

**AMENDMENT #540 TO THE  
OFFICIAL PLAN  
OF THE  
TOWNSHIP OF KING PLANNING AREA**

**Oak Ridges Moraine  
Conservation Plan  
Amendment to Township of King Official  
Plan Amendment #54  
(King City Community Plan)**

**October 20, 2003**

## **PART I: THE PREAMBLE**

### 1. **Amendment Structure**

PART I - THE PREAMBLE is included for information purposes and is not an operative part of this Official Plan Amendment.

PART II - THE OFFICIAL PLAN AMENDMENT, including the Schedules attached thereto, indicates specific amendments to the Official Plan being effected by Official Plan Amendment No. 540 and is an operative part of this Official Plan Amendment.

The APPENDICES are included for information purposes only and are not an operative part of this Official Plan Amendment. They include background reports relating to the preparation of the Official Plan Amendment.

### 2. **Purpose**

The purpose of this Amendment is to revise the policies and land use designations of the King City Community Plan to ensure their conformity with the Oak Ridges Moraine Conservation Act and Oak Ridges Moraine Conservation Plan.

### 3. **Location**

Lands affected by the land use policies of this Amendment are shown on Schedules "1" to "6" to this document, and are delineated by the Oak Ridges Moraine Plan Area and/or the Oak Ridges Moraine land use designations. These lands comprise the entire community plan area for King City.

### 4. **Basis**

On April 22, 2002 the Minister of Municipal Affairs and Housing filed Ontario Regulation 140/02 which comprises the Oak Ridges Moraine Conservation Plan. The Conservation Plan applies to the area known as the Oak Ridges Moraine Conservation Plan Area. The Minister of Municipal Affairs and Housing established the Oak Ridges Moraine Conservation Plan to provide land use and resource management planning direction to municipalities, provincial ministers, agencies, landowners and other stakeholders. The Conservation Plan provides a policy framework for protecting and enhancing the Moraine's ecological and hydrological features and functions.

Section 9 of the Oak Ridges Moraine Conservation Act requires regional and local municipalities to prepare and adopt an Official Plan Amendment(s) to implement the Conservation Plan. In the case of the Township of King, the Act requires said Amendment(s) to be adopted within 18 months after the Conservation Plan was filed, or October 22, 2003.

## **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 schedules designated as Schedules “1”, “2”, “3”, “4”, “5”, and “6” constitutes Amendment No. 540 to the King City Community Plan, also known as Amendment No. 54 to the Official Plan of the Township of King.

### **2 Details of the Amendment**

The King City Community Plan is hereby amended as follows:

#### **2.1 By amending:**

- (i) Figure “1” Concept Plan by adding the Oak Ridges Moraine Natural Core Area as shown on Schedule “1” to this Amendment;
- (ii) Schedule “A” Natural Heritage System and Landform Conservation Areas by adding the Oak Ridges Moraine Natural Core Area and Oak Ridges Moraine Settlement Area boundary as shown on Schedule “2” to this amendment;
- (iii) Schedule “B” Water Management Units by adding the Oak Ridges Moraine Natural Core Area Oak and Ridges Moraine Settlement Area boundary as shown on Schedule “3” to this amendment; and
- (iv) Schedule “C” Land Use and Transportation Strategy by adding the Oak Ridges Moraine Natural Core Area Oak and Ridges Moraine Settlement Area boundary as shown on Schedule “4” to this amendment;

#### **2.2 By adding the following new Schedules:**

- (i) Schedule “D” – Oak Ridges Moraine Plan Area Areas of High Aquifer Vulnerability and Wellhead Protection Areas, as shown on Schedule “5” to this amendment; and
- (ii) Schedule “E” – Oak Ridges Moraine Plan Area Landform Conservation Areas, as shown on Schedule “6” to this amendment.

#### **2.3 By deleting Section 2.2.2 (i) (Objectives) and replacing it with the following sentence:**

“To maintain, and enhance where feasible, the natural systems of the Oak Ridges Moraine which are located in the King City Planning Area including key natural heritage features, hydrologically sensitive features and landform conservation areas; and,”

2.4 By inserting the following new subsection after the first paragraph in Section 3.1 (General)

“i) Oak Ridges Moraine

The Oak Ridges Moraine is an irregular ridge which stretches 160 kilometers from the Trent River in the east to the Niagara Escarpment in the west. It divides the watersheds draining south into Lake Ontario from those draining north into Georgian Bay, Lake Simcoe, and the Trent River System. The Moraine has a distinctive concentration of natural heritage, geological and hydrological features that make its ecosystem vital to south-central Ontario.

The entire area referred to in this Plan is located within the boundaries of the Oak Ridges Moraine, except for a very small piece of land in the south west corner of the community. As the land outside of the Oak Ridges Moraine only comprises a portion of two existing lots, all lands within the community will be subject to the same policies.”

2.5 By renumbering the bullets in Section 3.1 (General) as follows:

- |      |                          |          |
|------|--------------------------|----------|
| i)   | Greenlands               | to ii)   |
| ii)  | Major Land Use Corridors | to iii)  |
| iii) | Community Edges          | to iv)   |
| iv)  | Community Focus Areas    | to v)    |
| v)   | Gateways                 | to vi)   |
| vi)  | Residential Districts    | to vii)  |
| vii) | Employment Areas         | to viii) |

2.6 By inserting the following new section after Section 3.1 (General)

### **“3.2 OAK RIDGES MORaine**

#### **3.2.1 Oak Ridges Moraine Conservation Plan**

On April 22, 2002 the Minister of Municipal Affairs and Housing filed Ontario Regulation 140/02 which comprises the Oak Ridges Moraine Conservation Plan. The Conservation Plan applies to the area known as the Oak Ridges Moraine Conservation Plan Area, which is delineated on Schedules A to F of this Official Plan. A decision that is made under the Planning Act or the Condominium Act shall comply with the Oak Ridges Moraine Conservation Plan. The Oak Ridges Moraine Conservation Plan prevails in the event of

any conflict between the Conservation Plan and an Official Plan, a zoning by-law, and the Provincial Policy Statement under Section 3 of the Planning Act. As required by Section 9. (2) of the Oak Ridges Moraine Conservation Act, RSO 2001, this Plan has been amended to conform to the Oak Ridges Moraine Conservation Plan.

The Ministry of Natural Resources (MNR) has developed a series of technical papers to provide guidance on the interpretation and application of policies that relate to natural heritage, connectivity, and landform conservation on the Oak Ridges Moraine. Adherence to the recommendations of these papers will ensure that development, site alteration and land use change will be consistent with the applicable policies of this Plan.

### **3.2.2 Oak Ridges Moraine Land Use Designations**

Of the four land use designations found in the Oak Ridges Moraine Conservation Plan, two of them appear in King City as follows:

#### **3.2.2.1 Natural Core Areas**

Natural Core Areas shall mean areas located within the “Moraine” boundary with a high concentration of key natural heritage features, hydrologically sensitive features or landform conservation areas. The purpose of Natural Core Areas is to maintain and where possible improve or 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; and
- f) protecting landform features.

Natural Core Areas also have the objectives of,

- a) accommodating a trail system through the Plan Area and trail connections to it; and

- b) providing for limited economic development that is compatible with clause (a) and the purposes of the Natural Core Area (above).

**3.2.2.2 Settlement Areas**

Settlement Areas shall mean areas designated for urban type development permitting a range of residential, commercial, industrial and institutional uses. The purpose of Settlement Areas is to focus and contain urban growth by:

- a) minimizing the encroachment and impact of development on the ecological functions and hydrological features of the Plan Area;
- b) promoting the efficient use of land with transit-supportive densities, through intensification and redevelopment within existing urban areas; and
- c) providing for the continuation and development of urban land uses consistent with the growth management strategies identified in the Township’s Official Plan.

The objectives for Settlement Areas are to:

- a) maintain and where possible improve or restore the health, diversity, size and connectivity of key natural heritage features, hydrologically sensitive features and the related ecological functions;
- b) accommodate a trail system through the Plan Area and trail connections to it;
- c) promote strong communities, a strong economy and a healthy environment; and
- d) provide for economic development that is compatible with the purpose of the settlement areas (above) and clauses a, b and c above.”

2.7 By renumbering the following sections, and their respective subsections, in Section 3 (Community Structure) as follows:

3.2	Greenlands	to 3.3
3.3	Major Land Use Corridors	to 3.4
	3.3.1 Central Corridor	to 3.4.1
	3.3.2 Keele Street Corridor	to 3.4.2
3.4	Community Edges	to 3.5
3.5	Community Focus Areas	to 3.6

	3.5.1	Core Area		to 3.6.1
	3.5.2	GO Station Area		to 3.6.2
3.6		Major Gateways		to 3.7
3.7		Residential Districts		to 3.8
3.8		Employment Areas		to 3.9

2.8 By amending Section 4.2.1 (Purpose) as follows:

- i) Deleting the phrase “in keeping with provincial guidelines” in the second paragraph and replacing it with the following phrase:

“in conformity with the Oak Ridges Moraine Conservation Plan”

- ii) Adding the following text to the third paragraph after the text “Natural Heritage System”:

“within the Settlement Area”

- iii) Deleting the word “Zones” in bullet iii) and replacing it with the following phrase:

“Minimum Areas”

- iv) Adding the following sentence to the end of the section:

“The Natural Core Area found on Schedule A is also part of the Natural Heritage System for King City and the policies relating to it are found within Section 7.19.”

2.9 By deleting clause 4.2.2 i) (Environmental Protection Area) and replacing it with the following text:

- “i) The Environmental Protection Area designation, as shown on Schedule “A“, includes the following existing natural features;
  - a) Provincially and Locally Significant Wetlands, and an additional minimum 30 metre vegetation protection zone, subject to section 4.2.4 (iii) if a natural heritage evaluation is required;
  - b) Significant Portions of Habitat of Endangered, Rare, and Threatened Species, and an additional vegetation protection zone of a size to be determined by a natural heritage evaluation carried out under section 4.2.4 (iii);
  - c) Fish Habitat, and an additional minimum 30 metre vegetation protection zone from any part of the feature,



- subject to section 4.2.4 (iii) if a natural heritage evaluation is required;
- d) Areas of natural and scientific interest (life science), and an additional minimum vegetation protection zone of a size to be determined by a natural heritage evaluation carried out under section 4.2.4 (iii);
  - e) Areas of natural and scientific interest (earth science), and an additional minimum vegetation protection zone of a size to be determined by an earth science heritage evaluation carried out under section 4.2.4 (v);
  - f) Significant Woodlands, and an additional minimum 30 metre vegetation protection zone from the base of the outermost tree trunks within the woodland, subject to section 4.2.4 (iii) if a natural heritage evaluation is required;
  - g) Forested Areas not identified as Significant Woodlands and an additional minimum 10 metre vegetation protection zone beyond the forest dripline;
  - h) Permanent and Intermittent Stream Corridors, waterbodies except for Kettle Lakes, and flood susceptible areas. The boundary of stream corridors shall be determined as the greater of
    - (i) the regulatory floodplain when the upstream drainage area is greater than 125 hectares and an additional minimum 10 metre buffer;
    - (ii) the predicted meander belt of the watercourse, expanded as required to convey the major system flows and an additional minimum 30 metre vegetation protection zone; or
    - (iii) the vegetation protection zone of 30 metres shoreward from the top of the average annual high water mark.
  - i) Seepage Areas and Springs, and an additional minimum 30 metre vegetation protection zone from any part of the feature, subject to section 4.2.4 (iii);
  - j) Significant Valleylands, and an additional minimum 30 metre vegetation protection zone from the stable top of bank, subject to section 4.2.4 (iii) if a natural heritage evaluation is required;
  - k) Valley Corridors not identified as Significant Valleylands, including the greater of (i) a minimum 30 metre vegetation protection zone shoreward from the top of the average annual high water mark or (ii) the stable/predicted stable top of bank, as verified by the Toronto and Region Conservation Authority, and an additional 10 metre buffer vegetation protection zone.

- l) Significant wildlife habitat and a minimum 120 metre vegetation protection zone immediately adjacent to around such areas, as determined by a natural heritage evaluation carried out under section 4.2.4 (iii); and
- m) Environmentally Significant Areas identified by the Toronto and Region Conservation Authority.

and where there is any inconsistency between the text of this section and Schedule "A", this section shall prevail."

- 2.10 By deleting the text "Environmental Impact Study" in clause 4.2.2 (ii) and replacing it with the following:

"natural heritage evaluation and /or hydrological evaluation"

- 2.11 By deleting clause 4.2.2 (iii) and renumbering clause 4.2.2 (iv) to 4.2.2 (iii).

- 2.12 By deleting the phrase "land disturbances" in newly numbered subsection 4.2.2 (iv) and replacing it with the following text:

"site alterations"

- 2.13 By renumbering 4.2.2 v) to 4.2.2 iv) and replacing it with the following text:

"iv) The only exceptions to Section 4.2.2 iii) are the following uses and facilities, provided that prior to approving the location/construction of such uses, a Functional Servicing Study shall be prepared demonstrating the need for such a use or facility and that there is no negative impact on the functions and features of the Environmental Protection Area during both the construction and post-development phases, and subject to the satisfaction of the Township in consultation with the Toronto and Region Conservation Authority and the Region of York:

- a) development or site alteration for required stream bank erosion protection, but only if they have been demonstrated to be necessary in the public interest after all alternatives have been considered, and fish, wildlife and conservation management;
- b) a limited number of roads, infrastructure, and utilities which may be permitted to cross Environmental Protection Areas in the Landform Conservation Area - 4 designation on

Schedule "A" and the following designations on Schedule "C":

- Estate Residential 3 Area;
- 30 metre (100 foot) vegetation protection zone in the Low Density Residential 2 Area in the area bounded by King Road, the Existing Community boundary and Jane Street;
- Low Density Residential 1 Area in the area bounded by King Road, Dufferin Street, and the Existing Community boundary; and,
- Low Density Residential 5 Area and Low Density Residential 4 Area.

- c) unpaved pedestrian trails or other similar passive recreation use, as described in section 8.5;
- d) minor storm drainage works and overflow valves (or other equivalent mechanisms or features) for internally draining areas that are demonstrated to be necessary for the conservation of the area and where there will be net environmental benefits, as determined by the Toronto and Region Conservation Authority;"

2.14 By inserting the following clauses after the newly numbered clause 4.2.2 iv):

- "v) Except as permitted in subsection (vi), with respect to land in an Environmental Protection Area, all new transportation, infrastructure and utilities uses and all upgrading or extension of existing transportation, infrastructure and utilities uses, including the opening of a road within an unopened road allowance, are prohibited.
- vi) Transportation, infrastructure, and utilities uses may be permitted to cross an Environmental Protection Area if the applicant demonstrates that,
  - a) the need for the project has been demonstrated and there is no reasonable alternative;
  - b) the planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Plan Area to a minimum;
  - c) the design practices adopted will maintain, and where possible improve or restore, key ecological and recreational

linkages, including the trail system referred to in section 8.5 (Oak Ridges Moraine Trail System);

- d) the landscape design will be adapted to the circumstances of the site and use native plant species as much as possible, especially along rights of way; and
- e) the long-term landscape management approaches adopted will maintain, and where possible improve or restore, the health, diversity, size and connectivity of the key natural heritage feature or hydrologically sensitive feature.”

2.15 By amending clause 4.2.2. vii) a) as follows:

- i) Deleting the phrase “open space” and replacing it with:  
“low intensity”
- ii) Inserting the following phrase after the phrase “recreational use”  
“as permitted in section 7.19.3 (vii)”

2.16 By renumbering the following clauses of Section 4.2.2 as follows:

- vi) to vii)
- vii) to viii)
- viii) to ix)
- ix) to x)
- x) to xi)

2.17 By deleting Section 4.2.3 “Environmental Buffers” and replacing it with the following section:

#### **4.2.3 Minimum Vegetation Protection Zones**

- i) Minimum vegetation protection zones shall be provided immediately adjacent to the key natural heritage features in the Environmental Protection Area designation and such buffers form part of this designation. Minimum vegetation protection zones are necessary to minimize potential conflict between human activities and sensitive environmental features and to ensure that there will be no negative impacts on the natural features or the ecological functions for which the Environmental Protection Area has been identified.
- ii) In areas in the Existing Community, as designated on Schedule 'C', where minimum vegetation protection zones

have not been created, or in areas where development or site alteration is not being permitted or proposed, opportunities to establish minimum vegetation protection zones will be explored as part of the Resource Management Plan described in Section 4.5 or, where redevelopment occurs.

- iii) In all areas within the Plan where development or site alteration is proposed, the size and extent of minimum vegetation protection zones, the form they take, and the uses set out in section 4.2.3 iv) which may be permitted within the minimum vegetation protection zone, shall be in accordance with section 4.2.2 and shall be identified through a Functional Servicing Study. The Functional Servicing Study will include an Environmental Impact Statement. The extent of the buffers recommended in the Environmental Impact Statement will be to the satisfaction of the Region of York and the Toronto and Region Conservation Authority. However, the minimum buffers identified in Section 4.2.2 ii) shall be required in all cases.
- iv) Development or site alteration in the minimum vegetation protection zone portion of the Environmental Protection Area designation shall be prohibited except for those uses and facilities set out in, and in accordance with the policies and criteria of, Section 4.2.2 iv). In addition, naturalized stormwater management facilities may be permitted in an environmental buffer if the Functional Servicing Study demonstrates that the policies and criteria of Section 4.2.2 iv) have been met to the satisfaction of the Township in consultation with the Toronto and Region Conservation Authority and the Region of York.
- v) Minimum vegetation protection zones may be included in the net development area of a parcel of land only where the entire buffer area located on such parcel is to be held in single ownership or is to be conveyed to the Township or other public agency. In addition, the buffer area shall be zoned in an appropriate environmental protection zone and the developer shall agree in the appropriate development agreement to include clauses in all agreements of purchase and sale advising prospective purchasers of the restrictions on the use of that portion of the lot or parcel.

2.18 By deleting section 4.2.4 (Zones of Influence) and replacing it with the following section and table:

#### **4.2.4 Minimum Areas of Influence**

- i) The continuation of agricultural uses may be permitted in a Minimum Area of Influence without a natural heritage evaluation and/or hydrological evaluation. All other development or site alteration may only be permitted in a Minimum Area of Influence, where it has been demonstrated through a natural heritage evaluation and/or hydrological evaluation to the satisfaction of the Township, in consultation with the Region of York and the Toronto and Region Conservation Authority, that:
  - a) it will not negatively impact on the natural features or the ecological functions for which the key natural heritage or hydrological feature has been identified; and,
  - b) it will maintain, and improve where possible, the diversity of natural features in the area and the natural connections between them.
  
- ii) Minimum Areas of Influence, shown in Column 3 of the Table to this part, shall be provided immediately adjacent to the natural features in the Environmental Protection Area designation and such areas form part of this designation. Minimum Areas of Influence are necessary to minimize potential conflict between human activities and sensitive environmental features and to ensure that there will be no negative impacts on the natural features or the ecological functions for which the Environmental Protection Area has been identified.
  
- iii) An application for development or site alteration with respect to land within the Minimum Area of Influence that relates to a natural feature listed in section 4.2.2 i), but outside the feature itself, and the related minimum vegetation protection zone shall be accompanied by a natural heritage evaluation and/or hydrological evaluation that shall, to the satisfaction of the Region of York and the Toronto and Region Conservation Authority:
  - a) demonstrate that the development or site alteration applied for will have no adverse effects on the feature or on the related ecological / hydrological functions;

- b) identify planning, design and construction practices that will maintain and, where possible, improve or restore the health, diversity and size of the feature and its connectivity with other features;
  - c) in the case of an application relating to land in a Natural Core Area, demonstrate how connectivity within and between key natural heritage features will be maintained and, where possible, improved or restored before, during and after construction;
  - d) if the Table to this part specifies the dimensions of a minimum vegetation protection zone, determine whether it is sufficient, and if it is not sufficient, specify the dimensions of the required minimum vegetation protection zone and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it;
  - e) if section i) does not specify the dimensions of a minimum vegetation protection zone, determine whether one is required, and if one is required, specify the dimensions of the required minimum vegetation protection zone and provide for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it; and
  - f) in the case of a feature that is fish habitat, ensure compliance with the requirements of the Department of Fisheries and Oceans (Canada).
- iv) In the case of Areas of Natural and Scientific Interest (Life Science), the basis on which the determination and specification mentioned in clause (v) is done shall include, without limitation, an analysis of land use, soil type, slope class and vegetation type, using criteria established by the Government of Ontario, as amended from time to time.
- v) An application for development or site alteration with respect to land in an area of natural and scientific interest (earth science) or the related minimum area of influence shall be accompanied by an earth science heritage evaluation that,
- a) identifies planning, design and construction practices that will ensure protection of the geological or geomorphological attributes for which the area of natural and scientific interest was identified; and

- b) determines whether a minimum vegetation protection zone is required, and if so, specifies the dimensions of that zone and provides for the maintenance and, where possible, improvement or restoration of natural self-sustaining vegetation within it.



**Table 1 - Key Natural Heritage Features, Hydrologically Sensitive Features and Areas of Natural and Scientific Interest (Earth Science): Minimum Areas of Influence and Minimum Vegetation Protection Zones within the Oak Ridges Moraine**

<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>	<b>COLUMN 4</b>
<b>Item</b>	<b>Feature</b>	<b>Minimum Area of Influence</b>	<b>Minimum Vegetation Protection Zone</b>
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 4.2.4 (iii)(d) 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 4.2.4 (iii)
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 4.2.4 (iii)(d) 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 4.2.4 (iii)
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 4.2.4 (v)
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 4.2.4 (iii)(d) 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 outermost tree trunks within the woodland, subject to clause 4.2.4 (iii)(d) if a natural heritage evaluation is required
8	Significant wildlife habitat	All land within 120 metres of any part of feature	As determined by a natural heritage evaluation carried out under section 4.2.4 (iii)
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 4.2.4 (iii)(d) if a natural heritage evaluation is required
10	Kettle lakes	All land within 120 metres of the surface catchment area	All land within the surface catchment area or within 30 metres of any part of feature, whichever is greater, subject to clause 4.2.4 (iii)(d) if a hydrological evaluation is required
11	Permanent and intermittent streams	All land within 120 metres of meander belt	All land within 30 metres of meander belt, subject to clause 4.2.4 (iii)(d) and subsection 4.2.4 (iv) 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 any part of feature, subject to clause 4.2.4 (iii)(d) and subsection 4.2.4 (iv) if a hydrological evaluation is required

- 2.19 By amending Section 4.2.8 (Special Policy) as follows:
- i) Deleting the phrase “environmental buffers” and replacing it with the following:  
  
“Minimum Vegetation Protection Zone”
  - ii) Deleting the phrase “an Environmental Impact Study” and replacing it with the following:  
  
“a natural heritage evaluation and/or hydrological evaluation”
- 2.20 By adding the following phrase to the second paragraph of Section 4.3.1 (Purpose) after the phrase “Natural Heritage System and Landform Conservation Areas”:
- “and Schedule ”E“, Oak Ridges Moraine Landform Conservation Areas”
- 2.21 By adding the following clause to Section 4.3.2 (Existing Urban Area) after clause ii):
- “iii) Notwithstanding section ii) above, where development or site alteration is proposed on the remaining undeveloped lands in this designation located within Oak Ridges Moraine Landform Conservation Areas (ORMLCA) Category 1 and 2, as shown on Schedule E, a Landform Conservation Plan shall be submitted with any application. Such a Plan will be designed to ensure that any development will minimize grading, protect essential landform features and establish environmental buffers and connecting links between lands in the Environmental Protection Area designation. In addition, where appropriate, alternative development approaches, such as clustering, shall be encouraged in this area to maximize open space and establish significant separation distances between lands in the Environmental Protection Area designation and any buildings.”
- 2.22 By adding the following clause to Section 4.3.3 (Standard Development Area) after clause ii):
- “iii) Notwithstanding section ii) above, where development or site alteration is proposed on the remaining undeveloped lands in this designation located within Oak Ridges Moraine Landform Conservation Areas (ORMLCA) Category 1 and 2, as shown on Schedule E, a Landform Conservation Plan shall be submitted with any application. Such a Plan will be designed to ensure that any

development will minimize grading, protect essential landform features and establish environmental buffers and connecting links between lands in the Environmental Protection Area designation. In addition, where appropriate, alternative development approaches, such as clustering, shall be encouraged in this area to maximize open space and establish significant separation distances between lands in the Environmental Protection Area designation and any buildings.

2.23 By amending Section 4.3.4 (Landform Conservation Area – 1) as follows:

- i) Renaming the section as “Landform Conservation Area – A”
- ii) Deleting the text “Landform Conservation Area – 1” in clause i) and replacing it with the following:

“Landform Conservation Area – A”

- iii) Adding the following text to clause iii) after the words “Where development”:

“or site alteration”

2.24 By amending Section 4.3.5 (Landform Conservation Area – 2) as follows

- i) Renaming the section as “Landform Conservation Area – B”
- ii) Deleting the text “Landform Conservation Area – 2” in clause i) and replacing it with the following:

“Landform Conservation Area – B”

- iii) Adding the following text to clause iii) after the words “Where development”:

“or site alteration”

2.25 By amending Section 4.3.6 (Landform Conservation Area – 3) as follows

- i) Renaming the section as “Landform Conservation Area – C”
- ii) Deleting the text “Landform Conservation Area – 3” in clause i) and replacing it with the following:

“Landform Conservation Area – C”

- iii) Adding the following text to clause iii) after the words “Where development”:

“or site alteration”

2.26 By amending Section 4.3.7 (Landform Conservation Area – 4) as follows

- i) Renaming the section as “Landform Conservation Area – D”
- ii) Deleting the text “Landform Conservation Area – 4” in clause i) and replacing it with the following:

“Landform Conservation Area – D”

- iii) Adding the following text to clause iii) after the words “Where development”:

“or site alteration”

- iv) Deleting the phrase “an Environmental Impact Study” in clause iii) and replacing it with the following:

“a natural heritage evaluation and/or hydrological evaluation”

2.27 By adding the following clause to Section 4.4.2 (General Water Management Guidelines - Storm Water Criteria) after clause i):

- “ii) For the purposes of stormwater management, the minimum standard for water quality shall be the removal of 80 per cent of suspended solids from stormwater runoff as a long-term average”

2.28 By renumbering clause ii) of Section 4.4.2 (General Water Management Guidelines - Storm Water Criteria) as clause iii)

2.29 By deleting Section 4.4.3 (General Water Management Guidelines – Groundwater) and replacing it with the following text:

- “i) A water budget and conservation plan will be prepared by the Region of York as required by the Oak Ridges Moraine Conservation Plan.

Groundwater shall be managed to protect, and where possible enhance, its quality and quantity. In addition, design measures shall be identified to ensure that fish habitat is protected and enhanced.

Specifically, the water budget and conservation plan shall, at a minimum:

- (a) quantify the components of the water balance equation, including precipitation, evapotranspiration, groundwater inflow and outflow, surface water outflow, change in storage, water withdrawals and water returns;
- (b) characterize groundwater and surface water flow systems by means of modelling;
- (c) identify
  - (i) targets to meet the water needs of the affected ecosystems,
  - (ii) the availability, quantity and quality of water sources, and
  - (iii) goals for public education and for water conservation;
- (d) develop a water-use profile and forecast;
- (e) evaluate plans for water facilities such as pumping stations and reservoirs;
- (f) identify and evaluate,
  - (i) water conservation measures such as public education, improved management practices, the use of flow-restricting devices and other hardware, water reuse and recycling, and practices and technologies associated with water reuse and recycling,
  - (ii) water conservation incentives such as full cost pricing, and
  - (iii) ways of promoting water conservation measures and water conservation incentives;
- (g) analyse the costs and benefits of the matters described in clause (f);
- (h) require the use of specified water conservation measures and incentives;
- (i) contain an implementation plan for those specified measures and incentives that reconciles the demand for water with the water supply;

- (j) provide for monitoring of the water budget and water conservation plan for effectiveness.

Within this context, groundwater management shall be addressed through Functional Servicing Studies based on terms of reference established to the satisfaction of the Township, the Toronto and Region Conservation Authority, and the Region of York.

Where the results of a Functional Servicing Study indicate that development of lands within the quadrant or catchment area to which the Study applies will result in an unacceptable impact(s) to the hydrogeological function of the Oak Ridges Moraine in that quadrant or catchment area, the extent, form and/or density of development shall be reduced or restricted in accordance with the recommendations of the Functional Servicing Study. Any area identified as non-developable shall be zoned in an appropriate environmental protection zone.

- ii) For every application commenced on or after April 23, 2007, major development is prohibited unless,
  - a) the major development conforms with the watershed plan prepared by the Region of York; and
  - b) the water budget and conservation plan prepared by the Region of York demonstrate that the water supply required for the major development is sustainable
- iii) For every application commenced before April 23, 2007, except for an application commenced on or after April 22, 2004 that relates to the part of the Region of York that is served by the Yonge Street aquifer, an application for major development shall not be approved unless,
  - a) the Region of York has complied with ii (b); or
  - b) the applicant,
    - i. identifies any hydrologically sensitive features and related hydrological functions on the site and how they will be protected,
    - ii. demonstrates that an adequate water supply is available for the development without compromising the ecological integrity of the Plan Area, and
    - iii. provides, with respect to the site and such other land as the approval authority considers necessary, a water budget and water conservation plan that,

- (A) characterizes groundwater and surface water flow systems by means of modelling,
- (B) identifies the availability, quantity and quality of water sources, and
- (C) identifies water conservation measures”

2.30 By adding the following subsections to Section 4.4 (Water Management) after subsection 4.4.7 (Water Management Unit – 3):

**4.4.8 Subwatersheds**

- i) With respect to land in Natural Core Areas, all development and site alteration with respect to land in a subwatershed are prohibited if they would cause the total percentage of the area of the subwatershed that has impervious surfaces to exceed,
  - a) 10 per cent; or
  - b) any lower percentage specified in the applicable watershed plan.
- ii) In considering applications for development or site alteration with respect to land in Natural Core Areas in a subwatershed, the Municipality shall take into account the desirability of ensuring that at least 30 per cent of the area of the subwatershed has self-sustaining vegetation..
- iii) In considering applications for development or site alteration with respect to land in a subwatershed the Township shall consider the importance of,
  - a) ensuring that natural vegetation is maintained, and where possible improved or restored; and
  - b) keeping to a minimum impervious surfaces and their impact on water quality and quantity.

**4.4.9 Wellhead Protection Areas**

- i) With the exception of existing uses, buildings, and structures referred to in section 12.3.3, the following uses are prohibited with respect to land in wellhead protection areas shown on Schedule D:
  - a) Storage, except by an individual for personal 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.
  - b) Generation and storage of hazardous waste or liquid industrial waste.
  - c) Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.
- ii) With the exception of existing uses, buildings, and structures referred to section 12.3.3, and areas where wellhead protection policies have been incorporated into this official plan, the following uses are prohibited with respect to land in the zero to two year time of travel zone within every wellhead protection area
- a) Storage of animal manure, except by an individual for personal or family use.
  - b) Animal agriculture, except by an individual for personal or family use.
  - c) Storage of agricultural equipment, except by an individual for personal or family use.
- iii) Every person who carries on a use listed in subsection i) or ii), 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 i) or ii), as the case may be, and their release into the environment.

#### **4.4.10 Areas Of High Aquifer Vulnerability**

- i) With the exception of existing uses, buildings, and structures referred to in sections 12.3.3 i) and ii), the following uses are prohibited with respect to land in areas of high aquifer vulnerability, as shown on Schedule F of this Plan:
  - a) Generation and storage of hazardous waste or liquid industrial waste.



- b) Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.
  - c) Underground and above-ground storage tanks that are not equipped with an approved secondary containment device.
  - d) Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.
- ii) The Township shall consider requesting the Region to restrict haulage routes for the transportation of chemicals and volatile materials through King City along Keele Street north of King Road.”

2.31 By adding the following subsection to Section 5.2 (Water Supply And Distribution) after Subsection 5.2.4 (Water Services to Institutional Uses):

**“5.2.5 Partial Services**

The construction or expansion of partial services is prohibited, with the exception of construction or expansion:

- (a) That is necessary to address a serious health concern or environmental concern.
- (b) That was approved under the Environmental Assessment Act before November 17, 2001; and the period of time during which the construction or expansion may begin has not expired.”

2.32 By adding the following clause to Subsection 5.3.2 (New Development) after clause ii):

- “iii) An application for major development shall be accompanied by a sewage and water system plan that demonstrates:
- a) that the ecological integrity of hydrological features and key natural heritage features will be maintained;
  - b) that the quantity and quality of groundwater and surface water will be maintained;
  - c) that stream baseflows will be maintained;
  - d) that the project will comply with the applicable watershed plan and water budget and conservation plan; and
  - e) that the water use projected for the development will be sustainable.”

2.33 By amending Subsection 5.3.3 (Design of Sewer System) as follows:

- v) Numbering the existing text as clause i)
- vi) Adding the following new text after clause i):
  - “ii) Water and sewer service trenches shall be planned, designed and constructed so as to keep disruption of the natural groundwater flow to a minimum.”

2.34 By amending Subsection 5.4.2 (Design of Sewer System) as follows:

- i) Numbering the existing text as clause i)
- ii) Adding the following new text after clause i):
  - “ii) Municipal design criteria shall incorporate planning, design and construction practices that will,
    - (a) reduce the portions of lots and sites that have impervious surfaces; and
    - (b) provide the flexibility to use alternative stormwater management techniques such as directing roof discharge to rear yard ponding areas and using grassed swales.
  - iii) Despite anything else in this Plan, the following are prohibited:
    - (a) new stormwater management ponds with respect to land in key natural heritage features and hydrologically sensitive features.
    - (b) new rapid infiltration basins and new rapid infiltration columns”

2.35 By adding the following clause to Subsection 6.1.3 (Land Uses Permitted in all Designations) after clause vi):

- “vii) transportation, infrastructure and utilities uses as long as they are in accordance with section 4.2.2 vi) including:
  - (a) public highways;
  - (b) transit lines, railways and related facilities;
  - (c) gas and oil pipelines;
  - (d) sewage and water service systems and lines and stormwater management facilities;
  - (e) power transmission lines;
  - (f) telecommunications lines and facilities, including broadcasting towers;

- (g) bridges, interchanges, stations, and other structures, above and below ground, that are required for the construction, operation or use of the facilities listed in clauses (a) to (f); and
- (h) rights of way required for the facilities listed in clauses (a) to (g).”

2.36 By adding the following subsection after Subsection 6.1.3:

**“6.1.4 Land Use Policies related to all Designations**

- i) New lots may be created in the Existing Community, subject to the provisions of section 4 (Environmental Conservation Strategy).
- ii) With respect to land in the Existing Community that does not include a natural feature within an Environmental Protection Area, an application for site plan approval under section 41 of the Planning Act is not required to comply with any provisions of the Oak Ridges Moraine Conservation Plan.
- iii) An application for site plan approval under 41 of the Planning Act that does include a natural feature within an Environmental Protection Area is still not required to comply with the Oak Ridges Moraine Conservation Plan if it relates to land in respect of which any of the following was commenced before November 17, 2001 and approved after that date:
  - a) an application for an amendment to a zoning by-law;
  - b) an application for approval of a plan of subdivision under Section 51 of the Planning Act; and,
  - c) an application for approval or exemption from approval for a plan of condominium under Section 9 of the Condominium Act, 1998.
- iv) With respect to land in the Existing Community, nothing in this Plan applies to prevent a use or the erection or location of a building or structure if,
  - a) the use, erection and location would have been permitted by the applicable zoning by-law on November 15, 2001;

- b) the use is permitted by the applicable official plan and zoning by-laws as amended in accordance with sections 9 and 10 of the Act to bring them into conformity with this Plan, although the erection and location do not comply with the provisions listed in section 4 (Environmental Conservation Strategy);
- c) the use, erection and location conform to sections 4.4.9 (Wellhead Protection Areas) and 4.4.10 (Areas of High Aquifer Vulnerability), subsections 5.4.2 (iii); and
- d) the applicant demonstrates, to the extent possible, that the use, erection or location will not adversely affect the ecological integrity of the Plan Area.

2.37 By amending Subsection 6.4.3 (Land Use Policies) as follows:

- i) Deleting the phrase “and Environmental Impact Study” in the final paragraph of clause ii) and replacing it with the following:

“a natural heritage evaluation and/or hydrological evaluation”

- ii) Deleting the phrase “an Environmental Impact Study” in clause iv) and replacing it with the following:

“a natural heritage evaluation and/or hydrological evaluation”

2.38 By adding the following paragraph to Subsection 7.1.1 (Purpose) after the first paragraph:

“The Oak Ridges Moraine Conservation Plan designates all the lands within the King City community as Settlement Area, except for those designated Natural Core Area in the southeast and southern portions of the plan area, as shown on Schedule C and except for a small area in the south west corner of the community which is outside of the Oak Ridges Moraine.”

2.39 By amending Subsection 7.1.3 (Land Uses Permitted in all Designations) as follows:

- i) Adding the following text to the first paragraph after the phrase “in all designations except for the”:

“Oak Ridges Moraine Natural Core Area designation, which is subject to the policies of Section 7.2 of this Plan, and the”

- ii) Adding the following clause after clause x):

- “xi) transportation, infrastructure and utilities uses including:
  - (a) public highways;
  - (b) transit lines, railways and related facilities;
  - (c) gas and oil pipelines;
  - (d) sewage and water service systems and lines and stormwater management facilities;
  - (e) power transmission lines;
  - (f) telecommunications lines and facilities, including broadcasting towers;
  - (g) bridges, interchanges, stations, and other structures, above and below ground, that are required for the construction, operation or use of the facilities listed in clauses (a) to (f); and
  - (h) rights of way required for the facilities listed in clauses (a) to (g).”

2.40 By amending Subsection 7.17.1 (Purpose) by adding the following to the end of the last sentence after “Rural Area designation on Schedule ”C”:

“and all of the policies of section 4 of this Plan and the requirements of the Oak Ridges Moraine Conservation Plan shall apply.”

2.41 By adding the following section to Part 7 (Land Use Strategy – Lands Surrounding Existing Community) after Section 7.18 (Minimum Distance Separation Requirement):

**“7.19 OAK RIDGES MORAINÉ NATURAL CORE AREA**

**7.19.1 Purpose**

The purpose of Natural Core Areas is to maintain and where possible improve or restore the ecological integrity of the Plan Area,

**7.19.2 Permitted Uses, Buildings and Structures**

The following uses are permitted with respect to land in Natural Core Areas, subject to section 4 (Environmental Conservation Strategy):

- i) Fish, wildlife and forest management.
- ii) Conservation projects and flood and erosion control projects.
- iii) Agricultural uses.
- iv) Transportation, infrastructure, and utilities as described in subsections 7.19.3 (ix) and (x), but only if the need for the

project has been demonstrated and there is no reasonable alternative.

- v) Bed and breakfast establishments
- vi) Home businesses
- viii) Low-intensity recreational uses as described in subsections 7.19.3 (vii) and (viii).
- ix) Unserviced parks.
- x) Uses accessory to the uses listed above.

### **7.19.3 Land Use Policies**

- i) 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.
- ii) A lot may be created only in the following circumstances, and subject to policies in section 4.2 :
  - (a) Severance, from a rural lot, of a farm retirement lot or a lot for a residence surplus to a farming operation as a result of farm consolidation. The maximum permitted is a cumulative total of one such severance for each rural lot. All consents granted on or after January 1, 1994 are included in the calculation of the cumulative total. This applies whether the transaction takes the form of a conveyance, a lease for twenty-one years or more, or a mortgage.
  - (b) Severance from each other of two or more rural lots that have merged in title. The severance shall follow the original lot lines or original half lot lines.
  - (c) Allowing land acquisition for transportation, infrastructure, and utilities as described in (ix) to (x) of this section, but only if the need for the project has been demonstrated and there is no reasonable alternative.
  - (d) The addition of adjacent land to an existing lot, but only if the adjustment does not result in the creation of a lot that is undersized for the purpose for which it is being or may be used.
  - (e) Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation.

- (f) Severance from each other of parts of a lot that are devoted to different uses, but only if the uses are legally established at the time of the application for severance.
- iii) A lot may be created only if there is enough net developable area on both the severed lot and the remainder lot to accommodate proposed uses, buildings and structures and accessory uses without encroachment on key natural heritage features or hydrologically sensitive features.
- iv) When a lot is created, the applicant shall enter into a site plan agreement or other agreement with the municipality to establish conditions requiring that natural self-sustaining vegetation be maintained or restored in order to ensure the long-term protection of any key natural heritage features and hydrologically sensitive features on the lot.
- v) A lot shall not be created if this would extend or promote strip development.
- vi) Permitted uses accessory to agricultural uses include, but are not limited to,
  - (a) the roadside sale of produce of the farm operation;
  - (b) the manufacture of value-added products from produce of the farm operation if the value-added products are naturally and normally incidental to the farm use; and
  - (c) additional dwellings, where the nature of the farm operation requires farm families or employees to be accommodated on the farm, if the applicant demonstrates that the dwelling,
    1. is required to house help that is needed on the farm operation on a seasonal or full time basis,
    2. is located in close proximity to the existing farm buildings and utilizes the same driveway access as the principle residence,
    3. is a temporary use if it is a mobile or portable dwelling,
    4. does not require a consent under section 50 or 53 of the Planning Act, and complies with the provisions of section 5.6 and 5.7 of the Region of York Official Plan

- 5. will not adversely affect the ecological integrity of the Plan Area, and
    - 6. does not require a severance, with the exception of criteria outlined in Section 7.19.3 ii)
  - (d) mobile homes, which may be permitted as a temporary use
- vii) Permitted recreational uses are low-intensity recreational uses that have minimal impact on the natural environment, and require very little terrain or vegetation modification and few, if any, buildings or structures, including but not limited to the following:
  - (a) Non-motorized trail uses.
  - (b) Natural heritage appreciation.
  - (c) Unserviced camping on public and institutional land.
  - (d) Accessory uses.
- viii) Small-scale structures accessory to low-intensity recreational uses, such as trails, boardwalks, foot bridges, fences, docks and picnic facilities, are permitted only if the applicant demonstrates that the adverse effects on the ecological integrity of the Plan Area will be kept to a minimum by,
  - (a) keeping disturbed areas to a minimum; and
  - (b) avoiding the most sensitive portions of the site, such as steep slopes, organic soils and significant portions of the habitat of endangered, rare or threatened species.
- ix) An application for a transportation, infrastructure or utilities use with respect to land in a Natural Core Area shall not be approved unless the applicant demonstrates that:
  - (a) the need for the project has been demonstrated and there is no reasonable alternative; and
  - (b) the applicant demonstrates that the following requirements will be satisfied, to the extent that is possible while also meeting all applicable safety standards:
    - 1. The area of construction disturbance will be kept to a minimum.
    - 2. Right of way widths will be kept to the minimum that is consistent with meeting



other objectives such as stormwater management and with locating as many transportation, infrastructure, and utility uses within a single corridor as possible.

3. The project will allow for wildlife movement.
  4. Lighting will be focused downwards and away from Natural Core Areas.
  5. The planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Plan Area to a minimum.
- (c) the project does not include and will not in the future require a highway interchange or a transit or railway station in a Natural Core Area; and
- (d) the project is located as close to the edge of the Natural Core Area as possible
- x) Service and utility trenches for transportation, infrastructure and utilities shall be planned, designed and constructed so as to keep disruption of the natural groundwater flow to a minimum.
- xi) Pursuant to Section 48 of the Oak Ridges Moraine Conservation Plan and Section 15(2) of the Oak Ridges Moraine Conservation Act, the only provisions of this Plan that apply to applications for development or site alteration in a Natural Core Area, which were commenced before November 17, 2001 and for which no decision had been made on November 17, 2001, are as follows:
- (a) Subsection (i) of this section, 4.2.2 (i), and 4.2.3 (ii)
  - (b) Clause 5.3.2 (iii) (b)
  - (c) Clause 5.4.2 (iii)”

2.42 By adding the following text to Section 8.2 (King City By-Pass) after the phrase “for a by-pass route for King City”:

“, as consistent with the policies of section 4.2.2 of this Plan”

2.43 By amending Section 8.5 (Trail System) as follows:

- i) Numbering the paragraph as subsection 8.5.1
- ii) Adding the following subsection following newly numbered subsection 8.5.1:

“8.5.2 For lands within the Natural Core Area, the Oak Ridges Moraine Conservation Plan states that a recreational trail system shall be established to provide continuous access and travel within the Oak Ridges Moraine, accessible to all including persons with disabilities.

The trail system shall,

- (i) be designed to maintain and, where possible, improve or restore the ecological integrity of the Plan Area;
- (ii) be located in the Natural Core Areas and Natural Linkage Areas as much as possible;
- (iii) be located away from unopened road allowances as much as possible.

Despite anything else in this Plan, the following uses, buildings and structures are permitted on the trail system:

- (i) Non-motorized trail uses, and the use of motorized wheelchairs by persons who need them for mobility.
- (ii) Parking, signage, washrooms and interpretive facilities to support access to the trail system.
- (iii) Fencing to define and protect the trails.
- (iv) Works to improve access to the trail system and remove barriers to its use, for the benefit of all including persons with disabilities.”

2.44 By amending Subsection 10.2.2 (Information Requirements) as follows:

- i) Adding the following text after clause ii) a) and renumbering clauses b) to c) and c) to d):

“b) for major development, demonstrating an integrated treatment train approach that uses a planned sequence of methods of controlling stormwater and keeping its impact to a minimum by techniques including, without limitation,

- lot level controls such as devices and designs that direct roof discharge to rear
- yard ponding areas;
- conveyance controls such as grassed swales; and
- end-of-pipe controls such as wet ponds at the final discharge stage.”

- ii) Deleting the following word from clause 10.2.2 ii) b):

“stormwater”

- iii) Adding the following phrase after the phrase “and Landform Conservation Areas” in clause iv) (Natural Heritage System):

“and Schedule ‘E’, Landform Conservation Areas”

2.45 By amending Subsection 10.2.3 (Development Evaluation Criteria) as follows:

- i) Adding the following text to clause iii) (Natural Heritage System and Landform Conservation Areas) after the text “as part of the Natural Heritage System and Landform Conservation Areas”

“and on Schedule ‘E’ as part of Landform Conservation Areas”

- ii) By deleting clause iv) (Landform Considerations) of Subsection 10.2.3 (Development Evaluation Criteria) and replacing it with the following text:

“iv) Landform Considerations

The applicant must demonstrate that the planning, design and construction of the development shall minimize changes to the basic topographic character of the site and keep the removal of vegetation, grading, and soil compaction to the minimum required, having regard to drainage issues.

Furthermore, all applications shall demonstrate that the planning, design and construction of the development will also:

- a) keep all sediment that is eroded during construction within the site;
- b) seed or sod exposed soils as soon as possible after construction; and
- c) keep chemical applications to suppress dust and control pests and vegetation to a minimum.

In considering an application for development or site alteration, the Township shall seek to reduce areas with impervious surfaces and increase areas retained in a natural undisturbed state, in order to minimize stormwater volumes and contaminant loads.”

- iii) By deleting the word “discouraged” in clause v) (Watercourses) and replacing it with the following word:

“prohibited”

2.46 By amending Subsection 10.3.2 (Information Requirements) as follows:

- i) Adding the following text to the end of clause c) of subsection i) (Functional Servicing Study):

“The Plan shall be prepared in accordance with the Region of York’s watershed plan.”

- ii) Adding the following text as the first bullet in clause d) of subsection i):

“- for major development, an integrated treatment train approach that uses a planned sequence of methods of controlling stormwater and keeping its impact to a minimum by techniques including, without limitation,

- lot level controls such as devices and designs that direct roof discharge to rear yard ponding areas;
- conveyance controls such as grassed swales; and
- end-of-pipe controls such as wet ponds at the final discharge stage;”

- iii) Deleting clause e) and replacing it with the following:

“e) The Functional Servicing Study shall also include:

- a Master Servicing Strategy;
- a natural heritage evaluation;
- a hydrological evaluation;
- Landform Conservation Study;
- Tree Preservation and Planting Plan;
- Heritage and Archaeological Analysis;
- Any other studies required by the Township; and,

- Any additional studies required to satisfy the requirements of the Oak Ridges Moraine Conservation Plan”

2.47 By amending Subsection 10.3.3 (Development Evaluation Criteria) as follows:

- i) Deleting the phrase “Schedule ‘A’ ” from clause iii) (Natural Heritage System and Landform Conservation Areas) and replacing it with the following text:

“Schedules ‘A’ and ‘E’ ”

- ii) Deleting the text “keep grading to the minimum required” in clause iv) (Landform Considerations) and replacing it with the following text:

“keep the removal of vegetation, grading, and soil compaction to the minimum required”

- iii) Adding the following text to the end of clause iv):

“Furthermore, the applicant must demonstrate that the planning, design and construction of the development shall also:

- a) keep all sediment that is eroded during construction within the site;
- b) seed or sod exposed soils as soon as possible after construction; and
- c) keep chemical applications to suppress dust and control pests and vegetation to a minimum.”

In considering an application for development or site alteration the Township shall seek to reduce areas with impervious surfaces and increase areas retained in a natural undisturbed state, in order to minimize stormwater volumes and contaminant loads.”

- iv) Deleting the word “discouraged” in clause v) (Watercourses) and replacing it with the following text:

“prohibited”

- v) By adding the following text to the end of clause vii) (Heritage Preservation):

“and any site alteration undertaken as part of the process shall be in accordance with the requirements of the Oak Ridges Moraine Conservation Plan.”

2.48 By amending Section 12.1 (General) as follows:

- i) Adding the following text to the first sentence after “The Municipal Act”:

“, the Oak Ridges Moraine Conservation Plan”

- ii) Adding the following text after the first paragraph:

“No person shall, except as permitted by this Plan,

- (a) use land or any part of it;
- (b) undertake development or site alteration with respect to land; or
- (c) erect, move, alter or use a building or structure or any part of it.”

2.49 By deleting Subsection 12.3.3 (Existing Non-Conforming Uses) and replacing it with the following text:

**“12.3.3 Existing Non-Conforming Uses”**

Notwithstanding any other provision of this Plan to the contrary, this Plan is not intended to necessarily prevent the continuation, expansion or enlargement of existing uses which do not conform with the designations or provisions of this Plan. It shall be the policy of this Plan that where an existing land use is not designated on Schedule 'C' to this Plan, that the use of such land, building or structure for the purpose for which it was legally used on November 15, 2001 may be recognized, and thereby provide for the continuation, expansion or enlargement of such existing use in accordance with the following policies, namely:

- i) It shall be the policy of this Plan to permit the continuation, expansion or enlargement of uses, buildings or structures on the same lot, or an institutional use, legally existing as of November 15, 2001 provided that the continuation, expansion or enlargement of any land, building or structure does not result in any adverse effects on the use of adjacent lands and the applicant demonstrates that there will be no change in use, and that the expansion will not adversely affect the ecological integrity of the Plan Area.

If an existing use has adverse effects on the ecological integrity of the Plan Area, any application to expand the building, structure or use or to convert the existing use to a similar use shall be considered with the objective of bringing the use into closer conformity with this Plan.

- ii) It shall be the policy of this Plan to permit the erection or use for a purpose prohibited by this Plan of a building or structure for which a permit has been issued under subsection 8 (2) of the Building Code Act, 1992 on or before November 15, 2001 if,
  - 1. the permit has not been revoked under subsection 8 (10) of the Building Code Act, 1992, and
  - 2. the building or structure when erected is used and continues to be used for the purpose for which it was erected.
- iii) It shall be the policy of this Plan to permit the reconstruction, within the same location and dimensions, of an existing building or structure that is damaged or destroyed by causes beyond the owner's control, and the reconstructed building or structure shall be deemed to be an existing building or structure if there is no change in use and no intensification of the use
- iv) It shall be the policy of this Plan to permit the conversion of an existing use to a similar use, if the applicant demonstrates that the conversion will bring the use into closer conformity with this Plan, and will not adversely affect the ecological integrity of the Plan Area.
- v) In considering an application for an amendment to the implementing zoning by-law in accordance with the provisions of the Planning Act, the intent and purpose of this Plan shall be recognized with a view to the feasibility and desirability of municipal acquisition of the lands and the possibility of holding, selling, leasing or redeveloping the property in accordance with the provisions of this Plan. Consideration should also be given to the possible relocation of the legal non-conforming use to a designated or zoned location where it would be allowed to continue, expand and enlarge adjacent similar and compatible uses in accordance with the intent of this Plan.
- vi) It shall further be the policy of this Plan that, where an application for an amendment to the implementing zoning

by-law is made in accordance with the provisions of the Planning Act, to allow for the continuation, expansion or enlargement of any land, building or structure for a purpose which legally existed as of the date of adoption of this Plan but which is not recognized in this Plan or the implementing by-law, that regard shall be had for the following matters prior to enlargement of an amendment to the implementing by-law, namely:

- a) that the proposed extension or enlargement of the established use will not adversely affect the implementation of the policies of this Plan and that the general intent and purpose of the Plan are maintained;
  - b) that the proposed extension or enlargement is in proportion to the size of the use as it existed at the date of enactment of the implementing by-law;
  - c) that the proposed extension or enlargement is compatible with surrounding uses in terms of noise, vibration, fumes, heat radiation, smoke, dust, odours, or other similar offensive characteristics;
  - d) that site planning and design are such as to minimize the effect of the proposed extension or enlargement on adjacent conforming uses, and, where necessary, adequate spatial separation, buffer planting, screening and fencing are provided so as to afford adjacent conforming uses a degree of protection from any offensive characteristics;
  - e) that the use will not result in increased traffic volumes through residential areas and that adequate off-street parking and loading facilities are available, provided further that ingress and egress points to and from the site are designed in such a manner as to minimize the danger to both vehicular traffic and pedestrian movements.
- vii) It shall be the policy of this Plan to notify all property owners within the area affected by such an application, to solicit their views as to the extension or enlargement of such existing uses.



- viii) An amendment to the implementing zoning by-law to permit the extension or enlargement of any land, building or structure used for any purposes prohibited by the By-law pursuant to the provisions of the Planning Act, shall not be passed until Council is satisfied that such extension or enlargement will not have any adverse effects on adjacent land uses nor the implementation of this Plan.”

2.50 By adding the following text to Section 12.3 (Zoning By-law) after subsection 12.3.3 (Existing Non-Conforming Uses):

**“12.3.4 Previously Authorized Uses**

- i) Nothing in this Plan applies to prevent the use, erection or location of a single dwelling if,
  - (a) the use, erection and location would have been permitted by the applicable zoning by-law 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.
- ii) With regard to a building or structure previously authorized or authorized under s. 17 (1) of the Oak Ridges Moraine Conservation Act, nothing in this Plan applies to prevent the use, erection or location of a building or structure if,
  - (a) the use, erection and location were authorized by the approval of an application that was commenced before November 17, 2001 and approved after that date; or
  - (b) the use, erection and location were authorized by the approval of an application that was commenced after November 17, 2001 and decided in accordance with subsection 17 (1) of the Act”

2.51 By renumbering the subsequent subsections as follows:

12.3.4 Holding Provisions to 12.3.5  
12.3.5 Temporary Use By-laws to 12.3.6

2.52 By adding the following text to the newly numbered Subsection 12.3.6 (Temporary Use By-laws) after clause ii):

“iii) the temporary use is in conformity with the requirements of the Oak Ridges Moraine Conservation Plan.”

2.53 By amending Section 12.6 (Site Plan Control) as follows:

i) Numbering the paragraph as clause i)

ii) Adding the following text after the first paragraph:

“ii) With regard to site plan approval, an application for site plan approval under section 41 of the Planning Act is not required to comply with the requirements of the Oak Ridges Moraine Conservation Plan if it relates to land in respect of which any of the following was commenced before November 17, 2001 and approved after that date:

(a) An application for an amendment to a zoning by-law.

(b) An application for approval of a plan of subdivision under section 51 of the Planning Act.

(c) An application for approval or exemption from approval for a plan of condominium under section 9 of the Condominium Act, 1998.”

2.54 By adding the following text to Section 13.1.1 after the words “Such internal boundaries are considered absolute only”:

“for the boundaries of the Oak Ridges Moraine Plan Area and the boundaries of the Natural Core Area or”

2.55 By deleting Section 13.2 (Definitions) and replacing it with the following text:

“13.2.1 Accessory Use

“Accessory use” means a use of land, buildings or structures that is normally incidental or subordinate to the principal use, building or structure located on the same lot;

13.2.2 Adverse Effect

“adverse effect” means any impairment, disruption, destruction or harmful alteration;

“adversely affect” means to have an adverse effect on;

13.2.3 Agricultural Uses

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

“agriculture-related uses” means commercial and industrial uses that are,  
(a) small-scale,  
(b) directly related to a farm operation, and  
(c) required in close proximity to the farm operation;

#### 13.2.4 Animal Agriculture

“animal agriculture” means growing, producing and raising farm animals including, without limitation,  
(a) livestock, including equines, poultry and ratites,  
(b) fur-bearing animals,  
(c) bees,  
(d) cultured fish,  
(e) deer and elk, and  
(f) game animals and birds;

#### 13.2.5 Aquifer Vulnerability

“aquifer vulnerability” means an aquifer’s intrinsic susceptibility, as a function of the thickness and permeability of overlying layers, to contamination from both human and natural impact on water quality;

#### 13.2.6 Area of Natural and Scientific Interest

“area of natural and scientific interest” (earth science) means an area that has been,  
(a) identified as having earth science values related to protection, scientific study or education, and  
(b) further identified by the Ministry of Natural Resources using evaluation procedures established by that Ministry, as amended from time to time;

“area of natural and scientific interest” (life science) means an area that has been,

(a) identified as having life science values related to protection, scientific study or education, and  
(b) further identified by the Ministry of Natural Resources using evaluation procedures established by that Ministry, as amended from time to time;

13.2.7 Bed and Breakfast Establishment

“bed and breakfast establishment” means an accessory use within an existing single dwelling that is the principal residence of the establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the traveling or vacationing public in up to three guest rooms;

13.2.8 Best Management Practices

"Best Management Practices" is a general term used in Ministry of Environment and Energy guidelines designating procedures for stormwater quality and quantity control. The techniques considered to be Best Management Practices reduce pollutants available for transport by run-off before it is discharged. Best Management Practices requires that stormwater management for new subdivisions be implemented in an environmentally sensitive manner with one of the prime objectives being to maintain water quality.

13.2.9 13.2.2 Cluster Development

A development design technique that concentrates buildings in a specific areas on the site to allow the remaining land to be used for the preservation of environmentally sensitive areas, landforms, linkages between environmental areas, open space or recreation or other similar purposes.

13.2.10 Connectivity

“connectivity” means the degree to which key natural heritage features are connected to one another by links such as plant and animal movement corridors, hydrological and nutrient cycling, genetic transfer, and energy flows through food webs;

13.2.11 Density Gross

This term shall mean the area of land including the lot area, local and collector streets, parks, including trails, public schools, institutional uses and all environmental lands with the exception of lands designated Environmental Protection Area on Schedules 'A' and 'C'.

13.2.12 Density Net

This term shall mean the area of the land including the lot and local and collector roads.

13.2.13 Development

“development” means the creation of a new lot, a change in land use, or the construction of buildings and structures, any of which require approval under the Planning Act, the Environmental Assessment Act, or the Drainage Act, but does not include,

(a) the construction of facilities for transportation, infrastructure and utilities

uses, as described in sections 2.4.4 (vii-xi), 2.4.5 (x), and 2.4.6 (xx), by a public body, or

(b) for greater certainty,

(i) the reconstruction, repair or maintenance of a drain approved under the Drainage Act and in existence on November 15, 2001, or

(ii) the carrying out of agricultural practices on land that was being used for agricultural uses on November 15, 2001;

13.2.14 Dwelling Unit

“dwelling unit” means one or more habitable rooms, occupied or capable of being occupied as an independent and separate housekeeping establishment, in which separate kitchen and sanitary facilities are provided for the exclusive use of the occupants;

13.2.15 Earth Science Values

“earth science values” means values that relate to the geological, soil and landform features of the environment;

13.2.16 Ecological Features / Functions

“ecological features” means naturally occurring land, water and biotic features that contribute to ecological integrity;

“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 hydrological functions and biological, physical, chemical and socio-economic interactions;

13.2.17 Ecological Integrity

“ecological integrity”, which includes hydrological integrity, means the condition of ecosystems in which,  
(a) the structure, composition and function of the ecosystems are unimpaired by stresses from human activity,  
(b) natural ecological processes are intact and self-sustaining, and  
(c) the ecosystems evolve naturally;

13.2.18 Ecological Value

“ecological value” means the value of vegetation in maintaining the health of the key natural heritage feature and the related ecological features and ecological functions, as measured by factors such as the diversity of species, the diversity of habitats, and the suitability and amount of habitats that are available for rare, threatened and endangered species;

13.2.19 Endangered Species

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

13.2.20 Existing

“existing” means lawfully in existence on November 15, 2001, and for greater certainty does not include a use, building or structure that is in existence on that date without being lawful;

13.2.21 Farm Retirement Lot

“farm retirement lot” means a lot that is severed from land that is being used in a farming operation, on the application of a person who,

(a) owned and operated the farm operation, as a full-time farmer, for a substantial number of years,

(b) was engaged in farming on January 1, 1994 or on an earlier date set out in the applicable official plan, and

(c) has reached retirement age and is retiring from active working life;

“original half lot” means half of an original lot that contained 80.9 hectares (200 acres), more or less;

#### 13.2.23 Fish Habitat

“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 the life processes, as further identified by the Department of Fisheries and Oceans (Canada);

#### 13.2.24 Forest Access Road

“forest access road” means a one or two -lane unpaved road that is designed to provide access to and within a woodland for wildlife, fish and forest management purposes;

#### 13.2.25 Forest Management

“forest management” means the management of woodlands, including accessory uses such as the construction and maintenance of forest access roads and maple syrup production facilities,

(a) for the production of wood and wood products, including maple syrup,

(b) to provide outdoor recreation opportunities,

(c) to maintain, and where possible improve or restore, conditions for wildlife, and

(d) to protect water supplies;

#### 13.2.26 Groundwater Recharge

“groundwater 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;

13.2.27 Habitat Of Endangered, Rare And Threatened Species

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

13.2.28 Hazardous Waste

“hazardous waste” has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990;

13.2.29 Home Business

“home business” means an occupation that,  
(a) involves providing personal or professional services or producing custom or artisanal products,  
(b) is carried on as a small-scale accessory use within a single dwelling by one or more of its residents, and  
(c) does not include uses such as an auto repair or paint shop or furniture stripping;

13.2.30 Home Industry

“home industry” means a business that,  
(a) is carried on as a small-scale use that is accessory to a single dwelling or agricultural operation,  
(b) provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community,



(c) may be carried on in whole or in part in an accessory building, and  
(d) does not include uses such as an auto repair or paint shop or furniture stripping;

13.2.31 Hydrological Cycle

“hydrological cycle” means the circulation of water from the atmosphere to the earth and back through precipitation, runoff, infiltration, groundwater flow and evapotranspiration, including the occurrence, circulation, distribution, and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water’s interaction with the environment including its relation to living things;

13.2.32 Hydrological Features / Functions

“hydrological features” means a hydrological features as described in section 3.2.4

“hydrological functions” means the functions of the hydrological cycle that include the occurrence, circulation, distribution, and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water’s interaction with the environment including its relation to living things;

13.2.33 Hydrological Integrity

“hydrological integrity” means the condition of ecosystems in which hydrological features and hydrological functions are unimpaired by stresses from human activity;

13.2.34 Hydrologically Sensitive Feature

“hydrologically sensitive feature” means a hydrologically sensitive feature as described in section 3.2.4;

13.2.35 Impervious Surface

“impervious surface” means a surface that does not permit the infiltration of water, such as a rooftop, sidewalk, paved roadway, driveway or parking lot;

13.2.36 Institutional Use

“institutional use” includes, without limitation, a long-term care facility, hospital, school, university or college;

13.2.37 Kame

“kame” means a mound, hummock or conical hill of glacial origin;

13.2.38 Kettle Lake

“kettle lake” means a depression formed by glacial action and permanently filled with water;

13.2.39 Key Natural Heritage Feature

“key natural heritage feature” means a key natural heritage feature as described in section 3.2.3;

13.2.40 Landform Features

“landform features” means distinctive physical attributes of land such as slope, shape, elevation and relief;

13.2.41 Landform Conservation Area

“landform conservation area” means a landform conservation area as described in section 4.3;

13.2.42 Life Science Values

“life science values” means values that relate to the living component of the environment;

13.2.43 Liquid Industrial Waste

“liquid industrial waste” has the same meaning as in Regulation 347 of the Revised Regulations of Ontario, 1990;

13.2.44 Lot

“lot” means a parcel of land that is,  
(a) described in a deed or other document legally capable of conveying an interest in the land, or  
(b) shown as a lot or block on a registered plan of subdivision;

- 13.2.45 Major Development
- “major development” means development consisting of,  
(a) the creation of four or more lots,  
(b) the construction of a building or buildings with a ground floor area of 500 m<sup>2</sup> or more, or  
(c) the establishment of a major recreational use including but not limited to a golf course, serviced playing field, serviced campground and ski hill;
- 13.2.46 Meander Belt
- “meander belt” means the land across which a stream shifts its channel from time to time;
- 13.2.47 Minimum Vegetation Protection Zones
- A natural area intended to minimize potential conflict between human activities and sensitive environmental features. This is done by providing a natural separator and by rounding out irregularities and minimizing the length of interface between humans and undisturbed, regenerating or protected landscapes which include natural self-sustaining vegetation.
- 13.2.48 Municipal Communal Water or Sewer System
- A servicing system for which the Region of York or the Township is responsible.
- 13.2.49 Natural Self-Sustaining Vegetation
- “natural self-sustaining vegetation” means self-sustaining vegetation dominated by native plant species;
- 13.2.50 Net Developable Area
- “net developable area” means the area of a lot or site, less any area that is within a key natural heritage feature or a hydrologically sensitive feature;
- 13.2.51 Original Lot
- “original lot” means a township lot shown on a plan certified by the Surveyor General of Ontario as being the original plan of an original survey;

13.2.52 Partial Service

“partial service” means connections linking a building to,  
(a) a communal sewage or water service or a full municipal sewage or water service, and  
(b) an individual on-site sewage or water system;

13.2.53 Portable Asphalt Plant

“portable asphalt plant” means a temporary facility, to be dismantled at the completion of a construction project, where,  
(a) equipment is used to heat and dry mineral aggregate and to mix it with bituminous asphalt to produce asphalt paving material, and  
(b) bulk materials used in the process described in clause (a) are kept;

13.2.54 Prime Agricultural Land

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

13.2.55 Rapid Infiltration Basin

“rapid infiltration basin” means a basin or system of basins at or below surface grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from impervious surfaces;

13.2.56 Rapid Infiltration Column

“rapid infiltration column” means a column or system of columns at or below surface grade that is constructed in porous soil and punctures through a relatively impermeable layer to gain access to a more permeable sand or gravel layer, so as to rapidly infiltrate into the ground, at a single point or area of concentration, surface runoff collected from impervious surfaces.

13.2.57 Rare Species

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

13.2.58 Retirement Home

“retirement home” means a building in which,  
(a) accommodation is provided, mainly for retired persons,  
(b) common kitchen and dining facilities are provided for the residents, and  
(c) common lounges, recreation rooms and health care facilities may also be provided for the residents;

13.2.59 Rural Lot

“rural lot” means a lot that is at least 97.5 per cent of the land that is left in an original lot or an original half lot after the deduction of any land that is,  
(a) conveyed at any time for transportation, utilities and infrastructure as described in section 41, whether before, on or after November 16, 2001, or  
(b) validly conveyed before June 27, 1970

13.2.60 Saturated Zone

“saturated zone” means the zone below the water table where the spaces between soil grains are filled with water;

13.2.61 Savannah

“savannah” means land (not including land that is being used for agricultural purposes and no longer exhibits savannah characteristics) that,  
(a) has vegetation with a significant component of non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both,  
(b) has from 25 per cent to 60 per cent tree cover,  
(c) has mineral soils, and

(c) 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;

13.2.62 Self-Sustaining Vegetation

“self-sustaining vegetation” means vegetation dominated by plants that can grow and persist without direct human management, protection, or tending;

13.2.63 Significant

“significant” means identified as significant by the Ministry of Natural Resources, using evaluation procedures established by that Ministry, as amended from time to time;

13.2.64 Single Dwelling

“single dwelling” means a building containing only one dwelling unit;

13.2.65 Site

“site” means the land subject to an application;

13.2.66 Site Alteration

“site alteration” means activities such as filling, grading and excavation that would change the landform and natural vegetative characteristics of land, but does not include, (a) the construction of facilities for transportation, infrastructure and utilities uses, as described in sections 2.4.4 (vii-xi), 2.4.5 (x), and 2.4.6 (xx), by a public body, or (b) for greater certainty, (i) the reconstruction, repair or maintenance of a drain approved under the Drainage Act and in existence on November 15, 2001, or (ii) the carrying out of agricultural practices on land that was being used for agricultural uses on November 15, 2001;

13.2.67 Stormwater Management Pond

“stormwater management pond” means a detention basin that temporarily stores or treats collected stormwater runoff and releases it at a controlled rate;

13.2.68 Subwatershed

“subwatershed” means an area that is drained by a tributary or some defined portion of a stream;

13.2.69 Surface Catchment Area

“surface catchment area” means the area including and surrounding a kettle lake or wetland, from which surface runoff drains directly into the kettle lake or wetland;

13.2.70 Sustainable

“sustainable”, when used with respect to a natural resource, means that the natural resource is able to support a particular use or activity without being adversely affected;

13.2.71 Tallgrass Prairie

“tallgrass prairie” means land (not including land that is being used for agricultural purposes and no longer exhibits tallgrass prairie characteristics) that,  
(a) has vegetation dominated by non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both,  
(b) has less than 25 per cent tree cover,  
(c) has mineral soils, and  
(d) has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time;

13.2.72 Threatened Species

“threatened species” means any native species that is at risk of becoming endangered throughout all or part of its Ontario range if the limiting factors are not reversed;

13.2.73 Time Of Travel

“time of travel” means the time that is needed for groundwater to travel a specified horizontal distance in the saturated zone;

13.2.74 Unserviced Park

“unserviced park” means a park that provides recreational opportunities and facilities, including playing fields, but without outdoor lighting, accessory commercial facilities, paved parking lots or permanent water or sewer facilities;

13.2.75 Valleyland

“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;

13.2.76 Watershed

“watershed” means an area that is drained by a river and its tributaries;

13.2.77 Wayside Pit

“wayside pit” means a temporary pit opened or used by or for a public body solely for the purpose of a particular project of road construction and not located on the road right of way;

13.2.78 Wellhead Protection Area

“wellhead protection area” means the surface and subsurface area surrounding a water well or well field that supplies a public water system and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field;

13.2.79 Wetland

“wetland” means land such as a swamp, marsh, bog or fen (not including land that is being used for agricultural purposes and no longer exhibits wetland characteristics) that,  
(a) is seasonally or permanently covered by shallow water or has the water table close to or at the surface,  
(b) has hydric soils and vegetation dominated by hydrophytic or water-tolerant plants, and  
(c) 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;



13.2.80 Wildlife Habitat

“wildlife habitat” means land that,  
(a) is an area where plants, animals and other organisms live or have the potential to live and find adequate amounts of food, water, shelter and space 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;

13.2.81 Woodland

“woodland” means a treed area, woodlot or forested area, other than a cultivated fruit or nut orchard or a plantation established for the purpose of producing Christmas trees;

13.2.82 Zone Of Contribution

“zone of contribution”, when used in reference to a period of time, means the area within which the water pumped from a well originates during that time.”