

DECISION

With Respect to Amendment No.1 to the
Northumberland County Official Plan
Subsection 17(34) of the *Planning Act*

I hereby approve Amendment No.1 to the Northumberland County Official Plan adopted by By-law 38-2021, subject to the following modifications with additions in **bold underline** and deletions in **~~bold strikethrough~~**:

1. Items 3 to 6, 29 to 36, 38 to 40, 70 to 72, 74 to 78, 80 to 83 and 85 in the report entitled "Final List of OPA 1 Modifications – January 12, 2025" attached to Northumberland County Council Resolution 2025-01-22-035.

2. Item 3, Section A3 – Land Use Concept is modified so that it reads:

Seven Five land use designations **and two overlays** are included within this Plan, as described in this Section of the Plan.

3. Item 4, Section A3.5 – Natural Heritage Area is modified so that it reads:

A3.5 NATURAL HERITAGE AREA **ONE**

The Natural Heritage Area **One** designation applies to **known ~~significant natural heritage features and areas, key natural heritage features and key hydrological features.~~ Lands within this designation include those lands designated as Natural Core Area and Natural Linkage Area by the Oak Ridges Moraine Conservation Plan significant wetlands and significant coastal wetlands.**

4. Item 5, Sections A3.6 – Supporting Features and Areas and A3.7 Natural Heritage System are modified so that they read:

A3.6 **SUPPORTING FEATURES AND AREAS NATURAL HERITAGE AREA TWO**

The **Supporting Features and Areas Natural Heritage Area Two** overlay designation applies to lands that support the **ecological functions of the natural heritage system** and includes elements such as linkage areas, enhancement areas and locally important **natural heritage features and areas includes significant areas of natural and scientific Interest, significant woodlands, significant valleylands, significant wildlife habitat, fish habitat, habitat of endangered and threatened species, coastal wetlands, and regionally important wetlands.**

A3.7 NATURAL HERITAGE SYSTEM

The Natural Heritage System is an overlay ~~designation~~ that applies to lands outside of the *urban areas* and *rural settlement areas*. It is comprised of the ~~previously identified Growth Plan Natural Heritage System for the Growth Plan established by the Province of Ontario~~, Natural Core Areas and Natural Linkage Areas established by the Oak Ridges Moraine Conservation Plan and additional areas that have been identified by the County in accordance with Provincially recommended technical criteria and best practices for the identification of a *natural heritage system*.

5. Item 10, Section C – Natural Heritage and Water Resources Systems is modified by:

- a) Items 11 to 15, 21, 22 and 24 to 27 in the report entitled “Final List of OPA 1 Modifications – January 12, 2025” attached to Northumberland County Council Resolution 2025-01-22-035.
- b) Deleting “designation” from the first paragraph in section C2.
- c) Deleting paragraphs i) through iv) in subsection a) to section C3 and replacing them so that they read:
 - i. The previously identified Natural Heritage System for the Growth Plan;
 - ii. Natural heritage features and areas that are identified Natural Heritage Area One and Natural Heritage Area Two on Schedule A-2 to this Plan;
 - iii. Lands that are designated as Natural Core Areas and Natural Linkage Areas by the Oak Ridges Moraine Conservation Plan as shown on Schedule A-2 to this Plan;
 - iv. Other supporting features and areas that are within the Supporting Features and Areas overlay on Schedule B-2 to this Plan;
 - v. Watercourses (permanent and intermittent).
- d) Deleting subsections b) to f) in section C3 and replacing them so that they read:
 - b) Once the policies in this Plan on the natural heritage system overlay, Natural Heritage Area One designation and Natural Heritage Area Two overlay have been approved in accordance with the *Planning Act*, all subsequent *Planning Act* decisions shall conform to this Plan.
 - c) Local municipalities are required to incorporate the *Natural Heritage System* overlay in their local Official Plans.

d) The limits of the *Natural Heritage System* overlay, Natural Heritage Area One designation and Natural Heritage Area Two overlay may be refined by local municipalities in their local Official Plans on the basis of updated information and/or detailed studies in consultation with the County, except for boundaries of areas of natural and scientific interest which are to be reviewed and approved by the province.

e) Modifying section C4.3 so that it reads:

Nothing in this plan is intended to limit the ability of *agricultural uses* to continue in areas that are the site of a ~~*key natural heritage feature, key hydrologic feature or other natural heritage feature*~~ and area including lands within the Natural Heritage Area One designation, Natural Heritage Area Two overlay, and Supporting Features and Areas identified on Schedule B-1.

6. Item 31, Sections D6 to D10 are deleted and replaced so that they read:

D6 NATURAL HERITAGE AREA ONE (NHA1) DESIGNATION OUTSIDE OF THE OAK RIDGES MORaine CONSERVATION PLAN

D6.1 LOCATION

- a) All lands that are the site of known provincially *significant wetlands* and *significant coastal wetlands* are designated Natural Heritage Area One on Schedule A-2. Where information is known, provincially *significant wetlands* and *significant coastal wetlands* are shown on Schedule B-1 for information purposes.
- b) While known provincially *significant wetlands* and *significant coastal wetlands* have been designated Natural Heritage Area One on Schedule A-2, the identification, mapping and significance of others can only be determined after evaluation.
- c) Regionally Important *Wetlands* are included in the mapping for the NHA1 on Schedule A-2. For clarity, lands identified as Regionally Important *Wetland* which do not overlap with provincially *significant wetlands* or *significant coastal wetlands* on Schedule B-1 are not included in the NHA1 designation.

D6.2 PERMITTED USES

- a) Development and site alteration is not permitted in significant wetlands and significant coastal wetlands.
- b) Permitted uses in significant wetlands and significant coastal wetlands are limited to:
 - i. Forestry in the form of reforestation and regeneration, and excluding commercial logging and managed woodlots;
 - ii. Uses connected with the conservation of water, soil, wildlife and other natural resources; and
 - iii. The continuation of agricultural uses.

D7 NATURAL HERITAGE AREA TWO (NHA2) OVERLAY OUTSIDE OF THE OAK RIDGES MORAINÉ CONSERVATION PLAN

D7.1 LOCATION

- a) All lands that are the site of known Provincially significant Areas of Natural and Scientific Interest and significant woodlands are shown as Natural Heritage Area Two on Schedule A-2. Where information is known, these and other natural heritage features and areas, also including regionally important wetlands outside of urban areas and rural settlement areas, are shown on Schedule B-1 for information purposes.
- b) While known Provincially significant Areas of Natural and Scientific Interest and significant woodlands have been shown as Natural Heritage Area Two on Schedule A-2, the identification, mapping and significance of others can only be determined after evaluation either by the Province in the case of an Area of Natural and Scientific Interest or the County, in the case of a woodland.

D7.2 PERMITTED USES

- a) As the NHA2 is an overlay, permitted uses are those in the underlying land use designation shown on Schedule A-2.
- b) The policies in this section apply to significant woodlands, significant valleylands, non-significant coastal wetlands, significant Areas of Natural

and Scientific Interest, significant wildlife habitat, fish habitat and habitat of endangered and threatened species. In addition, the policies of this section apply to Regionally Important Wetlands outside of urban areas and rural settlement areas.

- c) Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.
- d) Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.
- e) Development and site alteration shall not be permitted in the following natural heritage features and areas unless it has been demonstrated through the preparation of an Environmental Impact Study in accordance with Section C4.4 of this Plan that there will be no negative impacts on the natural features or their ecological functions:
 - i. Significant woodlands;
 - ii. Significant valleylands;
 - iii. Significant wildlife habitat;
 - iv. Significant Areas of Natural and Scientific Interest; and
 - v. Regionally Important Wetlands outside of urban areas and rural settlement areas.
- f) Notwithstanding the above, expansions or alterations to existing buildings and structures for agricultural uses, agriculture-related uses or on-farm diversified uses and expansions to existing residential dwellings and existing ancillary buildings may be permitted in the NHA2 overlay if it is demonstrated that:
 - i. There is no alternative, and the expansion or alteration in the feature is minimized and is directed away from the feature to the maximum extent possible; and
 - ii. The impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible;
- g) Small-scale structures for recreational uses, including boardwalks, footbridges, fences, docks, and picnic facilities may be permitted in the NHA2 overlay, if measures are taken to minimize the number of such structures and their negative impacts.

- h) Through the implementation of this section by the local municipalities in their Official Plans and zoning by-laws, the pre-identification of the nature and scale of minor expansions to existing residential dwellings and existing ancillary buildings within *significant woodlands* that can proceed as-of-right and without the need for an environmental impact study is permitted by this Plan. In this regard, such minor expansions shall be small in scale and not exceed 25% of the floor area of the existing residential dwelling and/or existing ancillary building that is being expanded. Expansions beyond this size will require a *Planning Act* approval where it shall be demonstrated that conformity with section D7.2 f) can be achieved.
- i) While the policies of this section apply to Regionally Important *Wetlands* outside of *urban areas* and *rural settlement areas*, where a Regionally Important *Wetland* policy conflicts with a provincial interest including but not limited to mineral aggregate resources or prime agricultural areas, the policies of the provincial interest shall prevail.

D8 OTHER GENERAL POLICIES THAT APPLY TO THE NHA1 DESIGNATION AND NHA2 OVERLAY

D8.1 ADJACENT LANDS

- a) *Adjacent lands* are the lands contiguous to a *natural heritage feature or area* where it is likely that *development or site alteration* would have a *negative impact* on the feature or area. For the purposes of this Plan, *adjacent lands* are defined as all lands within the specified distance of the boundary of *natural heritage features and areas* outside of the Oak Ridges Moraine Conservation Plan as follows:
- i. 120 metres from provincially *significant wetlands* and *significant coastal wetlands*;
 - ii. 120 metres from *significant woodlands*;
 - iii. 120 metres from *significant wildlife habitat*;
 - iv. 120 metres from *habitat of endangered species and threatened species*;
 - v. 50 metres from provincially *significant Areas of Natural and Scientific Interest – earth science*;
 - vi. 120 metres from provincially *significant Areas of Natural and Scientific Interest – life science*;
 - vii. 120 metres from *significant valleylands*;
 - viii. 120 metres from *fish habitat*;

- ix. 120 metres from non-significant coastal wetlands;
 - x. 50 metres from regionally important wetlands.
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- b) No development or site alteration shall be permitted on these adjacent lands unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated, through an Environmental Impact Study in accordance with Section C4.4 of this Plan that there will be no negative impact on the natural features or their ecological functions.
 - c) The approval authority may reduce the width of the adjacent lands set out in subsection D8.1 a) if, in the opinion of the approval authority, the proposed development or site alteration is minor and is not anticipated to have a negative impact on the natural heritage feature or area.
 - d) While the policies of this section apply to Regionally Important Wetlands outside of urban areas and rural settlement areas, where a Regionally Important Wetland policy conflicts with a provincial interest including but not limited to mineral aggregate resources or prime agricultural areas, the policies of the provincial interest shall prevail.

D8.2 CRITERIA FOR SIGNIFICANT WOODLANDS

- a) Significant woodlands have a minimum average width of 40 metres and are a minimum of 1 hectare in urban areas and/or rural settlement areas or 4 hectares in the Agricultural Area or Rural Area designation.
- b) Alternatively, significant woodlands have a minimum average width of 40 metres and:
 - i. Are a minimum of 0.5 hectares in urban areas and/or rural settlement areas; or 2 hectares in the Agricultural Area or Rural Area designations; or 2 hectares within 5 kilometres of Lake Ontario; or 2 hectares within 1 kilometre of Rice Lake; and
 - ii. Are located within 30 metres of significant valleylands, significant wildlife habitat, significant Area of Natural and Scientific Interest – life science and/or a permanent watercourse; or are located wholly or partially within a linkage area as defined by this Plan.

D8.3 MINIMUM BUFFERS

- a) Minimum buffers required from certain *natural heritage features and areas* outside of *urban areas* and *rural settlement areas* are as follows. Conservation Authority regulatory allowances still apply.
- i. 15 metres for *significant Areas of Natural and Scientific Interest – life science*;
 - ii. 15 metres for *significant valleylands*;
 - iii. 15 metres for *regionally important wetlands*;
 - iv. 30 metres for *significant wetlands* and *significant coastal wetlands*;
 - v. 15 metres for *significant wildlife habitat*;
 - vi. 20 metres for *significant woodlands*.
- b) Buffers in *urban areas* and *rural settlement areas* are to be informed by both existing conditions and sensitivities, and the anticipated impacts that a buffer is being used to mitigate. Where possible, opportunities to avoid or minimize impacts through the siting and design of land uses should be considered as part of a layered approach to mitigation. This approach will reduce the overall impact of developments, encourage sustainable design and support development of resilient systems and communities.
- c) Based on the above, minimum buffer widths in *urban areas* and *rural settlement areas* will be established in studies prepared to the satisfaction of the approval authority. When determining the appropriate buffer width, consideration will be given to the following matters:
- i. Enhancement and mitigation opportunities such as vegetative planting within the buffers or fencing on abutting lands;
 - ii. Achieving adequate buffers to stormwater management components, which may necessitate wider buffer widths;
 - iii. The intensity of the abutting land uses as illustrated through specific plans for such uses (i.e., grading, setbacks, maintenance, servicing, built form including height, location of buildings and structures and other activities); and
 - iv. The ecological functions, characteristics, significance and sensitivity of the feature the buffer is required from.
- d) Where a feature is regulated by a Conservation Authority within an *urban area* or *rural settlement area*, and the regulatory requirements exceed the required buffer as determined through the policies of this Plan, those regulatory requirements will apply, subject to the provisions of the Conservation Authorities Act.

D9 NATURAL CORE AREA AND NATURAL LINKAGE AREA DESIGNATIONS WITHIN THE OAK RIDGES MORAINÉ CONSERVATION PLAN

D9.1 LOCATION

- a) Lands within the Natural Core Area and Natural Linkage Area designations in the Oak Ridges Moraine Conservation Plan are designated Oak Ridges Moraine - Natural Core Area and Oak Ridges Moraine - Natural Linkage Area on Schedule A-2.
- b) Other known *key natural heritage features* and *key hydrologic features* that are outside of the Oak Ridges Moraine - Natural Core Area and Oak Ridges Moraine - Natural Linkage Area designations and as defined by the Oak Ridges Moraine Conservation Plan are also found in the NHA1 designation and NHA2 overlay on Schedule A-2 to this Plan.
- c) Where information is known, individual *key natural heritage features* and *key hydrologic features* as defined by the Oak Ridges Moraine Conservation Plan are shown on Schedule B-1 for information purposes.
- d) While some of the *key natural heritage features* and *key hydrologic features* are known and some have been mapped in the NHA1 designation and NHA2 overlay on Schedule A-2, the identification, mapping and significance of others can only be determined after evaluation.

D9.2 PERMITTED USES

- a) All *development* and *site alteration* on lands subject to the Oak Ridges Moraine Conservation Plan boundary shown on the schedules to this Plan is subject to the policies of the Oak Ridges Moraine Conservation Plan.

D9.3 CRITERIA FOR SIGNIFICANT WOODLANDS

- a) Within the Oak Ridges Moraine Conservation Plan area, *significant woodlands* have a minimum average width of 40 metres and are:
 - i. 4 hectares or larger in size in the Countryside and Settlement Areas; or
 - ii. 0.5 hectares or larger if located in the Natural Core or Natural Linkage Areas; or

- iii. 0.5 hectares or larger located within or intersecting with a *key natural heritage feature* or hydrologically sensitive feature or their vegetation protection zone.

D10 SUPPORTING FEATURES AND AREAS

D10.1 LOCATION

a) Supporting Features and Areas include the following:

- i. Alvars;
- ii. Conservation oriented lands;
- iii. Enhancement areas;
- iv. Linkages;
- v. Other non-significant valleylands;
- vi. Other wetlands located with urban areas and rural settlement areas that are not considered to be significant wetlands or significant coastal wetlands;
- vii. Other non-significant woodlands;
- viii. Regionally important Areas of Natural and Scientific Interest;
- ix. Regionally important wildlife habitat;
- x. Sand barrens;
- xi. Savannahs;
- xii. Seepage areas and springs;
- xiii. Sensitive ground water features;
- xiv. Sensitive surface water features;
- xv. Shoreline features; and
- xvi. Tallgrass prairies.

b) Where information is known, individual supporting features and areas are shown on Schedule B-1 for information purposes.

c) While some of the supporting features and areas are known and some have been identified on Schedule B-1, the identification, mapping and significance of others can only be determined after evaluation.

D10.2 GENERAL DEVELOPMENT POLICIES

a) When development or site alteration is proposed within a supporting feature or area shown on Schedule B-1, or within 30 metres of the boundary

of the supporting feature or area, an Environmental Impact Study shall be completed that assess and determines:

- i. Whether the supporting feature or area is a significant *natural heritage feature or area* and if it is determined that a supporting feature or area is determined to be one of these features or areas, the relevant policies that apply to those features or areas apply;
 - ii. The boundary of the supporting feature or area along with its *ecological functions* and relationship to nearby significant *natural heritage feature or areas*; and
 - iii. What conditions may be attached to the approval of the proposed development to enhance the supporting feature or area where possible and to mitigate and minimize impacts on the supporting feature or area.
- b) Development and site alteration in and within 30 metres of non-significant or regionally important *wetlands* in *urban areas* and *rural settlement areas* that are regulated by the applicable Conservation Authority is subject to the policies of the Conservation Authority.
- c) In cases where a non-significant or regionally important *wetland* in an *urban area* or *rural settlement area* is not regulated by the Conservation Authority, the approval authority may require that an evaluation be carried out to determine if such a *wetland* should be protected in situ with appropriate *buffers*, or if the *hydrologic function* provided such a *wetland* should be maintained or managed as part of the design of the development.
- d) Where lands that have been approved for a mineral aggregate operation pursuant to a license issued under the *Aggregate Resources Act* on lands that have been identified as being the site of a supporting feature or area on Schedule B-1 are proposed to be expanded, then the policies of this Plan fully apply.
- e) Further to subsection d), if there is a conflict between the policies of a supporting feature and area and a provincial interest (e.g., mineral aggregate resources), the policies of the provincial interest shall prevail.
- f) An Environmental Impact Study is not required for existing, new or expanding *agricultural uses* in the Agricultural Area.

D10.3 DEVELOPMENT POLICIES – ENHANCEMENT AREAS

In addition to satisfying Section D10.2, if the supporting feature or area is an enhancement area shown on Schedule B-1, the required Environmental Impact Study should:

- a) Assess the ecological benefit of an enhancement to the nearby significant *natural heritage feature or area* (e.g., does it fill a gap, close in an indent, connect two separate features, etc.);
- b) Consider the most appropriate shape/extent of the enhancement area so that the *ecological functions* of the nearby significant *natural heritage feature or area* are enhanced;
- c) Consider how the function and spatial extent of the enhancement area can be incorporated into the design and layout of the proposed *development*, if located within an *urban area or rural settlement area*; and
- d) Make recommendations on minimizing the amount of disturbed area in the enhancement area, where it is currently in a natural state or under agricultural production, if located in the Rural Area designation.

D10.4 DEVELOPMENT POLICIES – LINKAGE AREAS

In addition to satisfying Section D10.2, if the supporting feature or area is a linkage area shown on Schedule B-1, the required Environmental Impact Study should:

- a) Assess the ecological features and functions of a linkage, including its vegetative wildlife, and/or landscape features or functions;
- b) Identify appropriate boundaries/widths that permit the movement of wildlife between nearby significant *natural heritage feature or areas*;
- c) Describe the *ecological function* the linkage is intended to provide and identifies how these *ecological functions* can be maintained or enhanced within a *development proposal*;
- d) Assess potential impacts on the linkage as a result of the *development*;
and

e) Make recommendations on how to protect, enhance, or mitigate impacts on the linkage and its *ecological functions*.

D11 IMPLEMENTING THE NATURAL HERITAGE AREA ONE AND NATURAL HERITAGE AREA TWO AND TRANSITION

a) Local municipalities are required to incorporate the Natural Heritage Area One designation and Natural Heritage Area Two overlay in their local Official Plans in a way that maintains the Agricultural Area designation where applicable.

b) Through the process of implementation, local municipalities may refine the boundaries of *natural heritage features or areas* on the basis of updated information and or detailed studies in consultation with the County except for boundaries of *Areas of Natural and Scientific Interest* which are to be reviewed and approved by the province.

c) Local municipalities are required to incorporate the Natural Heritage Area One designation and Natural Heritage Area Two overlay as determined in the local Official Plan into their Zoning By-laws in a way that maintains the Agricultural Area designation where applicable.

d) For secondary plans in process, the policies of this Plan shall be taken into account in the work program and final product, to the satisfaction of the County.

e) Where a secondary plan has been approved, those portions that are not yet the site of a draft approved Plan of Subdivision or Plan of Condominium shall be reviewed to determine how the intent of this Plan with respect to the *natural heritage system* can be achieved on the lands affected.

f) If a draft plan approval is proposed to be extended, the County may review the findings and recommendations made in the studies that supported the initial draft plan approval and request that the studies be updated to determine if changes to the layout of the draft plan and/or any of the conditions need to be made before the extension request is granted.

g) The County encourages the local municipalities to review older existing draft plan approvals to determine if updates are required.

h) If a draft plan lapses or is withdrawn, any subsequent application shall conform to this Plan.

i) Where major modifications to a draft plan are proposed, the revised plan shall be designed to reduce impacts on the *Natural Heritage System*.

j) Where lands that have been approved for a mineral aggregate operation pursuant to a license issued under the *Aggregate Resources Act* are proposed to be expanded, then the policies of this Plan fully apply.

7. **Item 41, Section E5.3 – Development Adjacent to Known Landfill Sites**, subsection a), is modified so that it reads:

Known landfill sites are shown on Schedule B-3-2 to this Plan.

8. **Item 52, Section G12.2 – Interpretation of Land Use Designation Boundaries**, subsection b), is modified so that it reads:

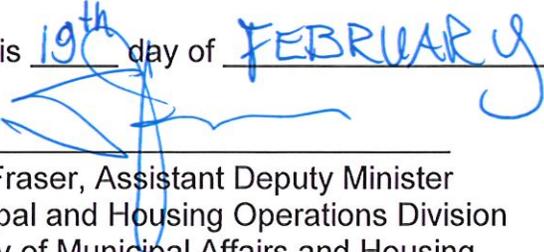
It is recognized that the boundaries of the Natural Heritage Area One designation and ~~Supporting Features and Areas~~ Natural Heritage Area Two overlay on Schedule A-2 may be imprecise and subject to change. An amendment to this Plan will not be required if changes to the boundaries of the Natural Heritage Area One designation and ~~Supporting Features and Areas~~ Natural Heritage Area Two overlay are based on new information and are deemed to be appropriate by the approval authority. Changes to the boundaries of ~~evaluated wetlands and significant~~ Areas of Natural and Scientific Interest requires the approval of the Provincial ministry with jurisdiction. Changes to the boundaries of ~~key natural heritage features, key hydrologic features, significant natural heritage features and areas~~ and individual supporting features and areas shown on Schedules B-1 and ~~B-2~~ do not require an Amendment to this Plan.

9. **Item 55, Schedule A-1 – Settlement Structure and Natural Heritage System and Schedule A-2 – Land Use Designations** are modified by:

- a) Item 1 in the report entitled “Final List of OPA 1 Modifications – January 12, 2025” attached to Northumberland County Council Resolution 2025-01-22-035.
- b) Item 2 in the report entitled “Final List of OPA 1 Modifications – January 12, 2025” attached to Northumberland County Council Resolution 2025-01-22-035, and modifying the Legend in Schedule A-2 – Land Use Designations by:
 - i. Creating a new heading which reads “Land Use Overlays”.

- ii. Deleting "~~Natural Heritage Area 2 (NHA2)~~" from the list under the heading "Land Use Designations".
- iii. Adding "Natural Heritage Area 2 (NHA2)" to the list under the heading "Land Use Overlays".

Dated at Toronto this 19th day of FEBRUARY, 2026.



Sean Fraser, Assistant Deputy Minister
Municipal and Housing Operations Division
Ministry of Municipal Affairs and Housing