

The Corporation of the City of Kawartha Lakes

Amendment No 104 To the Official Plan of The County of Victoria [Now City of Kawartha Lakes]

- **Adopted by Council on September 20, 2004**
- **Partially Approved and Modified by the Minister of Municipal Affairs and Housing on May 11, 2005**
- **Reprinted – January 30, 2008**

TABLE OF CONTENTS

PART 1 – THE DOCUMENTATION	4
PART II – THE AMENDMENT	6
1. <i>Introduction</i>	6
2. <i>Details of the Amendment</i>	6
2.1 <i>By Amending</i>	6
2.2 <i>By Deleting</i>	6
2.3 <i>By Addition</i>	6
16.9.5 - SECONDARY PLAN AREA SEVEN (SPA-7)	7
PART 1- Introduction	7
1.1 <i>Purpose</i>	7
1.2 <i>ORMCP Objectives</i>	7
1.3 <i>Scope and Legislative Authority</i>	8
PART 2 - The ORMCP in Relation to the City of Kawartha Lakes’ Oak Ridges Moraine Policy Area	8
2.1 <i>The ORMCP</i>	8
2.2 <i>How to Use the ORMPA</i>	9
PART 3 - Application of ORMCP & ORMPA Policies on Existing Uses, Buildings & Development Applications	9
3.1 <i>Existing Uses, Building and Structures</i>	9
3.2 <i>Expansion, Reconstruction and Conversion of Existing Buildings, Structures and Uses</i>	10
3.3 <i>Previously Authorized Single Dwelling</i>	10
3.4 <i>Building of Structure Previously Authorized or Authorized Under Section 17(1) of the ORMCP</i>	10
3.5 <i>Exception, Site Plan Approval</i>	10
3.6 <i>Expansion of Non Conforming Uses</i>	10
PART 4 - Land Use Designations and Policies	10
4.1 <i>Land Use Designations</i>	10
4.2 <i>Natural Core Areas</i>	11
4.3 <i>Natural Linkage Areas</i>	12
4.4 <i>Countryside Areas</i>	13

PART 5 -	Protecting Ecological and Hydrological Integrity	16
5.1	<i>General</i>	16
5.2	<i>Key Natural Heritage Features</i>	17
5.3	<i>Hydrologically Sensitive Features</i>	18
5.4	<i>Wellhead Protection Areas</i>	18
5.5	<i>Areas of High Aquifer Vulnerability</i>	19
5.6	<i>Partial Services</i>	20
5.7	<i>Rapid Infiltration Basins and Columns</i>	20
5.8	<i>Watershed Plans, Water Budgets and Conservation Plans</i>	20
5.9	<i>Subwatershed</i>	21
PART 6 –	Landform Conservation Area	21
PART 7 -	Specific Land Use Policies	21
7.1	<i>Natural Core Areas</i>	21
7.2	<i>Natural Linkage Areas</i>	22
7.3	<i>Countryside Areas</i>	22
Table I		24
Schedule 1	Oak Ridges Moraine Boundary	
Schedule 2	Land Use Designations	
Schedule 3	Prime Agricultural Soils	
Schedule 4	Aggregate Potential	
Schedule 5	Key Natural Heritage Feature	
Schedule 6	Significant Woodlands	
Schedule 7	Hydrological Sensitive Areas	
Schedule 8	Aquifer Vulnerability	
Schedule 9	Landform Conservation Areas	
Appendix I	Oak Ridges Moraine Conservation Plan	

PART 1 – THE DOCUMENTATION

Amendment No. 104 to the Official Plan for the County of Victoria [now City of Kawartha Lakes] which has been adopted by the Council of the Corporation of the City of Kawartha Lakes, was approved as modified pursuant to Bill 122, the Oak Ridges Moraine Conservation Act, 2001 except that a decision was **not** made on the following section:

Part II: The Amendment, Details of the Amendment, Part 5 – Protection Ecological and Hydrological Integrity, Section 5.4 Wellhead Protection Areas (pages 18-19).

"May 11, 2005"

Date

"John Gerretsen"

Minister of Municipal Affairs & Housing
Province of Ontario

**THE CORPORATION OF
THE CITY OF KAWARTHA LAKES
BY-LAW NO. 2004-183**

Being a by-law to adopt Official Plan Amendment No. 104
An amendment to the County of Victoria Official Plan

The Council of the Corporation of the City of Kawartha Lakes, under Subsection 9(2) of the Oak Ridges Moraine Conservation Act, 2001, hereby enacts as follows:

1. The Official Plan Amendment No.104 for the City of Kawartha Lakes consisting of the attached text, maps and explanatory text, is hereby adopted.
2. The Clerk is hereby authorized and directed to submit Official Plan Amendment No. 104 for the City of Kawartha Lakes to the Ministry of Municipal Affairs for the Province of Ontario for final approval.
3. The By-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY
PASSED THIS 20th DAY OF SEPTEMBER, 2004 BY A VOTE OF
THE MAJORITY OF ALL MEMBERS OF COUNCIL.


MAYOR


CLERK

PART II – THE AMENDMENT

1. Introduction

All of this part of the document entitled Part II – The Amendment consisting of the following text and attached schedule designated as Schedule SPA-7 constitutes Amendment No. 104 to the Official Plan of the County of Victoria [now City of Kawartha Lakes].

2. Details of the Amendment

The Official Plan of the County of Victoria [now City of Kawartha Lakes] is hereby amended as follows:

2.1 By Amending

- (a) Schedule “A”, by deleting the land use designations which apply to the area of the City in the Oak Ridges Moraine, and replacing them with the new land use designations as shown on SPA-7 Schedule 2 to this amendment.
- (b) Schedule “B”, by deleting the Sensitive Area designations which apply to the area of the City of the Oak Ridges Moraine, and replacing them with the new sensitive area designation as shown on SPA-7 Schedules 5,6,7,8 and 9 to this amendment.
- (c) Schedule A-1 by deleting the land use designations which apply to the areas of the Village of Bethany within the Oak Ridges Moraine, and replacing them with new land use designations as shown on SPA-7 Schedule 2 to this amendment.

2.2 By Deleting

- (a) Schedule A-12, Village of Pontypool in its entirety.

2.3 By Addition

By the addition to Section 6.19 Secondary Plans a new section, Section 6.19.5, Secondary Plan Area Seven (SPA-7), Oak Ridges Moraine Policy Area as follows:

16.9.5 - SECONDARY PLAN AREA SEVEN (SPA-7)

PART 1- Introduction

1.1 Purpose

The City of Kawartha Lakes must, by October 16, 2003, bring its Official Plan policies and relevant Zoning By-law into conformity with the Oak Ridges Conservation Plan (ORMCP).

The Oak Ridges Moraine is one of Ontario's most significant landforms. This irregular ridge stretches 160 kilometres from the Trent River in the east to the Niagara Escarpment in the west. The Escarpment and Moraine together form the foundation of south-central Ontario's natural heritage and green space systems. Strategically located north of and parallel to Lake Ontario, the Moraine divides the watersheds draining south into western Lake Ontario from those draining north into Georgian Bay, Lake Simcoe and the Trent River system.

The ORMCP is an ecologically based plan established by the Ontario government to provide land use and resource management direction for the 190,000 hectares of land and water within the Moraine. The decisions of provincial ministers, ministries and agencies made under the Planning Act or the Condominium Act, 1998 or in relation to a prescribed matter, are required to conform with this Plan.

Through the legislation and the ORMCP, the Ontario Government has set a clear policy framework for protecting the Oak Ridges Moraine. This is in keeping with the provincial land use planning system within which municipalities are responsible for implementing provincial policy through their official plans and when making decisions on development applications.

Any City Official Plan is required to be in conformity with the ORMCP. Nothing in the ORMCP is intended to prevent the City from adopting official plan policies more restrictive than the ORMCP, except where prohibited by the ORMCP.

1.2 ORMCP Objectives

The objectives of the ORMCP and, consequently, the Oak Ridges Moraine Policy Area, SPA-7 (ORMPA) are:

- (a) protecting the ecological and hydrological integrity of the Oak Ridges Moraine Area;

- (b) ensuring that only land and resource uses that maintain, improve or restore the ecological and hydrological functions of the Oak Ridges Moraine Area are permitted;
- (c) maintaining, improving or restoring all the elements that contribute to the ecological and hydrological functions of the Oak Ridges Moraine Area, including the quality and quantity of its water and its other resources;
- (d) ensuring that the Oak Ridges Moraine Area is maintained as a continuous natural landform and environmental for the benefit of present and future generations;
- (e) providing for land and resource uses and development that are compatible with the other objectives of the ORMCP;
- (f) providing for continued development within existing urban settlement areas and recognizing existing rural settlements;
- (g) providing for a continuous recreational trail through the Oak Ridges Moraine Area that is accessible to all including persons with disabilities; and
- (h) providing for other public recreational access to the Oak Ridges Moraine Area; and,
- (i) any other prescribed objectives.

1.3 Scope and Legislative Authority

The City of Kawartha Lakes Oak Ridges Moraine Policy Areas (ORMPA) applies to the area shown on Schedule I of the ORMPA, and is defined in the ORMCP on the map entitled “Oak Ridges Moraine Conservation Plan Land Use Designation Map”, numbered, 208, dated April 17, 2002, and on file in the office of the Ministry of Municipal Affairs and Housing at Toronto.

The ORMPA is prepared under the authority of Section 17 of the Planning Act, RSO 1990, cP13, as amended, Section 9(2) of the Oak Ridges Moraine Conservation Act 2001 and Ontario Regulation 141/02 (Oak Ridges Conservation Plan Regulations).

PART 2 - The ORMCP in Relation to the City of Kawartha Lakes’ Oak Ridges Moraine Policy Area

2.1 The ORMCP

The ORMCP is a complex set of policies and regulations, which provides the basis for the ORMPA. The ORMCP is Appendix 1 to

the ORMPA, and must be referred to in determining the relevant land use policies, which apply to any parcel of land within the ORMPA.

2.2 How to Use the ORMPA

To determine how this Plan affects a specific area or land use this Plan and the ORMCP must be read in its entirety as follows:

- (1) Consult ORMPA Land Use Designation Map. Schedule 2 to determine what designation applies to the area.
- (2) Consult Part 4 of the ORMPA and Part II of the ORMCP to see the policies for that designation and consult Part 5 of the ORMPA and Part III of the ORMCP to determine any restrictions or requirements that shall be considered to protect ecological and hydrological integrity.
- (3) Consult Part 5 of the ORMPA and Part IV of the ORMCP to determine any additional restrictions or requirements that may apply for the specific use or activity being considered.
- (4) Consult Part II of the ORMCP to determine the prescribed provisions to apply pursuant to subsection 15(2) of the ORMCP.
- (5) Part I (General) of the ORMCP applies to all development proposals and land uses, including site alteration.

In the case of any conflicts between the ORMCP the ORMPA, and the Victoria County Official Plan the policies and requirements of the ORMCP shall prevail.

Where there is a difference between the policies set out in Section 16.9.5 and other policies within the Official Plan, the policies of Section 16.9.5 shall apply.

PART 3 - Application of ORMCP & ORMPA Policies on Existing Uses, Buildings & Development Applications

3.1 Existing Uses, Building and Structures

Nothing in the ORMPA applies to prevent the use of any land, building or structure currently in existence subject to the provision of Section 6(1) of the ORMCP.

3.2 Expansion, Reconstruction and Conversion of Existing Buildings, Structures and Uses

Sections 6(2), 6(3), 6(4), 6(5), 6(6), 6(7) and 6 (8) of the ORMCP shall apply.

3.3 Previously Authorized Single Dwelling

Nothing in the ORMPA or the ORMCP applies to prevent the use, erection or location of a single dwelling if,

- (a) the use, erection and location would have been permitted by Township of Manvers Zoning By-law 87-06 on November 15, 2001; and
- (b) the applicant demonstrates, to the extent possible, that the use, erection and location will not adversely affect the ecological integrity of the Plan Area.

3.4 Building of Structure Previously Authorized or Authorized Under Section 17(1) of the ORMCP

Section 8 of the ORMCP shall apply.

3.5 Exception, Site Plan Approval

Section 9 of the ORMCP shall apply.

3.6 Expansion of Non Conforming Uses

Non-conforming uses are prohibited from expansion, with the exception of Institutional Uses.

PART 4 - Land Use Designations and Policies

4.1 Land Use Designations

The Plan area contains the following three land use designations as shown on Schedule 2, Land Use Designations,

- (1) Natural Core Areas, which are areas with a high concentration of key natural heritage features, hydrologically sensitive features or landform conservation areas.

- (2) Natural Linkage Areas, which are areas forming part of a central corridor system that support or have the potential to support movement of plants and animals among the Natural Core Areas, Natural Linkage Areas, river valleys and stream corridors.
- (3) Countryside Areas, which are areas of rural land use such as agriculture, recreation, residential development, Rural Settlements, mineral aggregate operations, parks and open space. The rural settlements identified in the ORMCP and ORMPA are Pontypool and Bethany, as shown on Schedule 2.

4.2 Natural Core Areas

4.2.1 Purpose

The purpose of the Natural Core Area is to maintain and where possible improve and restore the ecological integrity of the Plan Area by:

- (a) maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key natural heritage features, hydrologically sensitive features and the related ecological functions;
- (b) maintaining or restoring natural self-sustaining vegetation and wildlife habitat;
- (c) maintaining the quantity and quality of groundwater and surface water;
- (d) maintaining groundwater recharge;
- (e) maintaining natural stream form and flow characteristics;
- (f) protecting landform features;
- (g) accommodating a trail system through the Plan Area and trail connections to it; and
- (h) providing for limited economic development that is compatible with clause a trail system and the nature of the Natural Core Area.

4.2.2 Permitted Uses – Natural Core Areas

The following uses are permitted in Natural Core Areas subject to Part III and IV of the ORMCP

- (1) fish, wildlife, and forest management

- (2) Conservation projects and flood and erosion control projects
- (3) agricultural uses
- (4) transportation, infrastructure, and utilities as described in Section 41 of the ORMCP, but only if the need for the project has been demonstrated and there is no reasonable alternative
- (5) home businesses
- (6) home industries
- (7) bed and breakfast establishments
- (8) farm vacation homes
- (9) low-intensity recreational uses as described in Section 37 of the ORMCP
- (10) unserviced parks
- (11) uses accessory to the uses set out in paragraph 1 to 10

4.3 Natural Linkage Areas

4.3.1 Purpose

The purpose of Natural Linkage Areas is to maintain, and where possible improve or restore, the ecological integrity of the Plan Area, and to maintain, and where possible improve or restore, regional-scale open space linkages between Natural Core Areas and along river valleys and stream corridors by,

- (a) maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key heritage features, hydrologically sensitive features and the related ecological functions;
- (b) maintaining, and where possible improving or restoring natural self-sustaining vegetation over large parts of the area to facilitate movement of plants and animals;
- (c) maintaining a natural continuous east-west connection and additional connections to river valleys and streams north and south of the Plan Area;
- (d) maintaining the quantity and quality of groundwater and surface water;

- (e) maintaining groundwater recharge;
- (f) maintaining natural stream form and flow characteristics
- (g) protecting landform features;
- (h) accommodating a trail system through the Plan Area and trail connections to it; and
- (i) providing for limited economic development that is compatible with a trail system and the nature of the Natural Linkage Areas

4.3.2 Permitted Uses – Natural Linkage Areas

The following uses are permitted with respect to land in Natural Linkage Areas, subject to Parts III and IV of the ORMCP

- (1) fish, wildlife, and forest management
- (2) conservation projects and flood erosion control projects
- (3) agricultural uses
- (4) transportation, infrastructure, and utilities as described in Section 41 of the ORMCP, but only if the need for the project has been demonstrated and there is no reasonable alternative
- (5) home businesses
- (6) home industries
- (7) bed and breakfast establishments
- (8) farm vacation homes
- (9) low-intensity recreational uses as described in Section 37 of the ORMCP
- (10) unserviced parks
- (11) mineral aggregate operations
- (12) wayside pits
- (13) uses accessory to the uses set out in paragraph 1 to 12

4.4 Countryside Areas

4.4.1 Purpose

The purpose of Countryside Areas is to encourage agricultural and other rural uses that support the Plans objectives by;

- (a) protecting prime agricultural areas;
- (b) providing for the continuation of agricultural and other rural land uses and normal farm practices;
- (c) maintaining the rural character of the Rural Settlements;
- (d) maintaining, and where possible improving or restoring, the ecological integrity of the Plan Area;
- (e) maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key natural heritage features, hydrologically sensitive features and the related ecological functions;
- (f) maintaining the quantity of groundwater and surface water;
- (g) maintaining groundwater recharge;
- (h) maintaining natural stream form and flow characteristics;
- (i) protecting landform features;
- (j) accommodating a trail system through the Plan Area and trail connections to it; and
- (k) providing for economic development that is compatible with clauses (a) and (k) above the Nature of the Countryside Areas

4.4.2 Permitted Uses - Countryside Areas

The following uses are permitted with respect to land in Countryside Areas, subject to Parts III and IV of the ORMCP

- (1) fish, wildlife and forest management,
- (2) conservation projects and flood erosion control projects,
- (3) agricultural uses
- (4) transportation, infrastructure, and utilities as described in Section 41 of the ORMCP
- (5) home businesses
- (6) home industries
- (7) bed and breakfast establishments

- (8) farm vacation homes
- (9) low-intensity recreational uses as described in Section 37 of the ORMCP
- (10) unserviced parks
- (11) mineral aggregate operations
- (12) wayside pits
- (13) agriculture-related uses
- (14) small-scale commercial, industrial, and institutional uses as described in Section 40, subject to subsection 13 (5) of the ORMCP
- (15) major recreational uses as described in Section 38, subject to subsection 13 (5) of the ORMCP
- (16) uses accessory to the uses set out in paragraphs 1 to 15

4.4.3 Uses Prohibited in Prime Agricultural Areas

The uses described in paragraphs 14 and 15 of Section 4.4.2 are prohibited in prime agricultural areas, as shown of Schedule 3.

4.4.4 New lots in Countryside Area

New lots may be created in Countryside Area subject to sections 15(1), 15(2), 16(1), 16(2) and 32 of the ORMCP.

Section 14 of the ORMCP allows for municipalities in the eastern portion of the ORM to permit additional residential development in the Countryside designation. In order to permit this development, a number of studies are required to be completed including a growth management study, rural economic development strategy, water budget, and water conservation plan. The City of Kawartha Lakes has decided not to pursue this type of development based upon the cost of these studies and the resulting benefits of this type of growth for this area of the City.

4.4.5 New lots in Core and Natural Linkage Areas

New lots may be created in the Core and Natural Linkage Areas subject to Section 32 of the ORMCP

4.4.6 Previously Authorized Uses, Buildings and Structures in Countryside or Rural Settlement Area

Nothing in this Plan applies to prevent a use or the erection or location of a building or structure with respect to land in a

Countryside Area or Rural Settlement Areas subject to the provision of Sections 17(1), 17(2) and 17(3) of the ORMCP.

4.4.7 Mineral Aggregate Operations and Wayside Pits

4.4.7.1 Land Use Designations

Mineral Aggregate extraction is a permitted use in the Natural Linkage Area and Countryside Area so long as they meet the requirements of Sections 35 and 36 of the ORMCP. Areas of known aggregate potential are shown on Schedule 4.

4.4.7.2 (Section Deleted with MMAH approval)

4.4.7.3 Licensed Mineral Aggregate Operations

- (1) All existing licensed mineral aggregate areas, shall be appropriately zoned in the City Zoning By-law or be controlled by appropriate conditions under the Aggregate Resources Act.
- (2) Proposals to add to or extend the boundaries of licensed mineral aggregate areas shall be considered by the City with regard to the land uses and natural area characteristics of the surrounding environment and the policies of Section 35 and 36 of the ORMCP.

4.4.7.4 Aggregates Operation Reports

- (1) In consideration of any application to amend the Zoning By-law for an aggregate operation, the City shall require the applicant to meet the requirements of Section 35 and 36 of the ORMCP.

PART 5 - Protecting Ecological and Hydrological Integrity

5.1 General

5.1.1 Supporting Connectivity

Every application for development or site alteration shall identify planning, design and construction practices that ensure that no buildings or other site alterations impede the movement of plants and animals among key natural heritage features, hydrologically sensitive features and adjacent land within Natural Core Areas and Natural Linkage Areas.

5.1.2 Minimum Area of Influence and Minimum Vegetation Protection Zone

5.1.2.1

An area of influence is not a setback but instead acts as an area to study the impact that development will have on a particular feature. An application for development within the minimum area of influence that relates to a key natural heritage feature shall be accompanied by a natural heritage evaluation as described in Section 23 of the ORMCP. An application for development within the minimum area of influence that relates to a hydrologically sensitive feature shall be accompanied by a hydrological evaluation as described in Section 26(4) of the ORMCP.

5.1.2.2

The minimum area of influence that relates to a key natural heritage features or hydrologically sensitive features described in Column 2 of Table I is the area referred to in the corresponding item in Column 3 of Table I; and

5.1.2.3

The minimum vegetation protection zone that relates to a key natural heritage feature or hydrologically sensitive feature described in Column 2 of Table I is the area determined in accordance with the corresponding item in Column 4 of Table I.

5.1.2.4

All development and site alteration with respect to land within a vegetation protection zone is prohibited except as permitted in Sections 22(2) and 26(2) of the ORMCP.

5.1.2.5

If more than one key natural heritage feature listed in column 2 of Table I is situated on a particular property, the provisions that are more restrictive apply.

5.2 Key Natural Heritage Features

The Key Natural Heritage Features (KNHF) and significant woodlands are identified on Schedules 5 and 6. The delineation of KNHF's is to identify the areas in which the policies of Part III of the ORMCP apply to development in Natural Core Areas, Natural Linkage Areas and Countryside Area. The following are KNHF's:

- (1) Wetlands.
- (2) Significant portions of the habitat of endangered, rare and threatened species.
- (3) Fish habitat.

- (4) Areas of natural and scientific interest (life science).
- (5) Significant valleylands.
- (6) Significant woodlands.
- (7) Significant wildlife habitat.

(8) Sand barrens, savannahs and tallgrass prairies
The areas identified as KNHF's on Schedules 5 and 6 are subject to on-site boundary evaluation when development is proposed. Where boundaries are determined to be different than shown on Schedule 5 and 6 the lands not within the KNHF shall not be subject to the provisions of Section 22 (2) of the ORMCP. Where the boundaries of Key Natural Heritage Features have necessitated revision, Schedule 5 and 6 shall also be revised accordingly to reflect the changes.

5.3 Hydrologically Sensitive Features

The Hydrologically Sensitive Features (HSF) are identified on Schedule 7. The delineation of HSF's is to identify the areas in which the policies of Part III of the ORMCP apply to development in the Plan area. The following are HSF's:

- (1) Permanent and intermittent streams.
- (2) Wetlands.
- (3) Kettle lakes.
- (4) Seepage areas and springs.

The areas identified as HSF's on Schedule 7 are subject to on-site boundary evaluation when development is proposed. Where boundaries are determined to be different than shown on Schedule 7 the lands not within the HSF shall not be subject to the provisions of Section 22 (2) of the ORMCP.

5.4 Wellhead Protection Areas

5.4.1 Location of Wellhead Protection Areas

The City will identify the wellhead protection areas around municipal wells. All wellhead protection areas are subject to the provisions of Section 42 of the ORMCP.

5.4.2 Uses Prohibited in Wellhead Protection Areas

The following uses are prohibited with respect to land in wellhead protection areas:

- (1) Storage, except by an individual or family use of:

- (i) petroleum fuels
 - (ii) petroleum solvents and chlorinated solvents
 - (iii) pesticides, herbicides and fungicides
 - (iv) construction equipment
 - (v) inorganic fertilizers
 - (vi) road salt, and
 - (vii) contaminants listed in Schedule (3) (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.
- (2) Generation and storage of hazardous waste or liquid industrial waste.
- (3) Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.
- (4) Despite anything else in the ORMCP Plan except subsections 6(1) and subsection 28(3) of the ORMCP, the following uses are prohibited with respect to land in the zero to two year time of travel zone within every wellhead protection area established under section 5.4.1 of the ORMCP.
 - (1) Storage of animal manure, except by an individual for personal or family use.
 - (2) Animal agriculture, except by an individual for personal or family use.
 - (3) Storage of agricultural equipment, except by an individual for personal or family use.
- (5) Every person who carries on a use listed in subsection (1) (2) or (3) as owner or operator, shall prepare and maintain a site management and contingency plan that is aimed at reducing or eliminating the creation of materials referred to in subsection (1), (2) or (3), as the case may be, and their release into the environment.

5.5 Areas of High Aquifer Vulnerability

Schedule 8 of this Plan identifies the areas of high aquifer vulnerability. All areas of High Aquifer Vulnerability are subject to the provisions of Section 42 or the ORMCP. The following uses are prohibited with respect to land shown as being in areas of high aquifer vulnerability:

- (1) Generation and storage of hazardous waste or liquid industrial waste.
- (2) Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.
- (3) Underground and above-ground storage tanks that are not equipped with an approved secondary containment device.
- (4) Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.

5.6 Partial Services

Development of partial services is prohibited unless it meets the exceptions provided under Sections 44(2), 44(3) and 44(4) of the ORMCP.

5.7 Rapid Infiltration Basins and Columns

Despite anything else in the ORMPA and ORMCP, new rapid infiltration basins and new rapid infiltration columns are prohibited.

5.8 Watershed Plans, Water Budgets and Conservation Plans

5.8.1 Watershed Plans

The following provisions of the ORMCP apply to the City of Kawartha Lakes:

- (1) Section 24(1) requiring commencement of watershed plans by April 22, 2003.
- (2) Section 24(2) requiring the objectives and requirements of the watershed plans to be incorporated in the ORMCP.
- (3) Section 24(3) outlining the items to be included in watershed plans.

5.8.2. Water Budget Plans

The following provisions of the ORMCP apply to the City of Kawartha Lakes:

- (1) Section 25(1) requiring the commencement of a water budget and conservation plan by April 22, 2003.
- (2) Section 25(2) outlining the minimum requirements of a water budget and conservation plan.

5.8.3 City of Kawartha Lakes Compliance to Section 24 and 25 of the ORMCP

The City of Kawartha Lakes commenced the preparation of Watershed Plans, Water Budgets and Conservation Plans by authorizing the Kawartha Region Conservation Authority (KRCA) to prepare such plans, and budgets for the preparation of the plans, the expected completion of the plans will be April 23, 2007.

5.9 Subwatershed

5.9.1

All development and site alteration with respect to land in a sub-watershed are prohibited if they would cause the total percentage of the area of the sub-watershed that has impervious surfaces to exceed:

- (a) 10 percent, or
- (b) any lower percentage specified in the applicable watershed plan

5.9.2

In considering applications for development or site alteration with respect to land in a sub-watershed the approval authority shall take into account the desirability of ensuring that at least 30 percent of the area of the sub-watershed has self-sustaining vegetation.

PART 6 – Landform Conservation Area

Schedule 9 of the plan identifies Landform Conservation Areas (Category 1) and Landform Conservation Areas (Category 2). Applications for development in there areas will be subject to the policies of Section 30 of the ORMCP.

PART 7 - Specific Land Use Policies

7.1 Natural Core Areas

The following provisions of the ORMCP apply to land in the Natural Core Areas:

- (1) Section 32 (Lot Creation), Section 33 (Restriction re agricultural uses, mineral aggregate operations, wayside pits, and Section 34 (Uses accessory to agricultural uses).

- (2) Section 36 (Comprehensive rehabilitation plans), Section 37 (Low-intensity recreational uses) and Section 39 (Trail system).
- (3) Subsections (1), (3), (4), (5) and (6) of Section 41 (Transportation, infrastructure and utilities uses).
- (4) Section 42 (Official plan provisions, wellhead protection areas, areas of high aquifer vulnerability), Section 43 (Sewage and water services), Section 44 (Partial services), Section 45 (Stormwater management), Section 46 (Stormwater management plans) and Section 47 (Rapid infiltration basins and columns).
- (5) Notwithstanding the permitted uses within the Natural Core Areas designation all development will comply with the Minimum Distance Separation formula established by the Province in order to minimize odour conflicts between livestock facilities and development.

7.2 Natural Linkage Areas

The following provisions of the ORMCP apply to land in the Natural Linkage Areas:

- (1) Section 32 (Lot creation), Section 33 (Restriction re agricultural uses, mineral aggregate operations, wayside pits), Section 34 (Uses accessory to agricultural uses), Section 35 (Mineral aggregate operations and wayside pits), Section 36 (Comprehensive rehabilitation plans), Section 37 (Low-intensity recreational uses) and Section 39 (Trail system).
- (2) Subsections (1), (2), (4), (5) and (6) of Section 41 (Transportation, infrastructure and utilities).
- (3) Section 42 (Official Plan provisions, wellhead protection areas, areas of high aquifer vulnerability), Section 43 (Sewage and water services), Section 44 (Partial services), Section 45 (Stormwater management), Section 46 (Stormwater management plans) and Section 47 (Rapid infiltration basins and columns).
- (4) Notwithstanding the permitted uses within the Countryside Areas designation all development will comply with the Minimum Distance Separation formula established by the Province in order to minimize odour conflicts between livestock facilities and development.

7.3 Countryside Areas

The following provisions of the ORMCP apply to land in the Countryside Areas:

- (1) Section 32 (Lot creation), Section 33 (Restriction re agricultural uses, mineral aggregate operations, wayside pits, and Section 34 (Uses accessory to agricultural uses).
- (2) Subsections (1), (4), (5) and (6) of Section 35 (Mineral aggregate operations and wayside pits).
- (3) Section 36 (Comprehensive rehabilitation plans), Section 37 (Low-intensity recreational uses), Section 38 (Major recreational uses), Section 39 (Trail system) and Section 40 (Small-scale commercial, industrial and institutional uses).
- (4) Subsections (1), (4), (5) and (6) of Section 41 (Transportation, infrastructure and utilities).
- (5) Section 42 (Official plan provisions, wellhead protection areas, areas of high aquifer vulnerability, Section 43 (Sewage and water services), Section 44 (Partial services), Section 45 (Stormwater management), Section 46 (Stormwater management plans) and Section 47 (Rapid infiltration basins and columns).
- (6) Notwithstanding the permitted uses within the Countryside Areas designation all development will comply with the Minimum Distance Separation formula established by the Province in order to minimize odour conflicts between livestock facilities and development.

Table I

**Key Natural Heritage Features, Hydrologically Sensitive Features and
Areas of Natural Scientific Interest (Earth Science)
Minimum Areas of Influence and Minimum Vegetation Protection Zones**

Column 1	Column 2	Column 3	Column 4
Item	Feature	Minimum Area of Influence 1 of ORMCP	Minimum Vegetation Protection Zone (21, 23, 26 (4), 30 (12)) of ORMCP
1.	Wetlands	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 23 (d) of ORMCP if a natural heritage evaluation is required
2.	Significant portions of habitat of endangered, rare and threatened species	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under Section 23 of ORMCP
3.	Fish Habitat	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 23 (1) (d) of ORMCP if a natural heritage evaluation is required
4.	Areas of natural and scientific interest (life science)	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under Section 23 of ORMCP
5.	Areas of natural and scientific interest (earth science)	All land within 50 metres of any part of feature	As determined by an earth science heritage evaluation carried out under Subsection 30 (12) of ORMCP
6.	Significant valleylands	All land within 120 metres of any part of feature	All land within 30 metres of stable top of bank, subject to clause 23 (1) (d) of ORMCP if a natural heritage evaluation is required
7.	Significant woodlands	All land within 120 metres of any part of feature	All land within 30 metres of the base of the outermost tree trunks within the woodland, subject to clause 23 (1) (d) of ORMCP if a natural heritage evaluation is required
8.	Significant wildlife	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under Section 23 of ORMCP
9.	Sand barrens, savannahs and tallgrass prairies	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to clause 23 (1) (d) of ORMCP if a natural heritage evaluation is required
10.	Kettle lakes	All land within 120 metres of any part of feature	All land within the surface catchment area or within 30 metres of any part of feature, whichever is greater, subject to clause 26 (4) (c) of ORMCP if a hydrological evaluation is required
11.	Permanent and intermittent streams	All land within 120 metres of any part of feature	All land within 30 metres of meander belt, subject to clause 26 (4) (c) and Subsection 26 (5) of ORMCP if a hydrological evaluation is required
12.	Seepage areas and springs	All land within 120 metres of any part of feature	All land within 30 metres of meander belt, subject to clause 26 (4) (c) and Subsection 26 (5) of ORMCP if a hydrological evaluation is required