

Definitions

In this Plan,

- 1) “access standard” means a method or procedure to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of flooding, erosion and/or other water related hazards.
- 2) "Agricultural Areas" means those areas outside of the Urban Areas Boundaries suitable for agriculture and approximately shown on the Agricultural Land Base Map contained in this Policy Plan as Good Tender Fruit, Good Grape or Good General Agriculture.
- 3) “Agricultural-related Uses” means those farm-related commercial and farm-related industrial uses that are small-scale and directly related to the farm operation and are required in close proximity to the farm operation.
- 4) "agricultural use" means the growing of crops, including nursery, greenhouse and horticultural crops; raising of livestock and other animals for food, or fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.
- 5) “base flow” means the natural, sustained low flow in a stream or river.
- 6) A “Bona Fide Farmer” is an individual who:
 - i. owns, is employed on, and manages a farm operation;
 - ii. earns a majority of his/her income from farming (the scale of the farm operation should be capable of generating a reasonable operating profit under "normal" economic conditions);
 - iii. spends a majority of his/her working time on the farm and is available to work on the farm when required by the farm operation;
 - iv. demonstrates a continuing commitment to the farm operation, such as through farm maintenance practices, and investment in equipment, buildings, and crops; and
 - v. for the purposes of this definition, a farmer is defined as the principal operator of the farm together with his/her spouse.

DEFINITIONS

- 7) “buffer” means a naturally vegetated protective zone adjacent to a natural area serving to cushion and protect the natural area from the impacts of human activities on adjacent lands.
- 8) “carbon sink” means any system that absorbs carbon, thereby removing it from the atmosphere and offsetting CO₂ emissions. Forests, agricultural soils and oceans can act as carbon sinks.
- 9) “Conservation Authority” means the Niagara Peninsula Conservation Authority.
- 10) “development” means the creation of a new lot, a change in land use, or the construction of a building or structure, requiring approval under the **Planning Act**. It includes the construction of new, or significant expansion of existing, public utilities or infrastructure but does not include works subject to the **Drainage Act**.
- 11) “earth science areas of natural and scientific interest” means areas identified by the Ministry of Natural Resources as containing some of the most significant representative examples of the bedrock, fossil and landform features in Ontario, and includes examples of ongoing geological processes.
- 12) “ecological functions” means the natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes, including hydrologic functions and biological, physical, chemical and socio-economic interactions.
- 13) "ecological integrity", which includes hydrologic integrity, means the condition of ecosystems in which: (1) the structure, composition and function of the ecosystems are unimpaired by stresses from human activity; (2) natural ecological processes are intact and self-sustaining, and (3) the ecosystems evolve naturally.
- 14) “ecological restoration” means the return of a species, population or ecosystem to its state prior to disturbance.
- 15) “ecosystem” means a dynamic complex of plants, animals and micro-organisms and their non-living environment interacting as a functional unit. The term ecosystem can describe small scale units, such as drops of water, as well as large scale units, such as the biosphere.
- 16) “endangered species” means a species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources official species at risk list or that is designated as Endangered by the Committee on the Status of Wildlife in Canada (COSEWIC), as updated and amended from time to time.

DEFINITIONS

- 17) “first order stream” means a stream with no tributaries. First order streams are the uppermost streams within a watershed.
- 18) “fish habitat” means the spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes and is as identified by the Provincial Ministry of Natural Resources.
- 19) “flood plain” (for river and stream systems) means the area, usually low lands adjoining a watercourse, which has been or may be inundated in the event of a flood.
- 20) “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 uprush and other water-related hazards along the shorelines of the Great Lakes - St. Lawrence River System, and flooding hazards along river and stream systems.
- 21) “good forestry practices” means:
- the proper implementation of harvest, renewal and maintenance activities known to be appropriate for the forest and environmental conditions under which they are being applied and that minimize detriments to forest values, including: significant ecosystems; important fish and wildlife habitat; soil and water quality and quantity; forest productivity and health; and the aesthetic and recreational opportunities of the landscape;
 - the cutting and removal of hazardous, severely damaged, diseased and insect infested trees which must be removed in order to prevent contamination or infestation of other trees or because they no longer contribute to the achievement of forest values;
 - in the case of hazardous, damaged, diseased or insect infested trees, the maintenance of a woodland after the cutting and removal is completed unless it is determined through a report prepared by a Registered Professional Forester that trees must be removed and a woodland as defined would not be maintained but in no case shall clearcutting be allowed; and
 - the forestry management practices as set out in the Ministry of Natural Resources document “A Silvicultural Guide to Managing Southern Ontario Forests”.
- 22) “ground water” means any water that exists beneath the land surface, but more commonly water existing in fully saturated soils and geologic formations.

DEFINITIONS

- 23) “ground water features” 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.
- 24) “ground water recharge” means the replenishment of subsurface water, (a) resulting from natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes, streams and wetlands, and (b) resulting from human intervention, such as the use of stormwater management systems.
- 25) “ground water recharge area” means an area from which there is significant addition of water to the ground water system resulting from natural processes, such as the infiltration of rainfall and snowmelt and the seepage of surface water from lakes, streams and wetland or from human intervention, such as the use of stormwater management systems.
- 26) “habitat of endangered and threatened species” means land that,
- a) is an area where individuals of an endangered species or a threatened species live or have the potential to live and find adequate amounts of food, water, shelter, and space needed to sustain their population, including an area where a species concentrates at a vulnerable point in its annual or life cycle and an area that is important to a migratory or non-migratory species, and
 - b) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.
- 27) “hazardous lands” means lands that could be unsafe for development due to naturally occurring processes and includes:
- a) Along rivers, streams and small lakes, the land, including that covered by water, to the furthest landward extent of the flooding or erosion hazard limits.
 - b) Along the shorelines of Lake Erie, Lake Ontario and the Niagara River, the land, including that covered by water, to the furthest landward limit of the flooding hazard, the erosion hazard or the dynamic beach hazard limits.
- 28) “hazardous sites” means sites that could be unsafe for development due to naturally occurring conditions such as unstable soils or unstable bedrock.
- 29) “infrastructure” means physical structures that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications,

DEFINITIONS

- transit and transportation corridors and facilities, and oil and gas pipelines and associated facilities.
- 30) “life science areas of natural and scientific interest” means areas of land and water identified by the Ministry of Natural Resources as containing significant representative segments of Ontario's biodiversity and natural landscapes including specific types of forests, valleys, prairies and wetlands, their native plants and animals, and their supporting environments.
- 31) "Local Municipality" refers to one of the twelve area municipalities as constituted by **The Regional Municipality of Niagara Act**.
- 32) Mineral Aggregate Operation” means:
- i. An operation, other than “wayside pits and quarries”, conducted under a license or permit under the **Aggregate Resources Act** or successors thereto; and
 - ii. Associated accessory 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.”
- 33) “natural heritage corridors” mean natural and open space linkages between Core Natural Areas. They include naturally vegetated stream corridors, valleylands, shorelines, woodlands; wetlands; and other natural vegetation communities.
- 34) “natural landscaping” means the practice of designing, cultivating and maintaining plant communities which are native to the area with minimal resort to artificial methods of plant care such as chemical fertilizers, watering other than natural precipitation, and mowing.
- 35) “natural self-sustaining vegetation” means vegetation dominated by native plant species that can grow and persist without direct human management, protection, or tending.
- 36) “older growth forest” means a relatively undisturbed forest stand containing trees over 100 years old. It may exhibit some of the characteristics of old growth forest such as an uneven-aged canopy; a range of size classes; gap succession processes; undisturbed soils; the presence of substantial standing and fallen deadwood, with the fallen deadwood present in a range of decay classes; or pit and mound topography.
- 37) “pesticide” means any organism, substance or thing that is used as a means of directly or indirectly controlling, preventing, destroying, mitigating, attracting or repelling any pest or of altering the growth, development or characteristics of any plant life that is not a pest and

DEFINITIONS

includes any organism, substance or thing registered under the federal **Pest Control Products Act**.

- 38) “protection works standard” means the combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damages caused by flooding, erosion, and other water related hazards, and to allow access for their maintenance and repair.
- 39) "Province" means the Province of Ontario or the relevant Minister of the Provincial government.
- 40) "Region" means the Regional Municipality of Niagara.
- 41) “Residence Surplus to a Farm Operation” is an existing farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).
- 42) “riparian” means of or relating to or located on the banks of a river or stream. The riparian zone is an area of streamside vegetation including the stream bank and adjoining floodplain, which is distinguishable from upland areas in terms of vegetation, soils and topography.
- 43) "Rural Areas" means those areas outside of the Urban Areas Boundaries which have limited or no capability for agriculture and approximately shown on the Agricultural Land Base Map contained in this Policy Plan as Rural.
- 44) “second order stream” means a stream formed by the combination of two or more first order streams.
- 45) “significant” means:
 - a) in regard to wetlands and Areas of Natural and Scientific Interest, an area identified as significant by the Ministry of Natural Resources using evaluation procedures established by the Ministry, as amended from time to time;
 - b) in regard to the habitat of threatened and endangered species, the habitat, as approved by the Ministry of Natural Resources, that is necessary for the maintenance, survival and/or recovery of the naturally occurring or reintroduced populations of endangered or threatened species, and where those areas of occurrence are occupied or habitually occupied by the species for all or any part(s) of its life cycle;
 - c) in regard to other natural heritage features and areas, ecologically important in terms of features, functions, representation or amount, and contributing to the quality, diversity, ecological health and integrity of the Core Natural Heritage System;

DEFINITIONS

- d) in regard to a change in the spatial extent of a Core Natural Heritage Component an increase or decrease of over 20% in the area within an Environmental Conservation Area or in the length or area of a surface water feature shown as Fish Habitat.
- 46) “significant negative impact” means,
- a) in regard to the Core Natural Heritage System, degradation that threatens the health and integrity of the natural features or ecological functions of the Core Natural Heritage System Component due to single, multiple or successive development or site alteration activities.
- b) in regard to Earth Science Areas of Natural and Scientific Interest (ANSIs), degradation that, due to single, multiple or successive development or site alteration activities, threatens the integrity of the geological features, landforms or processes for which the ANSI was identified and their associated educational and interpretive functions.
- 47) “site alteration” means the removal of topsoil and activities such as filling, grading and excavation that would change the landform, grade of the land and natural vegetative characteristics of the land, but does not include the reconstruction, repair or maintenance of a drain approved under the **Drainage Act**.
- 48) “species of concern” means any species that is listed or categorized as a special concern species on the Ontario Ministry of Natural Resources official Species at Risk list or that is designated as a special concern species by the Committee on the Status of Wildlife in Canada (COSEWIC) or that is not included on those lists but has been given a ranking of S3 imperiled or higher by the Ontario Natural Heritage Information Centre, as updated from time to time.
- 49) “subwatershed” means an area that is drained by a tributary or some defined portion of a stream.
- 50) “surface water features” means water-related features on the earth’s surface, including headwaters, rivers, stream channels, 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.
- 51) “third order stream” means a stream formed by the confluence of two or more second order streams.
- 52) “threatened species” means any species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources official Species at Risk list or that is designated as Threatened by the Committee on the Status of Wildlife in Canada (COSEWIC) as updated from time to time.

DEFINITIONS

- 53) "Urban Areas" means those areas shown as being within the Urban Areas Boundaries as defined by this Policy Plan.
- 54) "valleyland" 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.
- 55) "vegetation protection zone" means a vegetated buffer area surrounding a natural heritage feature or hydrologic feature within which only those land uses permitted within the feature itself are permitted.
- 56) "vulnerable surface and ground water features" means surface and ground water features that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface and/or ground water.
- 57) "water budget" means an accounting of the inflow to, outflow from, and storage changes of water in a hydrologic unit.
- 58) "watershed" means an area that is drained by a river and its tributaries.
- 59) "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.
- 60) "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.
- 61) "woodland" means a treed area that provides environmental and economic benefits to both the private landowner and the general public such as erosion prevention, hydrologic and nutrient cycling, provision of clean air and long term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities and the sustainable harvest of woodland products. It does not include a cultivated fruit or nut orchard or a plantation used for the purpose of producing Christmas trees.