricultural lands will be protected. Potential risks to public health or safety or of property damage from natural hazards and human-made hazards, including the risks associated with the impacts of climate change will be mitigated.

Ontario will continue to recognize the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. Meaningful early engagement and constructive, cooperative relationship-building between planning authorities and Indigenous communities will facilitate knowledge-sharing and inform decision-making in land use planning.

Above all, Ontario will continue to be a great place to live, work and visit where all Ontarians enjoy a high standard of living and an exceptional quality of life.

Role of the Provincial Planning Statement

The Provincial Planning Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Planning Statement sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians.

Municipal official plans are the most important vehicle for implementation of the Provincial Planning Statement and for achieving comprehensive, integrated and long-term planning. Official plans should coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial outcomes.

Zoning and development permit by-laws are also important for the implementation of the Provincial Planning Statement. Zoning and development permit by-laws should be forward-looking and facilitate opportunities for an appropriate range and mix of *housing options* for all Ontarians.

Land use planning is only one of the tools for implementing provincial interests. A wide range of legislation, regulations, policies and programs may apply to decisions with respect to *Planning Act* applications, affect planning matters, and assist in implementing these interests.

The Province's rich cultural diversity is one of its distinctive and defining features. Indigenous communities have a unique relationship with the land and its resources, which continues to shape the history and economy of the Province today. Ontario recognizes the unique role Indigenous communities have in land use planning and development, and the contribution of Indigenous communities' perspectives and traditional knowledge to land use planning decisions. The Province recognizes the importance of consulting with Aboriginal communities on planning matters that may affect their section 35 Aboriginal or treaty rights.

Legislative Authority

The Provincial Planning Statement is a policy statement issued under the authority of section 3 of the *Planning Act* and came into effect on October 20, 2024. The Provincial Planning Statement applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024.

In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

Comments, submissions or advice that affect a planning matter that are provided by the council of a municipality, a local board, a planning board, a minister or ministry, board, commission or agency of the government shall be consistent with the Provincial Planning Statement.

How to Read the Provincial Planning Statement

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic, health and social factors in land use planning. The Provincial Planning Statement supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The Provincial Planning Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

There is no implied priority in the order in which the policies appear. While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Provincial Planning Statement as a whole.

Consider Specific Policy Language

When applying the Provincial Planning Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Provincial Planning Statement, and how it relates to other policies.

Some policies set out positive directives, such as “settlement areas shall be the focus of growth and development.” Other policies set out limitations and prohibitions, such as “development and site alteration shall not be permitted.” Other policies use enabling or supportive language, such as “should,” “promote,” and “encourage.”

The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

Geographic Scale of Policies

The Provincial Planning Statement recognizes the diversity of Ontario and that local context is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld.

While the Provincial Planning Statement is to be read as a whole, not all policies will be applicable to every site, feature or area. The Provincial Planning Statement applies at a range of geographic scales.

Some of the policies refer to specific areas or features and can only be applied where these features or areas exist. Other policies refer to planning objectives that need to be considered in the context of the municipality or planning area as a whole, and are not necessarily applicable to a specific site or development proposal.

Within the Great Lakes –St. Lawrence River Basin, there may be circumstances where planning authorities should consider agreements related to the protection or restoration of the Great Lakes – St. Lawrence River Basin. Examples of these agreements include Great Lakes agreements between Ontario and Canada, between Ontario and Quebec and the Great Lakes States of the United States of America, and between Canada and the United States of America.

Policies Represent Minimum Standards

The policies of the Provincial Planning Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Planning Statement.

Defined Terms and Meanings

Except for references to legislation which are italicized, other italicized terms in the Provincial Planning Statement are defined in the Definitions chapter. For non-italicized terms, the normal meaning of the word applies. Terms may be italicized only in specific policies; for these terms, the defined meaning applies where they are italicized and the normal meaning applies where they are not italicized. Defined terms in the Definitions chapter are intended to capture both singular and plural forms of these terms in the policies.

Provincial Guidance

Provincial guidance, including guidance material, guidelines and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Provincial Planning Statement. Information, technical criteria and approaches outlined in provincial guidance are meant to support implementation but not add to or detract from the policies of this Provincial Planning Statement.

Relationship with Provincial Plans

The Provincial Planning Statement provides overall policy directions on matters of provincial interest related to land use planning and development in Ontario, and applies province-wide, except where this Provincial Planning Statement or another provincial plan provides otherwise.

Provincial plans, such as the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan, build upon the policy foundation provided by the Provincial Planning Statement. They provide additional land use planning policies to address issues facing specific geographic areas in Ontario.

Provincial plans are to be read in conjunction with the Provincial Planning Statement. They take precedence over the policies of the Provincial Planning Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

Where the policies of provincial plans address the same, similar, related, or overlapping matters as the policies of the Provincial Planning Statement, applying the more specific policies of the provincial plan satisfies the more general requirements of the Provincial Planning Statement. In contrast, where matters addressed in the Provincial Planning Statement do not overlap with policies in provincial plans, the policies in the Provincial Planning Statement must be independently satisfied.

Land use planning decisions made by municipalities, planning boards, the Province, or a commission or agency of the government must be consistent with the Provincial Planning Statement. Where provincial plans are in effect, planning decisions must conform or not conflict with them, as the case may be.

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

2.1 Planning for People and Homes

1. As informed by provincial guidance, planning authorities shall base population and employment growth forecasts on Ontario Population Projections published by the Ministry of Finance and may modify, as appropriate.
2. Notwithstanding policy 2.1.1, municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province for the purposes of land use planning.
3. At the time of creating a new official plan and each official plan update, sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of at least 20 years, but not more than 30 years, informed by provincial guidance. Planning for *infrastructure, public service facilities, strategic growth areas* and *employment areas* may extend beyond this time horizon.

Where the Minister of Municipal Affairs and Housing has made a zoning order, the resulting development potential shall be in addition to projected needs over the planning horizon established in the official plan. At the time of the municipality's next official plan update, this additional growth shall be incorporated into the official plan and related infrastructure plans.

4. To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:
 - a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through lands which are *designated and available* for residential development; and
 - b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned, including units in draft approved or registered plans.
5. Where planning is conducted by an upper-tier municipality, the land and unit supply maintained by the lower-tier municipality identified in policy 2.1.4 shall be based on and reflect the allocation of population and units by the upper-tier municipality.

6. Planning authorities should support the achievement of *complete communities* by:
- a) accommodating an appropriate range and mix of land uses, *housing options*, transportation options with *multimodal* access, employment, *public service facilities* and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;
 - b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and
 - c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

2.2 Housing

1. Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected needs of current and future residents of the *regional market area* by:
- a) establishing and implementing minimum targets for the provision of housing that is *affordable* to *low and moderate income households*, and coordinating land use planning and planning for housing with Service Managers to address the full range of *housing options* including *affordable* housing needs;
 - b) permitting and facilitating:
 - 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *additional needs housing* and needs arising from demographic changes and employment opportunities; and
 - 2. all types of residential *intensification*, including the *development* and *redevelopment* of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new *housing options* within previously developed areas, and *redevelopment*, which results in a net increase in residential units in accordance with policy 2.3.1.3;
 - c) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation*; and
 - d) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations.

2.3 Settlement Areas and Settlement Area Boundary Expansions

2.3.1 General Policies for Settlement Areas

1. *Settlement areas* shall be the focus of growth and development. Within *settlement areas*, growth should be focused in, where applicable, *strategic growth areas*, including *major transit station areas*.
2. Land use patterns within *settlement areas* should be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) optimize existing and planned *infrastructure* and *public service facilities*;
 - c) support *active transportation*;
 - d) are *transit-supportive*, as appropriate; and
 - e) are *freight-supportive*.
3. Planning authorities shall support general *intensification* and *redevelopment* to support the achievement of *complete communities*, including by planning for a range and mix of *housing options* and prioritizing planning and investment in the necessary *infrastructure* and *public service facilities*.
4. Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions.
5. Planning authorities are encouraged to establish density targets for *designated growth areas*, based on local conditions. *Large and fast-growing municipalities* are encouraged to plan for a target of 50 residents and jobs per gross hectare in *designated growth areas*.
6. Planning authorities should establish and implement phasing policies, where appropriate, to ensure that development within *designated growth areas* is orderly and aligns with the timely provision of the *infrastructure* and *public service facilities*.

2.3.2 New Settlement Areas and Settlement Area Boundary Expansions

1. In identifying a new *settlement area* or allowing a *settlement area* boundary expansion, planning authorities shall consider the following:
 - a) the need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
 - b) if there is sufficient capacity in existing or planned *infrastructure* and *public service facilities*;
 - c) whether the applicable lands comprise *specialty crop areas*;
 - d) the evaluation of alternative locations which avoid *prime agricultural areas* and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;
 - e) whether the new or expanded *settlement area* complies with the *minimum distance separation formulae*;
 - f) whether impacts on the *agricultural system* are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance; and
 - g) the new or expanded *settlement area* provides for the phased progression of urban development.
2. Notwithstanding policy 2.3.2.1.b), planning authorities may identify a new *settlement area* only where it has been demonstrated that the *infrastructure* and *public service facilities* to support development are planned or available.

2.4 Strategic Growth Areas

2.4.1 General Policies for Strategic Growth Areas

1. Planning authorities are encouraged to identify and focus growth and development in *strategic growth areas*.
2. To support the achievement of *complete communities*, a range and mix of *housing options*, *intensification* and more mixed-use development, *strategic growth areas* should be planned:
 - a) to accommodate significant population and employment growth;
 - b) as focal areas for education, commercial, recreational, and cultural uses;
 - c) to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and
 - d) to support *affordable*, accessible, and equitable housing.

3. Planning authorities should:

- a) prioritize planning and investment for *infrastructure* and *public service facilities* in *strategic growth areas*;
- b) identify the appropriate type and scale of development in *strategic growth areas* and the transition of built form to adjacent areas;
- c) permit *development* and *intensification* in *strategic growth areas* to support the achievement of *complete communities* and a *compact built form*;
- d) consider a student housing strategy when planning for *strategic growth areas*; and
- e) support *redevelopment* of commercially-designated retail lands (e.g., underutilized shopping malls and plazas), to support mixed-use residential.

2.4.2 Major Transit Station Areas

1. Planning authorities shall delineate the boundaries of *major transit station areas* on *higher order transit corridors* through a new official plan or official plan amendment adopted under section 26 of the *Planning Act*. The delineation shall define an area within an approximately 500 to 800-metre radius of a transit station and that maximizes the number of potential transit users that are within walking distance of the station.
2. Within *major transit station areas* on *higher order transit corridors*, planning authorities shall plan for a minimum density target of:
 - a) 200 residents and jobs combined per hectare for those that are served by subways;
 - b) 160 residents and jobs combined per hectare for those that are served by light rail or bus rapid transit; or
 - c) 150 residents and jobs combined per hectare for those that are served by commuter or regional rail.
3. Planning authorities are encouraged to promote *development* and *intensification* within *major transit station areas*, where appropriate, by:
 - a) planning for land uses and built form that supports the achievement of minimum density targets; and
 - b) supporting the *redevelopment* of surface parking lots within *major transit station areas*, including commuter parking lots, to be *transit-supportive* and promote *complete communities*.
4. For any particular *major transit station area*, planning authorities may request the Minister to approve an official plan or official plan amendment with a target that is lower than the applicable target established in policy 2.4.2.2, where it has been demonstrated that this target cannot be achieved because:
 - a) *development* is prohibited by provincial policy or severely restricted on a significant portion of the lands within the delineated area; or
 - b) there are a limited number of residents and jobs associated with the built form, but a *major trip generator* or feeder service will sustain high ridership at the station or stop.

5. Planning authorities may plan for *major transit station areas* that are not on *higher order transit corridors* by delineating boundaries and establishing minimum density targets.
6. All *major transit station areas* should be planned and designed to be *transit-supportive* and to achieve *multimodal* access to stations and connections to nearby *major trip generators* by providing, where feasible:
 - a) connections to local and regional transit services to support *transit service integration*;
 - b) *infrastructure* that accommodates a range of mobility needs and supports *active transportation*, including sidewalks, bicycle lanes, and secure bicycle parking; and
 - c) commuter pick-up/drop-off areas.

2.4.3 Frequent Transit Corridors

1. Planning authorities shall plan for *intensification* on lands that are adjacent to existing and planned *frequent transit corridors*, where appropriate.

2.5 Rural Areas in Municipalities

1. Healthy, integrated and viable *rural areas* should be supported by:
 - a) building upon rural character, and leveraging rural amenities and assets;
 - b) promoting regeneration, including the *redevelopment of brownfield sites*;
 - c) accommodating an appropriate range and mix of housing in *rural settlement areas*;
 - d) using rural *infrastructure* and *public service facilities* efficiently;
 - e) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;
 - f) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;
 - g) conserving biodiversity and considering the ecological benefits provided by nature; and
 - h) providing opportunities for economic activities in *prime agricultural areas*, in accordance with policy 4.3.
2. In *rural areas*, *rural settlement areas* shall be the focus of growth and development and their vitality and regeneration shall be promoted.
3. When directing development in *rural settlement areas* in accordance with policy 2.3, planning authorities shall give consideration to locally appropriate rural characteristics, the scale of development and the provision of appropriate service levels.

Growth and development may be directed to *rural lands* in accordance with policy 2.6, including where a municipality does not have a *settlement area*.

2.6 Rural Lands in Municipalities

1. On *rural lands* located in municipalities, permitted uses are:
 - a) the management or use of resources;
 - b) resource-based recreational uses (including recreational dwellings not intended as permanent residences);
 - c) residential development, including lot creation, where site conditions are suitable for the provision of appropriate *sewage and water services*;
 - d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices*, in accordance with provincial standards;
 - e) home occupations and home industries;
 - f) cemeteries; and
 - g) other rural land uses.
2. Development that can be sustained by rural service levels should be promoted.
3. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the uneconomical expansion of this *infrastructure*.
4. Planning authorities should support a diversified rural economy by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.
5. New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

2.7 Territory Without Municipal Organization

1. On *rural lands* located in territory without municipal organization, the focus of development activity shall be related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences).
2. Development shall be appropriate to the *infrastructure* which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this *infrastructure*.
3. The establishment of new permanent townsites shall not be permitted.

4. In areas adjacent to and surrounding municipalities, only development that is related to the sustainable management or use of resources and resource-based recreational uses (including recreational dwellings not intended as permanent residences) shall be permitted. Other uses may only be permitted if:
 - a) the area forms part of a planning area;
 - b) the necessary *infrastructure* and *public service facilities* are planned or available to support the development and are financially viable over their life cycle; and
 - c) it has been determined that the impacts of development will not place an undue strain on the *public service facilities* and *infrastructure* provided by adjacent municipalities, regions and/or the Province.

2.8 Employment

2.8.1 Supporting a Modern Economy

1. Planning authorities shall promote economic development and competitiveness by:
 - a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
 - b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
 - c) identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
 - d) encouraging *intensification* of employment uses and compatible, compact, mixed-use development to support the achievement of *complete communities*; and
 - e) addressing land use compatibility adjacent to *employment areas* by providing an appropriate transition to *sensitive land uses*.
2. Industrial, manufacturing and small-scale warehousing uses that could be located adjacent to *sensitive land uses* without *adverse effects* are encouraged in *strategic growth areas* and other mixed-use areas where *frequent transit* service is available, outside of *employment areas*.
3. In addition to policy 3.5, on lands within 300 metres of *employment areas*, *development* shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned *employment areas*, in accordance with provincial guidelines.
4. Major office and major institutional development should be directed to *major transit station areas* or other *strategic growth areas* where *frequent transit* service is available.

2.8.2 Employment Areas

1. Planning authorities shall plan for, protect and preserve *employment areas* for current and future uses, and ensure that the necessary *infrastructure* is provided to support current and projected needs.
2. Planning authorities shall protect *employment areas* that are located in proximity to *major goods movement facilities and corridors*, including facilities and corridors identified in provincial transportation plans, for the *employment area* uses that require those locations.
3. Planning authorities shall designate, protect and plan for all *employment areas* in *settlement areas* by:
 - a) planning for *employment area* uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;
 - b) prohibiting residential uses, commercial uses, *public service facilities* and other institutional uses;
 - c) prohibiting retail and office uses that are not associated with the primary employment use;
 - d) prohibiting other *sensitive land uses* that are not ancillary to uses permitted in the *employment area*; and
 - e) including an appropriate transition to adjacent non-*employment areas* to ensure land use compatibility and economic viability.
4. Planning authorities shall assess and update *employment areas* identified in official plans to ensure that this designation is appropriate to the planned function of *employment areas*. In planning for *employment areas*, planning authorities shall maintain land use compatibility between *sensitive land uses* and *employment areas* in accordance with policy 3.5 to maintain the long-term operational and economic viability of the planned uses and function of these areas.

5. Planning authorities may remove lands from *employment areas* only where it has been demonstrated that:
 - a) there is an identified need for the removal and the land is not required for *employment area* uses over the long term;
 - b) the proposed uses would not negatively impact the overall viability of the *employment area* by:
 1. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned *employment area* uses in accordance with policy 3.5;
 2. maintaining access to *major goods movement facilities and corridors*;
 - c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses; and
 - d) the municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan.

2.9 Energy Conservation, Air Quality and Climate Change

1. Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the *impacts of a changing climate* through approaches that:
 - a) support the achievement of compact, *transit-supportive*, and *complete communities*;
 - b) incorporate climate change considerations in planning for and the development of *infrastructure*, including stormwater management systems, and *public service facilities*;
 - c) support energy conservation and efficiency;
 - d) promote *green infrastructure*, *low impact development*, and *active transportation*, protect the environment and improve air quality; and
 - e) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the *impacts of a changing climate*.

Chapter 3: Infrastructure and Facilities

3.1 General Policies for Infrastructure and Public Service Facilities

1. *Infrastructure and public service facilities* shall be provided in an efficient manner while accommodating projected needs.

Planning for *infrastructure and public service facilities* shall be coordinated and integrated with land use planning and growth management so that they:

- a) are financially viable over their life cycle, which may be demonstrated through asset management planning;
 - b) leverage the capacity of development proponents, where appropriate; and
 - c) are available to meet current and projected needs.
2. Before consideration is given to developing new *infrastructure and public service facilities*:
 - a) the use of existing *infrastructure and public service facilities* should be optimized; and
 - b) opportunities for adaptive re-use should be considered, wherever feasible.
 3. *Infrastructure and public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Chapter 5: Protecting Public Health and Safety.
 4. *Public service facilities* should be planned and co-located with one another, along with parks and open space where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.
 5. Planning authorities, in collaboration with school boards, should consider and encourage innovative approaches in the design of schools and associated child care facilities, such as schools integrated in high-rise developments, in *strategic growth areas*, and other areas with a *compact built form*.

3.2 Transportation Systems

1. *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs, and support the use of zero- and low- emission vehicles.
2. Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.

3. As part of a *multimodal transportation system*, connectivity within and among *transportation systems* and modes should be planned for, maintained and, where possible, improved, including connections which cross jurisdictional boundaries.

3.3 Transportation and Infrastructure Corridors

1. Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit, and electricity generation facilities and transmission systems to meet current and projected needs.
2. *Major goods movement facilities and corridors* shall be protected for the long term.
3. Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, or where avoidance is not possible, minimize and mitigate *negative impacts* on and *adverse effects* from the corridor and transportation facilities.

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

3.4 Airports, Rail and Marine Facilities

1. Planning for land uses in the vicinity of *airports*, *rail facilities* and *marine facilities* shall be undertaken so that:
 - a) their long-term operation and economic role is protected; and
 - b) *airports*, *rail facilities* and *marine facilities*, and *sensitive land uses* are appropriately designed, buffered and/or separated from each other, in accordance with policy 3.5.
2. *Airports* shall be protected from incompatible land uses and development by:
 - a) prohibiting new residential *development* and other *sensitive land uses* in areas near *airports* above 30 NEF/NEP;
 - b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30 NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the *airport*; and
 - c) prohibiting land uses which may cause a potential aviation safety hazard.

3.5 Land Use Compatibility

1. *Major facilities* and *sensitive land uses* shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential *adverse effects* from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of *major facilities* in accordance with provincial guidelines, standards and procedures.
2. Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other *major facilities* that are vulnerable to encroachment by ensuring that the planning and *development* of proposed adjacent *sensitive land uses* is only permitted if potential *adverse effects* to the proposed *sensitive land use* are minimized and mitigated, and potential impacts to industrial, manufacturing or other *major facilities* are minimized and mitigated in accordance with provincial guidelines, standards and procedures.

3.6 Sewage, Water and Stormwater

1. Planning for *sewage and water services* shall:
 - a) accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing *municipal sewage services* and *municipal water services* and existing *private communal sewage services* and *private communal water services*;
 - b) ensure that these services are provided in a manner that:
 1. can be sustained by the water resources upon which such services rely;
 2. is feasible and financially viable over their life cycle;
 3. protects human health and safety, and the natural environment, including the *quality and quantity of water*; and
 4. aligns with comprehensive municipal planning for these services, where applicable.
 - c) promote water and energy conservation and efficiency;
 - d) integrate servicing and land use considerations at all stages of the planning process;
 - e) consider opportunities to allocate, and re-allocate if necessary, the unused system capacity of *municipal water services* and *municipal sewage services* to support efficient use of these services to meet current and projected needs for increased housing supply; and
 - f) be in accordance with the servicing options outlined through policies 3.6.2, 3.6.3, 3.6.4 and 3.6.5.
2. *Municipal sewage services* and *municipal water services* are the preferred form of servicing for *settlement areas* to support protection of the environment and minimize potential risks to human health and safety. For clarity, *municipal sewage services* and *municipal water services* include both centralized servicing systems and decentralized servicing systems.

3. Where *municipal sewage services* and *municipal water services* are not available, planned or feasible, *private communal sewage services* and *private communal water services* are the preferred form of servicing for multi-unit/lot *development* to support protection of the environment and minimize potential risks to human health and safety.
4. Where *municipal sewage services* and *municipal water services* or *private communal sewage services* and *private communal water services* are not available, planned or feasible, *individual on-site sewage services* and *individual on-site water services* may be used provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

At the time of the official plan review or update, planning authorities should assess the long-term impacts of *individual on-site sewage services* and *individual on-site water services* on environmental health and the financial viability or feasibility of other forms of servicing set out in policies 3.6.2 and 3.6.3.

5. *Partial services* shall only be permitted in the following circumstances:
 - a) where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development;
 - b) within *settlement areas*, to allow for infilling and minor rounding out of existing development on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*; or
 - c) within rural *settlement areas* where new development will be serviced by *individual on-site water services* in combination with *municipal sewage services* or *private communal sewage services*.
6. In rural areas, where *partial services* have been provided to address failed services in accordance with policy 3.6.5.a), infilling on existing lots of record may be permitted where this would represent a logical and financially viable connection to the existing *partial service* and provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.
7. Planning authorities may allow lot creation where there is confirmation of sufficient *reserve sewage system capacity* and *reserve water system capacity*.

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

3.7 Waste Management

1. *Waste management systems* need to be planned for and provided that are of an appropriate size, type, and location to accommodate present and future requirements, and facilitate integrated waste management.

3.8 Energy Supply

1. Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, *energy storage systems*, district energy, *renewable energy systems*, and *alternative energy systems*, to accommodate current and projected needs.

3.9 Public Spaces, Recreation, Parks, Trails and Open Space

1. Healthy, active, and inclusive communities should be promoted by:
 - a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate *active transportation* and community connectivity;
 - b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;
 - c) providing opportunities for public access to shorelines; and
 - d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.

Chapter 4: Wise Use and Management of Resources

4.1 Natural Heritage

1. Natural features and areas shall be protected for the long term.
2. The diversity and connectivity of natural features in an area, and the long-term *ecological function* and biodiversity of *natural heritage systems*, should be maintained, restored or, where possible, improved, recognizing linkages between and among *natural heritage features and areas*, *surface water features* and *ground water features*.
3. *Natural heritage systems* shall be identified in Ecoregions 6E & 7E¹, recognizing that *natural heritage systems* will vary in size and form in *settlement areas*, *rural areas*, and *prime agricultural areas*.
4. *Development and site alteration* shall not be permitted in:
 - a) *significant wetlands* in Ecoregions 5E, 6E and 7E¹; and
 - b) *significant coastal wetlands*.
5. *Development and site alteration* shall not be permitted in:
 - a) *significant wetlands* in the Canadian Shield north of Ecoregions 5E, 6E and 7E¹;
 - b) *significant woodlands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
 - c) *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)¹;
 - d) *significant wildlife habitat*;
 - e) *significant areas of natural and scientific interest*; and
 - f) *coastal wetlands* in Ecoregions 5E, 6E and 7E¹ that are not subject to policy 4.1.4.b), unless it has been demonstrated that there will be no *negative impacts* on the natural features or their *ecological functions*.
6. *Development and site alteration* shall not be permitted in *fish habitat* except in accordance with *provincial and federal requirements*.
7. *Development and site alteration* shall not be permitted in *habitat of endangered species and threatened species*, except in accordance with *provincial and federal requirements*.

¹ Ecoregions 5E, 6E and 7E are shown on Figure 1.

8. *Development and site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on the natural features or on their *ecological functions*.
9. Nothing in policy 4.1 is intended to limit the ability of *agricultural uses* to continue.

4.2 Water

1. Planning authorities shall protect, improve or restore the *quality and quantity of water* by:
 - a) using the *watershed* as the ecologically meaningful scale for integrated and long-term planning, which can be a foundation for considering cumulative impacts of development;
 - b) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;
 - c) identifying *water resource systems*;
 - d) maintaining linkages and functions of *water resource systems*;
 - e) implementing necessary restrictions on *development and site alteration* to:
 1. protect all municipal drinking water supplies and *designated vulnerable areas*; and
 2. protect, improve or restore *vulnerable* surface and ground water, and their *hydrologic functions*;
 - f) planning for efficient and sustainable use of water resources, through practices for water conservation and sustaining water quality; and
 - g) ensuring consideration of environmental lake capacity, where applicable.
2. *Development and site alteration* shall be restricted in or near *sensitive surface water features* and *sensitive ground water features* such that these features and their related *hydrologic functions* will be protected, improved or restored, which may require mitigative measures and/or alternative development approaches.
3. Municipalities are encouraged to undertake, and *large and fast-growing municipalities* shall undertake *watershed planning* to inform planning for *sewage and water services* and stormwater management, including *low impact development*, and the protection, improvement or restoration of the *quality and quantity of water*.
4. Despite policy 4.2.3, where planning is conducted by an upper-tier municipality that includes one or more lower-tier *large and fast-growing municipalities*, the upper-tier municipality shall undertake *watershed planning* in partnership with lower-tier municipalities, including lower-tier *large and fast-growing municipalities*.
5. All municipalities undertaking *watershed planning* are encouraged to collaborate with applicable conservation authorities.

4.3 Agriculture

4.3.1 General Policies for Agriculture

1. Planning authorities are required to use an *agricultural system* approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the *agri-food network*.
2. As part of the agricultural land base, *prime agricultural areas*, including *specialty crop areas*, shall be designated and protected for long-term use for agriculture.
3. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

4.3.2 Permitted Uses

1. In *prime agricultural areas*, permitted uses and activities are: *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* based on provincial guidance.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2. In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.
3. New land uses in *prime agricultural areas*, including the creation of lots and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.
4. A principal dwelling associated with an agricultural operation shall be permitted in *prime agricultural areas* as an *agricultural use*, in accordance with provincial guidance, except where prohibited in accordance with policy 4.3.3.1.c).

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

Lots with additional residential units may only be severed in accordance with policy 4.3.3.1.c).

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

4.3.3 Lot Creation and Lot Adjustments

1. Lot creation in *prime agricultural areas* is discouraged and may only be permitted in accordance with provincial guidance for:
 - a) *agricultural uses*, provided that the lots are of a size appropriate for the type of *agricultural use(s)* common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
 - b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;
 - c) one new residential lot per farm consolidation for a *residence surplus to an agricultural operation*, provided that:
 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*; and
 2. the planning authority ensures that new dwellings and additional residential units are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new dwellings or additional residential units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches that achieve the same objective; and
 - d) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
2. Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.

3. The creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 4.3.3.1.c).

4.3.4 Removal of Land from Prime Agricultural Areas

1. Planning authorities may only exclude land from *prime agricultural areas* for expansions of or identification of *settlement areas* in accordance with policy 2.3.2.

4.3.5 Non-Agricultural Uses in Prime Agricultural Areas

1. Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:
 - a) extraction of *minerals, petroleum resources* and *mineral aggregate resources*; or
 - b) limited non-residential uses, provided that all of the following are demonstrated:
 1. the land does not comprise a *specialty crop area*;
 2. the proposed use complies with the *minimum distance separation formulae*;
 3. there is an identified need within the planning horizon identified in the official plan as provided for in policy 2.1.3 for additional land to accommodate the proposed use; and
 4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.
2. Impacts from any new or expanding non-agricultural uses on the *agricultural system* are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance.

4.3.6 Supporting Local Food and the Agri-food Network

1. Planning authorities are encouraged to support local food, facilitate near-urban and *urban agriculture*, and foster a robust *agri-food network*.

4.4 Minerals and Petroleum

4.4.1 General Policies for Minerals and Petroleum

1. *Minerals* and *petroleum resources* shall be protected for long-term use.

4.4.2 Protection of Long-Term Resource Supply

1. *Mineral mining operations* and *petroleum resource operations* shall be identified and protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.

2. Known *mineral deposits*, known *petroleum resources* and *significant areas of mineral potential* shall be identified, and *development* and activities in these resources or on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a) resource use would not be feasible; or
 - b) the proposed land use or development serves a greater long-term public interest; and
 - c) issues of public health, public safety and environmental impact are addressed.

4.4.3 Rehabilitation

1. Rehabilitation to accommodate subsequent land uses shall be required after extraction and other related activities have ceased. Progressive rehabilitation should be undertaken wherever feasible.

4.4.4 Extraction in Prime Agricultural Areas

1. Extraction of *minerals* and *petroleum resources* is permitted in *prime agricultural areas* provided that the site will be rehabilitated.

4.5 Mineral Aggregate Resources

4.5.1 General Policies for Mineral Aggregate Resources

1. *Mineral aggregate resources* shall be protected for long-term use and, where provincial information is available, *deposits of mineral aggregate resources* shall be identified.

4.5.2 Protection of Long-Term Resource Supply

1. As much of the *mineral aggregate resources* as is realistically possible shall be made available as close to markets as possible.

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere.

2. Extraction shall be undertaken in a manner which minimizes social, economic and environmental impacts.
3. *Mineral aggregate resource conservation* shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.

4. *Mineral aggregate operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or development permit under the *Planning Act*. Where the *Aggregate Resources Act* applies, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations*. When a license for extraction or operation ceases to exist, policy 4.5.2.5 continues to apply.
5. In known *deposits of mineral aggregate resources* and on *adjacent lands*, *development* and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a) resource use would not be feasible; or
 - b) the proposed land use or development serves a greater long-term public interest; and
 - c) issues of public health, public safety and environmental impact are addressed.

4.5.3 Rehabilitation

1. Progressive and final rehabilitation shall be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate negative impacts to the extent possible. Final rehabilitation shall take surrounding land use and approved land use designations into consideration.
2. *Comprehensive rehabilitation* planning is encouraged where there is a concentration of mineral aggregate operations.
3. In parts of the Province not designated under the *Aggregate Resources Act*, rehabilitation standards that are compatible with those under the Act should be adopted for extraction operations on private lands.

4.5.4 Extraction in Prime Agricultural Areas

1. In *prime agricultural areas*, on *prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that:
 - a) impacts to the *prime agricultural areas* are addressed, in accordance with policy 4.3.5.2; and
 - b) the site will be rehabilitated back to an *agricultural condition*.
2. Despite policy 4.5.4.1.b), complete rehabilitation to an *agricultural condition* is not required if:
 - a) the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and
 - b) agricultural rehabilitation in remaining areas is maximized.

4.5.5 Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants

1. *Wayside pits and quarries, portable asphalt plants and portable concrete plants* used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or development permit under the *Planning Act* in all areas, except those areas of existing development or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

4.6 Cultural Heritage and Archaeology

1. *Protected heritage property*, which may contain *built heritage resources* or *cultural heritage landscapes*, shall be *conserved*.
2. Planning authorities shall not permit *development* and *site alteration* on lands containing *archaeological resources* or *areas of archaeological potential* unless the *significant archaeological resources* have been *conserved*.
3. Planning authorities shall not permit *development* and *site alteration* on *adjacent lands* to *protected heritage property* unless the *heritage attributes* of the *protected heritage property* will be *conserved*.
4. Planning authorities are encouraged to develop and implement:
 - a) *archaeological management plans* for conserving *archaeological resources*; and
 - b) *proactive strategies* for conserving *significant built heritage resources* and *cultural heritage landscapes*.
5. Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing *archaeological resources*, *built heritage resources* and *cultural heritage landscapes*.

Chapter 5: Protecting Public Health and Safety

5.1 General Policies for Natural and Human-Made Hazards

1. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

5.2 Natural Hazards

1. Planning authorities shall, in collaboration with conservation authorities where they exist, identify *hazardous lands* and *hazardous sites* and manage development in these areas, in accordance with provincial guidance.
2. Development shall generally be directed to areas outside of:
 - a) *hazardous lands* adjacent to the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes* which are impacted by *flooding hazards, erosion hazards and/or dynamic beach hazards*;
 - b) *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impacted by *flooding hazards and/or erosion hazards*; and
 - c) *hazardous sites*.
3. *Development and site alteration* shall not be permitted within:
 - a) the *dynamic beach hazard*;
 - b) *defined portions of the flooding hazard along connecting channels* (the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers);
 - c) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards, erosion hazards and/or dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
 - d) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.
4. Planning authorities shall prepare for the *impacts of a changing climate* that may increase the risk associated with natural hazards.

5. Despite policy 5.2.3, *development* and *site alteration* may be permitted in certain areas associated with the *flooding hazard* along *river, stream and small inland lake systems*:
 - a) in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of Municipal Affairs and Housing and Natural Resources and Forestry prior to the approval authority approving such changes or modifications; or
 - b) where the *development* is limited to uses which by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses which do not affect flood flows.
6. *Development* shall not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:
 - a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - b) an *essential emergency service* such as that provided by fire, police, and ambulance stations and electrical substations; or
 - c) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.
7. Where the *two zone concept* for *flood plains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate floodproofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Minister of Natural Resources and Forestry.
8. Further to policy 5.2.7, and except as prohibited in policies 5.2.3 and 5.2.6, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:
 - a) *development and site alteration* is carried out in accordance with *floodproofing standards, protection works standards, and access standards*;
 - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
 - c) new hazards are not created and existing hazards are not aggravated; and
 - d) no adverse environmental impacts will result.
9. *Development* shall generally be directed to areas outside of lands that are unsafe for development due to the presence of *hazardous forest types for wildland fire*.

Development may however be permitted in lands with *hazardous forest types for wildland fire* where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards*.

5.3 Human-Made Hazards

1. Development on, abutting or adjacent to lands affected by *mine hazards; oil, gas and salt hazards; or former mineral mining operations, mineral aggregate operations or petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
2. Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

Chapter 6: Implementation and Interpretation

6.1 General Policies for Implementation and Interpretation

1. The Provincial Planning Statement shall be read in its entirety and all relevant policies are to be applied to each situation.
2. The Provincial Planning Statement shall be implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and treaty rights in section 35 of the *Constitution Act, 1982*.
3. The Provincial Planning Statement shall be implemented in a manner that is consistent with *Ontario Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.
4. When implementing the Provincial Planning Statement, the Minister of Municipal Affairs and Housing may make decisions that take into account other considerations to balance government priorities.
5. Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and facilitate development in suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with the Provincial Planning Statement. The policies of the Provincial Planning Statement continue to apply after adoption and approval of an official plan.

6. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and the Provincial Planning Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development.
7. Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the Provincial Planning Statement, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with the Provincial Planning Statement.
8. In addition to land use approvals under the *Planning Act*, *infrastructure* may also have requirements under other legislation and regulations. For example, an environmental assessment process may be required for new *infrastructure* and modifications to existing *infrastructure* under applicable legislation.

Wherever possible and practical, approvals under the *Planning Act* and other legislation or regulations should be integrated provided the intent and requirements of both processes are met.

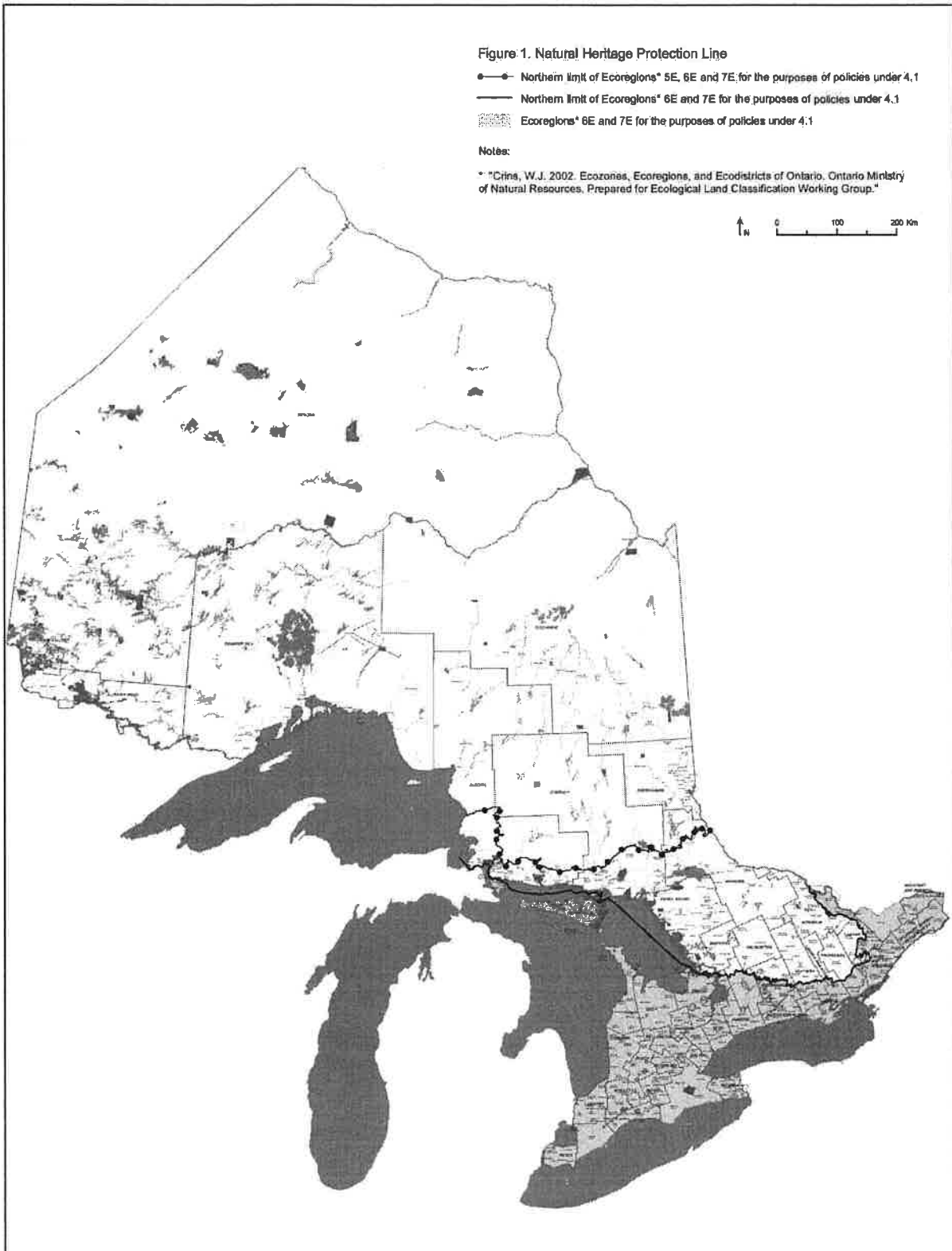
9. To assess progress on implementation of the Provincial Planning Statement, the Province may:
 - a) identify key indicators to measure the outcomes, relevance and efficiency of the policies in the Provincial Planning Statement in consultation with municipalities, Indigenous communities, other public bodies and stakeholders;
 - b) monitor and assess the implementation of the Provincial Planning Statement through the collection and analysis of data under each indicator; and
 - c) consider the resulting assessment in each review of the Provincial Planning Statement.
10. Municipalities are encouraged to monitor and report on the implementation of the policies in their official plans, in accordance with any requirements for reporting planning information to the Province, data standards, and including through any other guidelines that may be issued by the Minister.
11. *Strategic growth areas* and *designated growth areas* are not land use designations and their delineation does not confer any new land use designations, nor alter existing land use designations. Any development on lands within the boundary of these identified areas is still subject to the relevant provincial and municipal land use planning policies and approval processes.
12. Density targets represent minimum standards and planning authorities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of the Provincial Planning Statement or any other provincial plan.
13. Minimum density targets will be revisited at the time of each official plan update to ensure the target is appropriate.

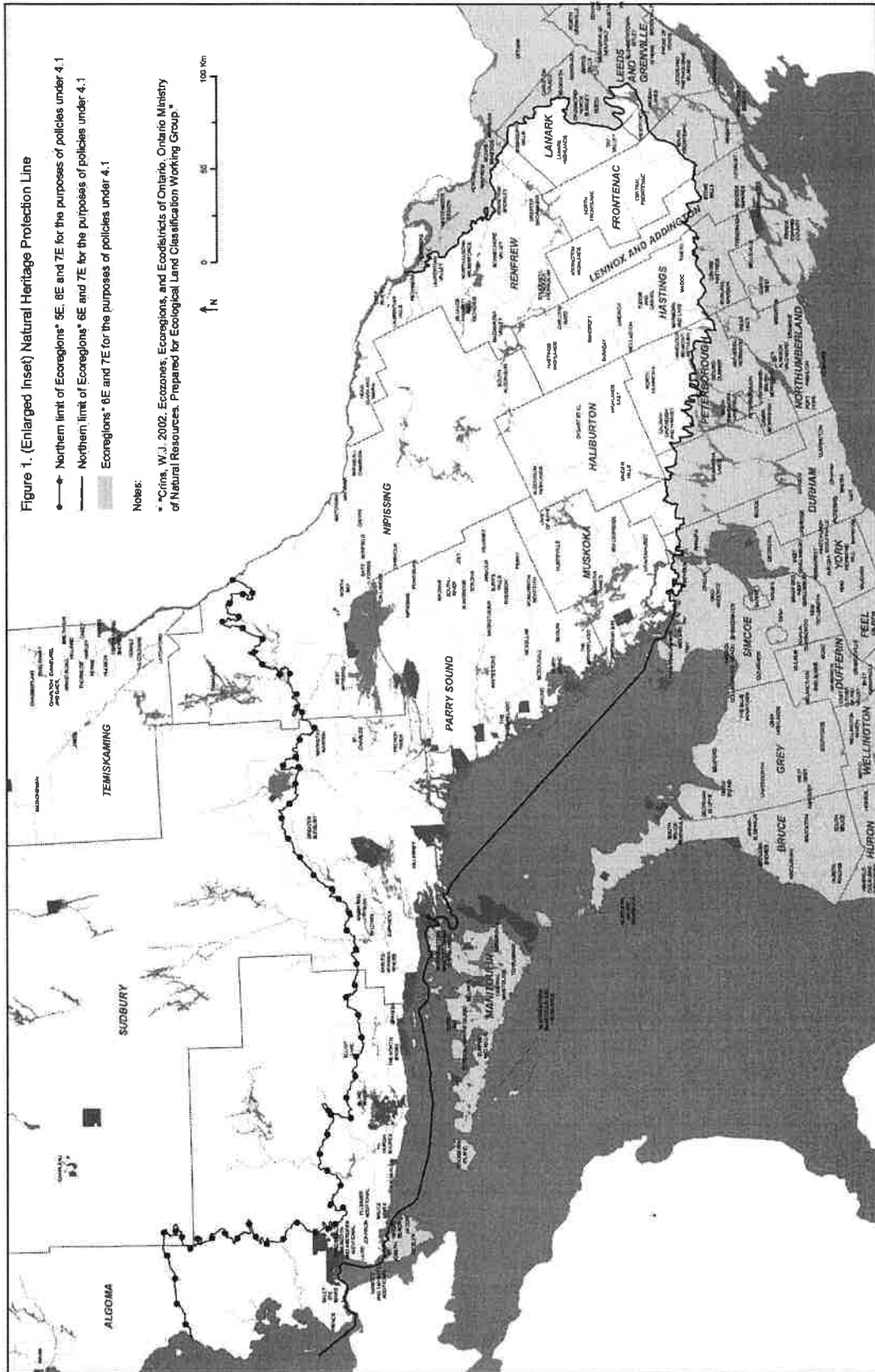
6.2 Coordination

1. A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies, boards, and Service Managers including:
 - a) managing and/or promoting growth and development that is integrated with planning for *infrastructure* and *public service facilities*, including schools and associated child care facilities;
 - b) economic development strategies;
 - c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
 - d) *infrastructure, multimodal transportation systems, public service facilities* and *waste management systems*;
 - e) ecosystem, shoreline, watershed, and Great Lakes related issues;
 - f) natural and human-made hazards;
 - g) population, housing and employment projections, based on *regional market areas*, as appropriate; and
 - h) addressing housing needs in accordance with provincial housing policies and plans, including those that address homelessness.
2. Planning authorities shall undertake early engagement with Indigenous communities and coordinate on land use planning matters to facilitate knowledge-sharing, support consideration of Indigenous interests in land use decision-making and support the identification of potential impacts of decisions on the exercise of Aboriginal or treaty rights.
3. Planning authorities are encouraged to engage the public and stakeholders early in local efforts to implement the Provincial Planning Statement, and to provide the necessary information to ensure the informed involvement of local citizens, including equity-deserving groups.
4. Planning authorities and school boards shall collaborate to facilitate early and integrated planning for schools and associated child care facilities to meet current and future needs.
5. Planning authorities shall collaborate with publicly-assisted post-secondary institutions, where they exist, to facilitate early and integrated planning for student housing that considers the full range of *housing options* near existing and planned post-secondary institutions to meet current and future needs.
6. Further to policy 6.2.5, planning authorities should collaborate with publicly-assisted post-secondary institutions on the development of a student housing strategy that includes consideration of off-campus housing targeted to students.

7. Planning authorities should coordinate emergency management and other economic, environmental and social planning considerations to support efficient and resilient communities.
8. Municipalities, the Province, and other appropriate stakeholders are encouraged to undertake a coordinated approach to planning for large areas with high concentrations of employment uses that cross municipal boundaries.
9. Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:
 - a) identify and allocate population, housing and employment projections for lower-tier municipalities;
 - b) identify areas where growth and development will be focused, including *strategic growth areas*, and establish any applicable minimum density targets;
 - c) identify minimum density targets for growth and development taking place in new or expanded *settlement areas*, where applicable; and
 - d) provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.
10. Where there is no upper-tier municipality or where planning is not conducted by an upper-tier municipality, planning authorities shall ensure that policy 6.2.9 is addressed as part of the planning process, and should coordinate these matters with adjacent planning authorities.

7: Figure 1 – Natural Heritage Protection Line





8: Definitions

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

Active transportation: means human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

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

Adjacent lands: means

- a) for the purposes of policy 3.3.3, those lands contiguous to existing or *planned corridors* and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives;
- b) for the purposes of policy 4.1.8, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives;

- c) for the purposes of policies 4.4.2.2 and 4.5.2.5, those lands contiguous to lands on the surface of known *petroleum resources, mineral deposits, or deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- d) for the purposes of policy 4.6.3, those lands contiguous to a *protected heritage property* or as otherwise defined in the municipal official plan.

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

- a) impairment of the quality of the natural environment for any use that can be made of it;
- b) injury or damage to property or plant or animal life;
- c) harm or material discomfort to any person;
- d) an adverse effect on the health of any person;
- e) impairment of the safety of any person;
- f) rendering any property or plant or animal life unfit for human use;
- g) loss of enjoyment of normal use of property; and
- h) interference with normal conduct of business.

Affordable: means

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

Agricultural condition: means

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

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

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

- a) An agricultural land base comprised of *prime agricultural areas*, including *specialty crop areas*. It may also include *rural lands* that help to create a continuous productive land base for agriculture; and
- b) An *agri-food network* which includes agricultural operations, *infrastructure*, services, and assets important to the viability of the agri-food sector.

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

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

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

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

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

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

Archaeological resources: includes artifacts, archaeological sites and marine archaeological sites, as defined under the *Ontario Heritage Act*. The identification and evaluation of such resources are based upon archaeological assessments carried out by archaeologists licensed under the *Ontario Heritage Act*.

Areas of archaeological potential: means areas with the likelihood to contain *archaeological resources*, as evaluated using the processes and criteria that are established under the *Ontario Heritage Act*.

Areas of mineral potential: means areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.

Areas of natural and scientific interest: means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education.

Brownfield sites: means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resource: means a building, structure, monument, installation or any manufactured or constructed part or remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Indigenous community.

Coastal wetland: means

- a) any *wetland* that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or
- b) any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

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

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

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

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

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

Defined portions of the flooding hazard along connecting channels: means those areas which are critical to the conveyance of the flows associated with the *one hundred year flood level* along the St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

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

Designated and available: means lands designated in the official plan for urban residential use. For municipalities where more detailed official plan policies (e.g., secondary plans) are required before development applications can be considered for approval, only lands that have commenced the more detailed planning process are considered to be *designated and available* for the purposes of this definition.

Designated growth areas: means lands within *settlement areas* designated for growth or lands added to *settlement areas* that have not yet been fully developed. *Designated growth areas* include lands which are *designated and available* for residential growth in accordance with policy 2.1.4.a), as well as lands required for employment and other uses.

Designated vulnerable area: means areas defined as vulnerable, in accordance with provincial standards, by virtue of their importance as a drinking water source.

Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include:

- a) activities that create or maintain *infrastructure* authorized under an environmental assessment process or identified in provincial standards; or
- b) works subject to the *Drainage Act*; or
- c) for the purposes of policy 4.1.4.a), underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as under the *Mining Act*. Instead, those matters shall be subject to policy 4.1.5.a).

Dynamic beach hazard: means areas of inherently unstable accumulations of shoreline sediments along the *Great Lakes - St. Lawrence River System* and *large inland lakes*, as identified by provincial standards, as amended from time to time. The *dynamic beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

Ecological function: means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

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

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

Energy storage system: means a system or facility that captures energy produced at one time for use at a later time to reduce imbalances between energy demand and energy production, including for example, flywheels, pumped hydro storage, hydrogen storage, fuels storage, compressed air storage, and battery storage.

Erosion hazard: means the loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance.

Essential emergency service: means services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

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

Fish habitat: as defined in the *Fisheries Act*, means water frequented by *fish* and any other areas on which *fish* depend directly or indirectly to carry out their life processes, including spawning grounds and nursery, rearing, food supply, and migration areas.

Flood fringe: for *river, stream and small inland lake systems*, means the outer portion of the *flood plain* between the *floodway* and the *flooding hazard* limit. Depths and velocities of flooding are generally less severe in the *flood fringe* than those experienced in the *floodway*.

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

Flooding hazard: means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave effects* and *other water-related hazards*;
- b) along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:
 1. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
 2. the *one hundred year flood*; and
 3. a flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof, for example, as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodproofing standard: means the combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate *flooding hazards, wave effects* and *other water-related hazards* along the shorelines of the *Great Lakes - St. Lawrence River System* and *large inland lakes*, and *flooding hazards* along *river, stream and small inland lake systems*.

Floodway: for *river, stream and small inland lake systems*, means the portion of the *flood plain* where *development* and *site alteration* would cause a danger to public health and safety or property damage.

Where the *one zone concept* is applied, the *floodway* is the entire contiguous *flood plain*.

Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *flood plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *flood plain* is called the *flood fringe*.

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

Frequent transit: means a public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.

Great Lakes - St. Lawrence River System: means the major water system consisting of Lakes Superior, Huron, St. Clair, Erie and Ontario and their connecting channels, and the St. Lawrence River within the boundaries of the Province of Ontario.

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

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

Habitat of endangered species and threatened species: means habitat within the meaning of section 2 of the *Endangered Species Act, 2007*.

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

Hazardous lands: means property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the *Great Lakes - St. Lawrence River System*, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard, erosion hazard or dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard or erosion hazard* limits.

Hazardous sites: means property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous substances: means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include

a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

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

Higher order transit: means transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. *Higher order transit* can include heavy rail (such as subways, elevated or surface rail, and commuter rail), light rail, and buses in dedicated rights-of-way.

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

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

Impacts of a changing climate: means the present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability.

Individual on-site sewage services: means sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act, 1992*, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services: means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, *waste management systems*, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications including broadband, transit and transportation corridors and facilities, *active transportation* systems, oil and gas pipelines and associated facilities.

Institutional use: for the purposes of policy 5.2.6, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intensification: means the development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites* and underutilized shopping malls and plazas;
- b) the development of vacant and/or underutilized lots within previously developed areas;

- c) infill development; and
- d) the expansion or conversion of existing buildings.

Large and fast-growing municipalities: means municipalities identified in Schedule 1.

Large inland lakes: means those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Legal or technical reasons: means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Low and moderate income households: means

- a) in the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the municipality; or
- b) In the case of rental housing, household with incomes in the lowest 60 percent of the income distribution for renter households for the municipality.

Low impact development: means an approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. *Low impact development* can include, for example: bio-swales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and exfiltration systems.

Major facilities: means facilities which may require separation from *sensitive land uses*, including but not limited to airports, manufacturing uses, transportation *infrastructure* and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major goods movement facilities and corridors: means transportation facilities, corridors and networks associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, *airports*, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors used for the movement of goods and those identified in provincial transportation plans. Approaches that are *freight-supportive* may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

Major transit station area: means the area including and around any existing or planned *higher order transit* station or stop within a *settlement area*; or the area including and around a major bus depot in an urban core. *Major transit station areas* generally are defined as the area within an approximate 500 to 800-metre radius of a transit station.

Major trip generators: means origins and destinations with high population densities or concentrated activities which generate many trips (e.g., *strategic growth areas*, major office and office parks, major retail, *employment areas*, community hubs, large parks and recreational destinations, *public service facilities*, and other mixed-use areas).

Marine facilities: means ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities*.

Mine hazard: means any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals: means metallic minerals and non-metallic minerals as herein defined, but does not include *mineral aggregate resources* or *petroleum resources*.

Metallic minerals means those minerals from which metals (e.g., copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g., graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Critical minerals are a subset of raw materials that have specific industrial, technological or strategic applications for which there are a few viable substitutes.

Mineral aggregate operation: means

- a) lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*;
- b) for lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c) associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resources: means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral aggregate resource conservation: means

- a) the recovery and recycling of manufactured materials derived from mineral aggregates (e.g., glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
- b) the wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

Mineral deposits: means areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral mining operation: means mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum distance separation formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Multimodal: means relating to the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, *higher order transit*, rail (such as freight), trucks, air, and marine.

Municipal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

Municipal water services: means a municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002*.

Natural heritage features and areas: means features and areas, including *significant wetlands, significant coastal wetlands, other coastal wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat, significant woodlands and significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), *habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Natural heritage system: means a system made up of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include *natural heritage features and areas*, federal and provincial parks and conservation reserves, other natural heritage features, lands that have been restored or have the potential to be restored to a natural state, areas that support hydrologic functions, and working landscapes that enable ecological functions to continue. The Province has a recommended approach for identifying *natural heritage systems*, but municipal approaches that achieve or exceed the same objective may also be used.

Negative impacts: means

- a) in regard to policy 3.6.4 and 3.6.5, potential risks to human health and safety and degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies including hydrogeological or water quality impact assessments, in accordance with provincial standards;
- b) in regard to *fish habitat*, any harmful alteration, disruption or destruction of *fish habitat*, except where an exemption to the prohibition has been authorized under the *Fisheries Act*;
- c) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development or site alteration* activities.
- d) in regard to policy 4.2, degradation to the *quality and quantity of water, sensitive surface water features and sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development or site alteration* activities; and
- e) in regard to policy 3.3.3, any *development or site alteration* that would compromise or conflict with the planned or existing function, capacity to accommodate future needs, and cost of implementation of the corridor.

Normal farm practices: means a practice, as defined in the *Farming and Food Production Protection Act, 1998*, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. *Normal farm practices* shall be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

Oil, gas and salt hazards: means any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

On-farm diversified uses: means uses that are secondary to the principal *agricultural use* of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, home occupations, home industries, *agri-tourism uses*, uses that produce value-added agricultural products, and electricity generation facilities and transmission systems, and *energy storage systems*.

One hundred year flood: for *river, stream and small inland lake systems*, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a 1% chance of occurring or being exceeded in any given year.

One hundred year flood level: means

- a) for the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a 1% chance of being equalled or exceeded in any given year;
- b) in the connecting channels (St. Marys, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a 1% chance of being equalled or exceeded in any given year; and
- c) for *large inland lakes*, lake levels and wind setups that have a 1% chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the *one hundred year flood level* is based on the highest known water level and wind setups.

Other water-related hazards: means water-associated phenomena other than *flooding hazards* and *wave effects* which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Partial services: means

- a) *municipal sewage services or private communal sewage services combined with individual on-site water services; or*
- b) *municipal water services or private communal water services combined with individual on-site sewage services.*

Petroleum resource operations: means oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas, other hydrocarbons, and compressed air energy storage.

Petroleum resources: means oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas, other hydrocarbons, or compressed air energy storage.

Planned corridors: means corridors or future corridors which are required to meet projected needs, and are identified through provincial transportation plans, preferred alignment(s) determined through the *Environmental Assessment Act* process, or identified through planning studies where the Ontario Ministry of Transportation, Metrolinx, Ontario Ministry of Energy and Electrification, Ontario Northland, Ministry of Northern Development or Independent Electricity System Operator (IESO) or any successor to those ministries or entities is actively pursuing, or has completed, the identification of a corridor.

Approaches for the identification and protection of *planned corridors* may be recommended in guidelines developed by the Province.

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.

Portable concrete plant: means a building or structure

- a) with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b) which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area: means areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by a planning authority based on provincial guidance or informed by mapping obtained from the Ontario Ministry of Agriculture, Food and Agribusiness and the Ontario Ministry of Rural Affairs or any successor to those ministries.

Prime agricultural land: means *specialty crop areas* and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Private communal sewage services: means a sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services: means a non-municipal drinking-water system within the meaning of section 2 of the *Safe Drinking Water Act, 2002* that serves six or more lots or private residences.

Protected heritage property: means property designated under Part IV or VI of the *Ontario Heritage Act*; property included in an area designated as a heritage conservation district under Part V of the *Ontario Heritage Act*; property subject to a heritage conservation easement or covenant under Part II or IV of the *Ontario Heritage Act*; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal heritage legislation; and UNESCO World Heritage Sites.

Protection works standards: means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards, erosion hazards and other water-related hazards*, and to allow access for their maintenance and repair.

Provincial and federal requirements: means

- a) in regard to policy 4.1.6, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish and fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
- b) in regard to policy 4.1.7, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Public service facilities: means land, buildings and structures, including but not limited to schools, hospitals and community recreation facilities, for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health, child care and educational programs, including elementary, secondary, post-secondary, long-term care services, and cultural services.

Public service facilities do not include infrastructure.

Quality and quantity of water: is measured by indicators associated with *hydrologic function* such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Rail facilities: means rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future *rail facilities*.

Redevelopment: means the creation of new units, uses or lots on previously developed land in existing communities, including *brownfield sites*.

Regional market area: refers to an area that has a high degree of social and economic interaction. The upper or single-tier municipality, or planning area, will normally serve as the *regional market area*. However, where a *regional market area* extends significantly beyond these boundaries, then the *regional market area* may be based on the larger market area. Where *regional market areas* are very large and sparsely populated, a smaller area, if defined in an official plan, may be utilized.

Renewable energy source: means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Renewable energy system: means a system that generates electricity, heat and/or cooling from a *renewable energy source*.

Reserve sewage system capacity: means design or planned capacity in a waste water treatment facility, within *municipal sewage services* or *private communal sewage services*, which is not yet committed to existing or approved development. For lot creation using *private communal sewage services* and *individual on-site sewage services*, *reserve sewage system capacity* includes approved capacity to treat and land-apply, treat and dispose of, or dispose of, hauled sewage in accordance with applicable legislation but not by land-applying untreated, hauled sewage. Treatment of hauled sewage can include, for example, a sewage treatment plant, anaerobic digestion, composting or other waste processing.

Reserve water system capacity: means design or planned capacity in a water treatment facility which is not yet committed to existing or approved development. *Reserve water system capacity* applies to *municipal water services* or *private communal water services*, and not *individual on-site water services*.

Residence surplus to an agricultural operation: means one existing habitable detached dwelling, including any associated additional residential units, that are rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

River, stream and small inland lake systems: means all watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural areas: means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, *natural heritage features and areas*, and resource areas.

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Sensitive: in regard to *surface water features* and *ground water features*, means features that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive land uses: means buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement areas: means urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets). Ontario's *settlement areas* vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

Settlement areas are:

- a) built-up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in an official plan for development over the long term.

Sewage and water services: includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant: means

- a) in regard to *wetlands, coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant using evaluation criteria and procedures established by the Province, as amended from time to time;
- b) in regard to *woodlands*, an area which is ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history. These are to be identified using criteria and procedures established by the Province;
- c) in regard to other features and areas in policy 4.1, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *natural heritage system*; and
- d) in regard to *mineral potential*, an area identified as provincially significant through provincial guidance, such as the Provincially Significant Mineral Potential Index.
- e) in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*.

Criteria for determining significance for the resources identified in section c) - d) are provided in provincial guidance, but municipal approaches that achieve or exceed the same objective may also be used.

While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

For the purposes of policy 4.1.4.a), *site alteration* does not include underground or surface mining of *minerals* or advanced exploration on mining lands in *significant areas of mineral potential* in Ecoregion 5E, where advanced exploration has the same meaning as in the *Mining Act*. Instead, those matters shall be subject to policy 4.1.5.a).

Special Policy Area: means an area within a community that has historically existed in the *flood plain* and where site-specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria for designation and procedures for approval are established by the Province.

A *Special Policy Area* is not intended to allow for new or intensified *development* and *site alteration*, if a community has feasible opportunities for *development* outside the *flood plain*.

Specialty crop area: means areas within the agricultural land base designated based on provincial guidance. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a) soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b) farmers skilled in the production of specialty crops; and
- c) a long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Strategic growth areas: means within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*.

Strategic growth areas include *major transit station areas*, existing and emerging downtowns, lands in close proximity to publicly-assisted post-secondary institutions and other areas where growth or development will be focused, that may include infill, *redevelopment* (e.g., underutilized shopping malls and plazas), *brownfield sites*, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned *frequent transit service* or *higher order transit corridors* may also be identified as *strategic growth areas*.

Surface water feature: means water-related features on the earth's surface, including headwaters, rivers, permanent and intermittent streams, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

Threatened species: means a species that is classified as "Threatened Species" on the Species at Risk in Ontario List, as updated and amended from time to time.

Transit service integration: means the coordinated planning or operation of transit service between two or more agencies or services that contributes to the goal of seamless service for riders and could include considerations of service schedules, service routes, information, fare policy, and fare payment.

Transit-supportive: in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the *transportation system*.

Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Transportation demand management: means a set of strategies that result in more efficient use of the *transportation system* by influencing travel behaviour by mode, time of day, frequency, trip length, regulation, route, or cost.

Transportation system: means a system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, *rail facilities*, parking facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, *airports*, *marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

Two zone concept: means an approach to *flood plain* management where the *flood plain* is differentiated in two parts: the *floodway* and the *flood fringe*.

Urban agriculture: means food production in *settlement areas*, whether it is for personal consumption, commercial sale, education, or therapy. Examples include, but are not limited to, vertical agriculture facilities, community gardens, greenhouses, and rooftop gardens.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vulnerable: means surface and/or ground water that can be easily changed or impacted.

Waste management system: means sites and facilities to accommodate waste from one or more municipalities and includes recycling facilities, transfer stations, processing sites and disposal sites.

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

Watershed planning: means planning that provides a framework for establishing comprehensive and integrated goals, objectives, and direction for the protection, enhancement, or restoration of water resources, including the *quality and quantity of water*, within a *watershed* and for the assessment of cumulative, cross-jurisdictional, and cross-*watershed* impacts. *Watershed planning* evaluates and considers the *impacts of a changing climate on water resource systems* and is undertaken at many scales. It may inform the identification of *water resource systems*.

Water resource systems: means a system consisting of *ground water features* and areas, *surface water features* (including shoreline areas), *natural heritage features and areas*, and *hydrologic functions*, which are necessary for the ecological and hydrological integrity of the *watershed*.

Wave effects: means the movement of water up onto a shoreline or structure following the breaking of a wave, including wave uprush, wave set up and water overtopping or spray; the limit of *wave effects* is the point of furthest landward horizontal movement of water onto the shoreline.

Wayside pits and quarries: means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

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

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildland fire assessment and mitigation standards: means the combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

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

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* may be delineated according to the *Forestry Act* definition or the Province's Ecological Land Classification system definition for "forest."

9: Appendix – Schedule 1: List of Large and Fast-Growing Municipalities

Town of Ajax	City of Mississauga
City of Barrie	Town of Newmarket
City of Brampton	City of Niagara Falls
City of Brantford	Town of Oakville
City of Burlington	City of Oshawa
Town of Caledon	City of Ottawa
City of Cambridge	City of Pickering
Municipality of Clarington	City of Richmond Hill
City of Guelph	City of St. Catharines
City of Hamilton	City of Toronto
City of Kingston	City of Vaughan
City of Kitchener	City of Waterloo
City of London	Town of Whitby
City of Markham	City of Windsor
Town of Milton	

Ministry of Municipal Affairs and Housing

© King's Printer for Ontario, 2024

ISBN 978-1-4868-8225-0 (Print)

ISBN 978-1-4868-8226-7 (PDF)

ISBN 978-1-4868-8227-4 (HTML)

ontario.ca/PPS

Disponible en français