

**Oak Ridges Moraine
Conservation Plan
Amendment to Township of King Official Plan**

**FINAL FORMAL AMENDMENT DOCUMENT
OFFICIAL PLAN AMENDMENT #1970
October 22, 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. 1970 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 Official Plan of the Township of King Planning Area 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”, “2AA”, “3”, “4”, “5”, “6” and “7” to this document, and are delineated by the Oak Ridges Moraine Plan Area and/or the Oak Ridges Moraine land use designations.

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 “A” to “G” constitutes Amendment No. ___ to the Official Plan of the Township of King Planning Area.

2 Details of the Amendment

The Official Plan of the Township of King is hereby amended as follows:

2.1 By amending the following schedules:

- i) Schedule “A” (Land Use Plan of the Township of King Planning Area) by adding the Oak Ridges Moraine Plan Area/Amendment Boundary, as shown on Schedule “1” to this amendment.
- ii) Schedule “B” (Transportation Plan of the Township of King Planning Area) by adding the Oak Ridges Moraine Plan Area/Amendment Boundary as shown on Schedule “3” to this amendment.
- iii) Schedule “C” (Development Plan of the Township of King Planning Area) by adding the Oak Ridges Moraine Plan Area/Amendment Boundary as shown on Schedule “4” to this amendment.

2.2 By adding the following schedules:

- i) Schedule “AA” Oak Ridges Moraine Plan Area Land Use Plan as shown on Schedule “2” to this amendment.
- ii) Schedule “D – Oak Ridges Moraine Plan Area Key Natural Heritage and Hydrologically Sensitive Features as shown on Schedule “5” to this amendment.
- iii) Schedule “E” - Oak Ridges Moraine Plan Area Areas of High Aquifer Vulnerability and Wellhead Protection as shown on Schedule “6” to this amendment
- iv) Schedule “F” - Oak Ridges Moraine Plan Area Landform Conservation Areas, as shown on Schedule “7” to this amendment.
- v) Schedule “G” – Oak Ridges Moraine Plan Area Prime Agricultural Land as shown on Schedule “8” to this amendment.

2.3 By amending the List of Official Plan Amendments as follows:

i) Inserting the following text into the Amendment table:

“54 King City Community Plan Adopted by Council on March 3, 1997”

55 Part Lots 21, 23 Concession 2 Clublink Residences at King Valley Golf Courses Adopted by Council on April 21, 1997. Approved by OMB November 10, 1998.

56 Part Lot 13, Concession 8 Nobleton Lakes Golf Expansion Adopted by Council on February 16, 1998.

57 Nobleton Community Plan. Adopted by Council on October 20, 1997.

58 New Official Plan Adopted by Council on October 20, 1997.

59 Part Lot 13, Concession 11 (Greek Orthodox Diocese/St. Kosmos Aitlos Monastery) Adopted by Council November 15, 1999. Approved by Region of York on March 7, 2000 as modified.

60 Part Lot 5, Concession 5 Approved

61 Amendment No. 61 Aggregate Resources Review Approved July 3, 2001

62 Chestnutt Approved

ii) Deleting Amendment Numbers”1, 3, 4, 6 (deleted as it applies within the Oak Ridges Moraine), 8, 9, 10, 11, 15, 18, 25 (deleted as it applies within the Oak Ridges Moraine), 29, 30, 33, 34, 36, 37, 39, 40, 41, 44, 50, 51, 53, 55, and 56” and

iii) Inserting the following text for amendments 1, 3, 4, 8, 9, 10, 11, 15, 18, 29, 30, 33, 34, 36, 37, 39, 40, 41, 44, 50, 51, 53, 55, and 56 as follows:

“Deleted as per Oak Ridges Moraine Conservation Plan”

iv) Inserting the following text for amendments 6 and 25 as follows:

“Deleted as it applies within Oak Ridges Moraine Plan Area”

2.4 By adding the following schedules to the first sentence in the second paragraph in Section 1(3) (c), after the text “Schedule “A”, “B”, and “C”:

i) “AA, D, E, F and G”

2.5 By adding the following paragraph after the first paragraph in Section 1(4) (Official Plan Review):

“This Official Plan has been amended to conform with the Oak Ridges Moraine Conservation Plan (the “Conservation Plan”). Section 3(3) of the Oak Ridges Moraine Conservation Act 2001 requires the Minister of Municipal Affairs to review the ORMCP every ten years after the date the Plan comes into force, to determine whether it should be revised. Any revisions to the Oak Ridges Moraine Conservation Plan resulting from such a review that affects the Official Plan of the Township of King Planning Area will be incorporated into the Official Plan by amendment.”

2.6 By adding the following section to Section 2(1):

“(d) The 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). The Conservation Plan applies to the area known as the Oak Ridges Moraine Conservation Plan Area,(the “Oak Ridges Moraine Plan Area”) which is delineated on Schedules A – G to this Official Plan. A decision that is made under the Planning Act or the Condominium Act within the Oak Ridges Moraine Plan Area “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 Official Plan has been amended to conform to the Oak Ridges Moraine Conservation Plan.

The boundary of the Oak Ridges Moraine Conservation Plan Area has been identified by the Province by Regulation 1/02. It is an objective of this Plan that all decisions on development and site alteration in that part of the Oak Ridges Moraine Plan Area lying within the Township of King will comply with the Oak Ridges Moraine Conservation Plan.”

2.7 By adding the following sentence to the end of Section 2(2)(b) (Objectives of this Plan):

“Development and site alteration within the Oak Ridges Moraine Conservation Plan Area will comply with the applicable requirements as set out in this Official Plan.”

2.8 By amending Section 3(1) (Land Use Plan) as follows:

- i) Inserting the following text into the second sentence, after the text “the pattern of development”:

“in the areas of the Township outside the Oak Ridges Moraine Conservation Plan Area”

- ii) Inserting the following sentence after the end of the second sentence:

“The applicable land use designations within the Oak Ridges Moraine Conservation Plan Area can be found in sub-section 14 of this Section and comprise Oak Ridges Moraine Natural Core Area, Oak Ridges Moraine Natural Linkage Area, Oak Ridges Moraine Countryside Area, and Oak Ridges Moraine Rural Settlement Area.”

- iii) Inserting the following text in the last sentence after the text “Schedule A”:

“(outside of the Oak Ridges Moraine Plan Area) and Schedule “AA” (inside the Oak Ridges Moraine Plan Area)”

2.9 By deleting the following text:

“(Amendment No. 9)	Access to the area outlined in red on Schedule "A" shall be restricted to Provincial Highway #27. The use of water from the well(s) servicing the site shall be restricted to the uses of the clubhouse only and not for the use of irrigation of the site.”
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2.10 By amending Section 3(9) (Gravel Pits) as follows:

- i) Adding the following text to the end of the first sentence of the first paragraph:

“in areas outside of the Oak Ridges Moraine Plan Area. In areas located within the Oak Ridges Moraine Plan Area, the policies in Section 3(14) shall apply.”

- ii) Deleting the following text:

“(i) The uses permitted are sand and gravel pits, quarries, aggregate storage areas, stone crushing plants and concrete batching plants, as well as uses directly related and essential to the primary operation.”

and replacing it with the following text:

“(i) The permitted uses will include:

- mineral extraction operations licenses pursuant to the Aggregate Resources Act, subject to the regulations of the Township’s By-law;
- permanent asphalt plants and concrete batching plants in association with a licensed mineral extraction operation;
- portable asphalt plants in conjunction with a mineral extraction operation licensed pursuant to the Aggregate Resources Act, subject to the regulations of the Township’s By-law;
- agricultural operations in accordance with Section 3(9)(ii)(d) of this Plan;
- forest, fisheries and wildlife management;
- recreational uses which are oriented toward the land rather than the building of major structures, excluding public or private golf courses;
- public uses;
- watershed management and erosion control projects carried out or supervised by a public agency; and,
- accessory buildings and facilities normally associated with the mineral extraction operation, subject to the regulations of the Township’s By-law.”

iii) By adding the following text to the first sentence in subsection (ii), after the text “potentially dangerous wasteland, the sand and gravel and other operations”:

“in the Gravel Pit designation”

iv) Adding the following subsection as follows, after subsection (d):

“(e) Portable asphalt plants may be permitted in all land use designations within this Plan outside of the Oak Ridges Moraine Plan Area, excluding:

- Lands within a Estate Residential, Hamlet, Urban Centre, Institutional, or Commercial designation as shown on Schedule “A” to this Plan;
- Areas of existing development which would result in land use conflict with the portable asphalt plant operation; and,
- Lands within the Regional Greenlands systems.”

v) Adding the following subsection as follows, after the new subsection (e):

“(f) For lands located within the Oak Ridges Moraine Plan Area and for the purposes of this Plan a wayside pit or quarry shall mean:

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

- vi) Adding the following subsection as follows, after the new subsection (f):
- “(g) When considering applications for new Gravel Pit uses, the following policies shall also apply:
- In order to preserve the scenic beauty and amenity of the Township, extractive operations will generally be restricted to areas that are not exposed to public view;
 - No pit or quarry shall be excavated so that its edge is at a point less than 30 metres from the limit of any road right-of-way and 15 metres from any adjoining property line unless the adjoining property is also zoned for pit or quarry uses;
 - Residential development will not be permitted to establish within 120 metres of existing extractive operations;
 - All extractive uses must satisfy the requirements of the Ministry of Environment with regard to water supply, disposal of liquid wastes and control of air pollution and other matters.
 - All lands uses for mineral extraction operations and associated uses and/or portable asphalt plants shall be rehabilitate to a use currently permitted by the existing land use designation.”

2.11 By amending Section 3(11) (All Areas) as follows:

- i) Adding the following text to the section heading for Section 3(11) (All Areas):
- “Outside of the Oak Ridges Moraine Plan Area”
- ii) Inserting the following text in the first sentence after the text “In all areas”:
- “of the Township”
- iii) Inserting the following text in the first sentence after the text “on the Land Use Plan”:
- “outside the Oak Ridges Moraine Plan Area indicated on Schedule A”
- iv) Adding the following sentence after the first sentence:

“Permitted land uses within the Oak Ridges Moraine Plan Area shall be restricted to those described in subsection (14).”

2.12 By amending Section 3(12) (Existing Land Use) as follows:

- i) Adding the following text to the section heading for Section 3(12) (Existing Land Uses):

“Outside of the Oak Ridges Moraine Plan Area”

- ii) Inserting the following text in the first sentence after the text “Any land use”:

“outside the Oak Ridges Moraine Plan Area indicated on Schedule A”

- iii) Adding the following sentence after the fourth sentence:

“Land uses within the Oak Ridges Moraine Plan Area that legally existed on November 17, 2001 that do not comply with the Oak Ridges Moraine Plan are permitted, however any expansion to these uses will be subject to subsection 3(14)(c) of this Plan.”

2.13 By adding the following text at the beginning of the first sentence of subsection (a) (Section 30(18) of the Planning Act):

“With the exception of applications for development or site alteration within the Oak Ridges Moraine Plan Area,”

2.14 By amending Section 3(13) (Site Specific Amendments) as follows:

- i) Deleting the following text for Amendment 34:

“(1) Exception Area 1 - Part of Lots 13, 14 and 15, Concession 2, Township of King (Official Plan Amendment Number 34)

- (a) Estate Residential

General

In addition to the uses permitted by Section 3(3) of this Plan, a passive recreational trail system (no motorized vehicles) throughout an estate residential plan of subdivision may be permitted on that Part of Lots 13, 14 and 15, Concession 2, Township of King, as shown on Schedule "A" of the Official Plan.

Policies

The foregoing use shall be permitted in accordance with the following policies:

- (i) No buildings or structures of any kind shall be permitted within the passive recreational trail system;
- (ii) Adequate fencing and/or screening from subdivision lots shall be provided;
- (iii) The lands shall be appropriately zoned in an implementing Zoning By-law.

(b) Rural

General

Notwithstanding the provisions of Sections 3(10) and 3(11) of this Plan, only the following uses shall be permitted on that Part of Lots 13, 14 and 15, Concession 2, Township of King, as shown on Schedule "A" of the Official Plan:

- (i) an equestrian centre, including residential accommodations for full-time staff employed on these lands, and uses accessory thereto;
- (ii) a tennis facility;

Policies

In addition to other applicable land use policies contained in this Plan, the following policies shall also apply to the development of the foregoing uses:

- (i) All buildings and structures shall be located on the lands so as to provide adequate setbacks from property lines in order to minimize any potential land use conflicts and the Agricultural Code of practice shall be used to determine the minimum separation distance between all land uses;
- (ii) A tennis facility on these lands shall be limited to a maximum of 10% of the total land area of the equestrian centre;
- (iii) Adequate off-street parking shall be provided for the convenience of guests and employees. Access points shall be limited in number and designed in a manner so as to minimize the danger of vehicular and pedestrian traffic;

- (iv) All lands shall be appropriately zoned in an implementing Zoning By-law.”

ii) Deleting the following text for Amendment 36:

“(2) Exception Area 2 - Open Space, Part of Lots 16 and 17, Concession 2, Township of King (Official Plan Amendment Number 36)

General

Notwithstanding the provisions of Sections 3(2) pertaining to recreational land uses and 3(11) of this Plan, a golf course shall be the only permitted recreational land use on that Part of Lots 16 and 17, Concession 2, Township of King, as shown on Schedule "A" of the Official Plan.

Policies

The foregoing use shall be permitted in accordance with the following development policies:

- (i) These lands shall be designated as a Site Plan Control Area in accordance with Section 40 of the Planning Act, 1983, in order to ensure that no development occurs on lands possessing physical constraints or adversely impacts on existing watercourses, ponds and wetland areas. However, Site Plan Development Approval shall not be required for residential and agricultural activities, except for an additional dwelling used by full-time farm help or caretaker.
- (ii) Adequate off-street parking shall be provided for the convenience of the patrons, guests and employees. Access points shall be limited in number and designed in a manner so as to minimize the danger of vehicular and pedestrian traffic.
- (iii) Adequate screening from roadways and adjacent residential uses in the form of landscaping shall be provided, where necessary.
- (iv) All buildings, structures and vehicular parking areas shall be located on these lands so as to provide adequate setbacks from property lines in order to minimize any potential land use conflicts, but in no case shall a vehicular parking area, proshop/snack bar or maintenance equipment building be located within 300 metres of Region Road 38 (Bathurst Street).

- (v) A 15 metre buffer strip of undisturbed natural vegetation shall be provided along both sides of any watercourse or on-stream pond. In addition, existing wooded areas and topography shall be preserved, where possible. However, any necessary water crossings or removal of wooded areas shall be subject to the approval of the Ministry of Natural Resources and the Lake Simcoe Region Conservation Authority in accordance with Clause (i) above.
 - (vi) Storm water management will be practised on the site to ensure that irrigation for the golf course will be derived from surface water only.
 - (vii) All development shall be implemented by an appropriate Zoning By-law.”
- iii) Deleting the following text for Amendment 38:
- “(3) O.P.A. #38 (McAllister) not yet approved by Ministry “
- iv) Deleting the following text for Amendment 39:
- “(4) Exception Area 4 - Commercial: Part of Lot 3, Registered Plan 463 (being in Part Lot 11, Concession 8, Township of King, (Official Plan Amendment Number 39)

General

Notwithstanding the provisions of Sections 3(7) and 3(11) of this Plan pertaining to the use of land, a "self-service storage facility" shall be the only commercial use permitted on these lands.

A Self-service storage facility shall refer to a building or buildings designed for the purpose of renting or leasing individual storage units to persons who have access to such space for the purpose of storing and removing personal property. Goods and materials stored in these units shall not be associated with any office, retail, warehousing, distribution or other business activity and the storage of any radioactive, flammable, explosive or other hazardous material shall be strictly prohibited. In addition, other related uses such as hobby or work shops, servicing, repair or fabrication of equipment and material goods, auctions or garage sales and the outside storage of any goods and materials shall also be prohibited.

Policies

In addition to the specific Land Use policies in Section 3(7)(b) and other

applicable policies of the Official Plan, the foregoing use shall be developed in accordance with the following policies:

- (i) The lands shall be designed as a Site Plan Control area in accordance with Section 40 of the Planning Act.
- (ii) The lands shall be appropriately zoned by a Zoning By-law which will include development standards pertaining to such items as building size and location, parking requirements, loading areas, driveway widths and types of goods and materials to be stored.

However, all lands may not be immediately zoned for their intended use. The Township may include Holding provisions within the implementing Zoning By-law for these lands in accordance with Section 35 of the Planning Act to phase the development of these lands. Where the Holding Provisions are in effect, Council will not consider the removal of such provisions until it is satisfied that:

- (a) the existing and/or proposed landscaping and berming is still adequate to properly screen these lands from adjacent residential uses;
 - (b) fencing, lighting, drainage and other such matters which are covered by the Site Plan Development approval process have been or are to be properly undertaken.
- (iii) All buildings and structures shall be incorporate a low profile design which shall be compatible with the general character and scale of development in this area.”
- v) Deleting the following text for Amendment 40:

“(5) Exception Area 5 - Open Space, Part of Lot 18, Concession 2, Township of King (Official Plan Amendment Number 40)

General

Notwithstanding the provisions of Sections 3(2) pertaining to recreational land uses and 3(11) of this Plan, a golf course shall be the only permitted recreational land use on that Part of Lot 18, Concession 2, Township of King, as shown on Schedule "A" of the Official Plan.

Policies

The foregoing use shall be permitted in accordance with the following development policies:

- (i) These lands shall only be developed for a golf course if it is integrated with an abutting golf course development to the south, and the development of these lands shall not occur until the abutting lands to the south are developed or approved for development in accordance with clauses (ii) and (vi) below.
 - (ii) These lands shall be designated as a Site Plan Control Area in accordance with Section 40 of the Planning Act, 1983, in order to ensure that no development occurs on lands possessing physical constraints or adversely impacts on existing watercourses, ponds and wetland areas.
 - (iii) Adequate screening from roadways and adjacent residential uses in the form of landscaping shall be provided, where necessary.
 - (iv) All buildings and structures shall be located on these lands so as to provide adequate setbacks from property lines in order to minimize any potential land use conflicts.
 - (v) A 15 metre buffer strip of undisturbed natural vegetation shall be provided along both sides of any watercourse or on-stream pond. In addition, existing wooded areas and topography shall be preserved, where possible. However, any necessary water crossings or removal of wooded areas shall be subject to the approval of the Ministry of Natural Resources and the lake Simcoe Region Conservation Authority in accordance with Clause (ii) above.
 - (vi) All development shall be implemented by an appropriate Zoning By-law.
 - (vii) Water supply shall be provided either from a storm water retention system or from an existing surface water source, in a manner acceptable to the Region of York and the Township, to provide water for the irrigation of the proposed golf course. Water for irrigation purposes will not be permitted from pumped groundwater.”
- vi) Deleting the following text for Amendment 41:
- “(6) Exception Area 6 - Open Space, Part of Lots 12, 13 and 14, Concession 1, New Survey, Township of King

General

Notwithstanding the provisions of Section 3(2) of this Plan pertaining to the recreational use of land, only the following recreational uses shall be permitted on that Part of Lots 12, 13 and 14, Concession 1, New Survey, Township of King, as shown on Schedule "A" of the Official Plan:

- golf course including a clubhouse and banquet hall;
- driving range;
- miniature golf;
- cross-country skiing;
- uses accessory to the foregoing, including a single-family residence for the owner or caretaker;

However, notwithstanding any provisions of the Official Plan pertaining to permitted uses, no development of land shall be permitted in the area identified as the "South Canal Wetland", except those above which have been approved in accordance with the development policies listed below. It is intended that the portion of the Wetland area which is not approved for development is to remain in an undisturbed, natural state.

Policies

The foregoing recreational uses and other uses permitted shall be permitted in accordance with the following development policies:

- (i) These lands shall be designated as a Site Plan Control Area in accordance with Section 40 of the Planning Act, 1983, to ensure that:
 - (a) no development, grading, removal of vegetation or creation of ponds occurs on lands possessing physical constraints or adversely impacts on existing watercourses and the South Canal Wetland Area as identified by the ministry of Natural Resources and Lake Simcoe Region Conservation Authority, without the approval of these agencies;
 - (b) there will be no adverse environmental impact on the surrounding lands having regard to such matters as water quality of watercourses, drainage and fluctuations of the watertable;
 - (c) landscaping and screening is provided to minimize the visual impact of golf course and parking areas in an effort to retaining the rural appearance of the area;
 - (d) lighting, fencing, driveways and vehicular access, parking areas, dust and other site development matters are designed to

minimize the impact to surrounding land uses.

However, Site Plan Development Approval shall not be required for general agricultural uses.

- (ii) Adequate off-street parking shall be provided for the convenience of the patrons, guests and employees. Access points shall be limited in number and required turning lanes shall be designed in a manner so as to minimize the danger of vehicular and pedestrian traffic.
 - (iii) Adequate screening from roadways and adjacent residential uses in the form of landscaping and/or berming shall be provided as deemed necessary by Council.
 - (iv) All buildings, structures and vehicular parking areas shall be located on these lands so as to provide adequate setbacks from property lines in order to minimize any potential land use conflicts.
 - (v) A 15 metre buffer strip of undisturbed natural vegetation shall be provided along both sides of any watercourse. In addition, existing wooded areas and topography shall be preserved, where possible. However, any necessary water crossings or removal of wooded areas shall be subject to the approval of the Ministry of Natural Resources and the Lake Simcoe Region Conservation Authority in accordance with Clause (i) above.
 - (vi) Water supply shall be provided either from a storm water retention system or from an existing surface water source, in a manner acceptable to the Region of York and the Township, to provide water for the irrigation of the proposed golf course. Water for irrigation purposes will not be permitted from pumped groundwater.
 - (vii) All development shall be implemented by an appropriate Zoning By-law.”
- vii) Deleting the following text for Amendment 44:

“(9)Exception Area #9 - Part of Lot 23, Concession 4, Township of King

(a)Estate Residential

General

The tributaries of the Kettleby Creek traverse the subject lands. Therefore, in recognition of the significance of its downstream fishing resource and of the

Lake Simcoe Environmental Strategy, all development shall occur in a manner which minimizes any negative impacts on this resource. The use of proper stormwater management practices including erosion and sedimentation control measures, as well as ground water protection measures, both during and after development of the site, shall be required as a condition of draft plan approval.”

viii) Deleting the following text for Amendment 50:

“(13) Exception Area 7 - Open Space, Part of Lot 11, Concession 1, New Survey of King

General

Notwithstanding the provisions of Section 3(2) of this Plan pertaining to the recreational use of land, only the following recreational uses shall be permitted on that Part of Lot 11, Concession 1, New Survey, Township of King, as shown on Schedule "A" of the Official Plan:

- a golf course integrated with the abutting approximately 99 hectare golf course to the east;
- golf shop including limited snackbar facilities not exceeding 186 m² is gross floor area, exclusive of a patio seating area. The golf shop referred to may include facilities for the renting of golf equipment, golf carts and limited retail sales. Food and drink services shall also be limited since complete dining facilities are available at the primary clubhouse to the east;
- cross-country skiing;
- the existing barn & greenhouse situated on the portion of the lands fronting on Highway 9 shall only be used in conjunction with the golf course;
- the two existing detached dwelling units shall only be occupied by persons employed on the property;
- uses which are naturally associated with and subordinate to the above-noted uses provided such uses are not already provided for at the existing clubhouse facility.

However, notwithstanding any provisions of the Official Plan pertaining to permitted uses, no development of land shall be permitted in the area identified as the "South Canal Buffer Area" being the area adjacent to Holland Marsh Drainage

Canal, measuring 45 metres from the Canal Banks on Schedule 2 to the Amendment, except those which have been approved in accordance with the development policies listed below. It is intended that the Buffer Area is to remain in an undisturbed, natural state in recognition of the value of fisheries resource contained in the South Drainage Canal and its tributaries.

Notwithstanding the policies pertaining the South Canal Buffer Area, it is recognized the 45 metre buffer shall be subject to an easement in favour of the Holland Marsh Drainage Commission adjacent to the Holland Marsh Drainage Canal measuring 25 metres from the Canal Bank. Within this easement the Commission may carry out maintenance works relating to the Holland Marsh Drainage Canal system subject to the provisions of the Drainage Act.

Policies

The foregoing recreational and associated uses permitted shall be permitted in accordance with the following development policies:

- (i) These lands shall be designated as a Site Plan Control Area in accordance with Section 41 of the Planning Act, 1990, to ensure that;
 - (a) In recognition of the valuable fisheries resource identified in the Drainage Canal by the Ministry of Natural Resources, the development of the subject property shall proceed in a manner so as to minimize negative impacts through the use of proper stormwater management and erosion and sedimentation control measures both during and after the development.
 - (b) no development, grading, removal of vegetation or creation of ponds shall occur on lands possessing physical constraints or which adversely impacts on existing watercourses and the South Canal Buffer Area as identified by the Ministry of Natural Resources and Lake Simcoe Region Conservation Authority, without the approval of these agencies;
 - (c) there will be no adverse environmental impact on the surrounding lands having regard to such matters as water quality of private domestic well supplies, watercourses, drainage and fluctuations of the watertable;
 - (d) landscaping and screening is provided to minimize the visual impact of the golf course and parking areas in an effort to retain the rural appearance of the area;
 - (e) lighting, fencing, driveways and vehicular access, parking area, dust and other site development matters are designed to minimize the impact to surrounding land uses.

- (ii) Adequate off-street parking shall be provided for the convenience of the patrons, guests and employees. Access points shall be limited in number and required turning lanes shall be designed in accordance with the Township of King standards and in a manner so as to minimize the danger of vehicular and pedestrian traffic.
- (iii) Adequate buffering and screening from roadways and adjacent agricultural and residential uses in the form of fencing, landscaping and/or berming shall be provided as deemed necessary by Council.
- (iv) Additional landscaping to further enhance the natural area linkages in the general area of the South Canal Buffer Area shall be provided by the owner in accordance with landscaping plans approved by the Ministry of Natural Resources and included in the Site Plan Development Agreement.
- (v) All buildings, structures and vehicular parking areas shall be located on these lands so as to provide adequate setbacks from property lines in order to minimize any potential land use conflicts.
- (vi) The South Canal Buffer Area shall consist of a 45 metre buffer strip of undisturbed natural vegetation along the South Drainage Canal. In addition, a 15 metre vegetative buffer strip shall also be maintained along each side of the streambanks of all tributaries draining the property into the Canal. Existing wooded areas and topography shall be preserved where possible, however, any necessary water crossing or removal of wooded areas shall be subject to the approval of the Township of King, the Ministry of Natural Resources and the Lake Simcoe Region Conservation Authority in accordance with Clause (i) above.
- (vii) Water supply for the purpose of irrigation shall be provided either from a stormwater retention system or from the Holland Marsh Drainage Canal in a manner acceptable to the Region of York and the Township of King in accordance with a permit to take water issued by the Ministry of the Environment and Energy. Water for irrigation purposes will not be permitted from pumped groundwater.
- (viii) The development of on-stream ponds shall be prohibited.
- (ix) In the design and layout of the golf course, any necessary water crossing shall be at right angles to the watercourse and any vegetation removed from within the vegetative buffer strip must be limited to the overstorey, leaving all existing groundcover.

- (x) All water crossing shall be approved by the Ministry of Natural Resources in accordance with the Lakes and Rivers Improvement Act and the Lake Simcoe Region Conservation Authority in accordance with regulations passed under Section 28 of the Conservation Authority's Act.
 - (xi) The existing access/entranceway to Highway #9 may continue to be used for residential purposes only, however, commercial or maintenance traffic relating to the golf course is prohibited from using the existing residential driveway access to the Provincial Highway.
 - (xii) All development shall be implemented by an appropriate Zoning By-law."
 - (xiii) the buffer areas identified will be placed in a zone category that will prohibit the use of any portion of the lands for the golf course or accessory uses."
- ix) Deleting the following text for Amendment 53:

“(14) Exception Area 14 - Commercial, being Part of Lot 26, Concession 8, Township of King

General

Notwithstanding the provisions of Section 3(7)(b)(i) of this Plan pertaining to the use of land, only the following uses which primarily serve the motoring public and surrounding farm community and which rely heavily upon such traffic and proximity to farm operations for their economic existence, shall be permitted:

- (i) market garden and nursery sales and supply establishment
- (ii) automobile or recreation vehicles and equipment sales agencies
- (iii) veterinary clinic and an animal hospital
- (iv) retail stores
- (v) restaurants
- (vi) public garages, mechanical
- (vii) automobile service stations including the retailing of non-automotive goods

Policies

In addition to the development policies in Section 3(7)(b)(i) of the Official Plan, the aforementioned uses shall only be permitted in accordance with the following development policy:

- (i) The lands shall be appropriately zoned in an implementing Zoning By-law and such By-law shall include provisions which will establish a maximum gross floor area and lot coverage, as well as minimum setbacks for building structures and underground tanks from Highway #27, in accordance with Ministry of Transportation requirements.
- (ii) The development or redevelopment of buildings or structures shall ensure that adequate buffer planting, screening and/or fencing is provided, particularly with respect to parking or service areas, so as to provide for a reasonable degree of compatibility with and to minimize the impact upon adjacent uses.
- (iii) In assessing the potential development or redevelopment of the lands, the proponent shall have regard to the need to provide private waste disposal on site by means of a Class 4 sewage disposal system. In this regard, the nature and overall scale of development which can be accommodated on the lands will be governed by the Region of York's Guidelines for the Development of Commercial Proposals on Rural Sewage Systems. Criteria for the design and assessment of the potential development or redevelopment of the lands include but are not limited to the following:
 - (a) The maximum daily effluent loading of the sewage system will be 4,500 litres per day;
 - (b) The effluent loading generated by the potential development or redevelopment will be assessed based upon the occupant loading using the Ontario Building Code and a daily effluent generation rate of 75 litres per occupant; and
 - (c) The area requirements for prime and reserve septic system will be calculated based upon a native soil loading rate of 4.5 litres per day per square metre of the site.
- (iv) Prior to any development or redevelopment of the lands, the proponent shall submit for Council's approval, plans and drawings in accordance with the Site Plan Control provisions of Section 41 of the Planning Act, 1990. As part of the Site Plan Control requirements, the proponent shall:

- (a) Submit a detailed storm water management design in accordance with the Township of King Design Criteria to the satisfaction of the Lake Simcoe and Region Conservation Authority and the Ministry of Natural Resources.
- (b) Submit a plan showing existing and proposed grades, site grading, location of buildings and structures, driveways, parking areas primary and reserve leaching bed areas, septic tank, drilled well, direction of drainage and other pertinent information to the satisfaction of the Region of York Environmental Services Department - On Site Sewage Systems Branch.
- (c) Submit a detailed Landscape Plan detailing the planting and buffering techniques to be incorporated particularly along the south and east property lines to maximize compatibility with adjacent residential and agricultural land uses.
- (d) Obtain a development permit from the Lake Simcoe Region Conservation Authority for any proposed grading, filling construction and/or watercourse alterations on the site.
- (v) The development or redevelopment of the lands shall have regard for the desire of Council to achieve a high quality design which provides for an enhanced streetscape from an architectural and functional design perspective. Matters to be addressed in the approval of drawings and site plans shall include building scale, design and treatment of exterior elevations, parking facilities, landscaping and signage.”

2.15 By adding the following section to Section 3 (Land Use Policy), after subsection (13):

“(14) OAK RIDGES MORAINÉ PLAN AREA

(a) General

The Oak Ridges Moraine (the Moraine) is a significant landform located north and parallel to Lake Ontario. The Moraine is an irregular ridge which stretches 160 kilometres from the Trent River in the east to the Niagara Escarpment in the west. It divides the watersheds draining south into western Lake Ontario from those draining north into Georgian Bay, Lake Simcoe, and the Trent River System. The Moraine has a distinctive concentration of environmental, geological and hydrological features that make its ecosystem critical to south-central Ontario.

The Minister of Municipal Affairs and Housing established the Oak Ridges Moraine Conservation Plan in April 2002 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. The Province of Ontario has established the boundary of the Oak Ridges Moraine in Ontario Regulation 01/02.

Lands located on the Oak Ridges Moraine within the Township of King are identified on Schedules A-G. Municipal planning decisions in the Oak Ridges Moraine Plan Area in the Township of King shall conform to the policies of the Oak Ridges Moraine Conservation Plan and the Region of York Official Plan. The Region of York Official Plan was amended by Amendment #41 to bring it into conformity with the Oak Ridges Moraine Conservation Plan. Policies in Section 3(14) and Section 7(5) apply on to lands within the Oak Ridges Moraine Plan Area.

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. 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 OPA #1970.

(b) Transitional Policies

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 Oak Ridges Moraine Natural Core, Oak Ridges Moraine Natural Linkage and Oak Ridges Moraine Countryside Area, which were commenced before November 17, 2001 and for which no decision had been made on November 17, 2001, are as follows:

Sections 3(14), subsections (j), (l) and (m)
Section 3(14), subsection (z) clause (i)(2)
Section 3(14), subsection (bb) clauses (viii)(1), (2) and (3)

(c) Existing Uses Buildings and Structures

(i) Nothing in this Plan applies to prevent the following:

1. the use of any land, building or structure for a purpose prohibited by this Plan, if the land, building or structure was lawfully used for that purpose on November 15, 2001 and continues to be used for that purpose; or
 2. 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,
 - a. the permit has not been revoked under subsection 8 (10) of the Building Code Act, 1992, and
 - b. the building or structure when erected is used and continues to be used for the purpose for which it was erected.
 3. the expansion of an existing building or structure on the same lot, or the expansion of an existing institutional use, if the applicant demonstrates that,
 - a. there will be no change in use; and
 - b. the expansion will not adversely affect the ecological integrity of the Plan Area.
 4. 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.
 5. Nothing in this Plan applies to prevent the conversion of an existing use to a similar use, if the applicant demonstrates that the conversion,
 - a. will bring the use into closer conformity with this Plan; and
 - b. will not adversely affect the ecological integrity of the Plan Area.
- (ii) Despite subsection (i)(3), an existing mineral aggregate operation or an existing wayside pit within an Oak Ridges Moraine Natural Core Area may not be expanded beyond the boundary of the area under

licence or permit.

(iii) 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.

(iv) In this section,

“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;

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

(d) Previously Authorized Single Dwelling

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

- (i) the use, erection and location would have been permitted by the applicable zoning by-law on November 15, 2001; and
- (ii) the applicant demonstrates, to the extent possible, that the use, erection and location will not adversely affect the ecological integrity of the Plan Area.

(e) Previously Authorized Building or Structure

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,

- (i) 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
- (ii) 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 (“Further Approvals”)

(f) Exception, Site Plan Approval

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 this 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:

- (i) An application for an amendment to a zoning by-law.
- (ii) An application for approval of a plan of subdivision under section 51 of the Planning Act.
- (iii) An application for approval or exemption from approval for a plan of condominium under section 9 of the Condominium Act, 1998.

(g) Land Use Designation: Oak Ridges Moraine Natural Core Area

Oak Ridges Moraine Natural Core Areas as shown on Schedule “AA” shall mean areas located within the “Moraine” boundary with a high concentration of key natural heritage features, hydrologically sensitive features or landform conservation areas.

- (i) The purpose of Oak Ridges Moraine Natural Core Areas is to maintain and where possible improve or restore the ecological integrity of the Plan Area by,
 - 1. 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;
 - 2. maintaining or restoring natural self-sustaining vegetation and wildlife habitat;
 - 3. maintaining the quantity and quality of groundwater and surface water;
 - 4. maintaining groundwater recharge;
 - 5. maintaining natural stream form and flow characteristics; and
 - 6. protecting landform features.
- (ii) Oak Ridges Moraine Natural Core Areas also have the objectives of,
 - 1. accommodating a trail system through the Plan Area and trail connections to it; and
 - 2. providing for limited economic development that is compatible

3. with clause (1) and subsection (i) above

(iii) The following uses are permitted with respect to land in Oak Ridges Moraine Natural Core Areas, subject to the ecological and hydrological integrity policies in Section 3(14) (j) to (s), to the specific Moraine land use policies in Section 3(14) (t) to (bb) and to Section 7(5).

1. Fish, wildlife and forest management.
2. Conservation projects and flood and erosion control projects.
3. Agricultural uses.
4. Transportation, infrastructure, and utilities as described in subsection (iv) of this section and to Section 3(14)(y), but only if the need for the project has been demonstrated and there is no reasonable alternative.
5. Low-intensity recreational uses as described in Section 3(14)(w)
6. Unserviced parks
7. Home businesses
8. Bed and breakfasts
9. Farm vacation homes
10. Uses accessory to the uses listed in 1-9.

(iv) In addition to policies addressing the ecological and hydrological integrity of the Moraine in section 3(14) (j) to (s), the specific Moraine land use policies in section 3(14) (t) to (bb) and Section 7(5), the following policies shall apply to lands located in the Oak Ridges Moraine Natural Core Areas:

1. An application for a transportation, infrastructure or utilities use with respect to land in an Oak Ridges Moraine 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 following requirements will be satisfied, to the extent that is possible while also meeting all applicable safety standards:
 - i) The area of construction disturbance will be kept to a minimum.

- ii) 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.
- iii) The project will allow for wildlife movement.
- iv) Lighting will be focused downwards and away from Oak Ridges Moraine Natural Core Areas.
- v) The planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Plan Area to a minimum.
- vi) the project does not include and will not in the future require a highway interchange or a transit or railway station in an Oak Ridges Moraine Natural Core Area; and
- vii) the project is located as close to the edge of the Oak Ridges Moraine Natural Core Area as possible.

(h) Land Use Designation: Oak Ridges Moraine Natural Linkage Area

Oak Ridges Moraine Natural Linkage Areas as shown on Schedule “AA” are areas forming part of a central corridor system that support or have the potential to support movement of plants and animals among the Oak Ridges Moraine Natural Core Areas, Oak Ridges Moraine Natural Linkage Areas, river valleys and stream corridors.

- (i) The purpose of Oak Ridges Moraine Natural Linkage Areas is to maintain, and where possible improve or restore, the ecological integrity of the Plan Area, and to maintain, and where possible improve or restore, regional-scale open space linkages between Oak Ridges Moraine Natural Core Areas and along river valleys and stream corridors by,
 1. maintaining, and where possible improving or restoring, the health, diversity, size, and connectivity of key heritage features, hydrologically sensitive features and the related ecological functions;
 2. maintaining, and where possible improving or restoring natural self-sustaining vegetation over large parts of the area to facilitate movement of plants and animals;

3. maintaining a natural continuous east-west connection and additional connections to river valleys and streams north and south of the Plan Area;
 4. maintaining the quantity and quality of groundwater and surface water;
 5. maintaining groundwater recharge
 6. maintaining natural stream form and flow characteristics; and
 7. protecting landform features.
- (ii) Oak Ridges Moraine Natural Linkage Areas also have the objectives of,
1. accommodating a trail system through the Plan Area and trail connections to it; and
 2. providing for limited economic development that is compatible with clause (1) and subsection (i) above.
- (iii) The following uses are permitted with respect to land in Oak Ridges Moraine Natural Linkage Areas, subject to the ecological and hydrological integrity policies in Section 3(14) (j) to (s), the specific Moraine land use policies in Section 3(14) (g)(iv) and (t) to (bb) and Section 7(5).
1. The uses permitted in Oak Ridges Moraine Natural Core Area in section 3(14) (g)(iii) shall apply.
 2. Mineral aggregate operations.
 3. Wayside pits.
 4. Uses accessory to the uses listed in 1 through 3.
- (iv) In addition to policies addressing the ecological and hydrological integrity of the Moraine in Section 3(14) (j) to (s), the specific Moraine land use policies in Section 3(14) (g)(iv) and (t) to (bb) and Section 7(5) the following policies shall apply to lands located in the Oak Ridges Moraine Natural Linkage Areas:
1. An application for a mineral aggregate operation shall be permitted only by amendment to this Plan. A mineral aggregate operation or wayside pit shall not be approved unless the applicant demonstrates,
 - a. that the quantity and quality of groundwater and surface water in the Plan Area will be maintained and, where possible, improved or restored;

- b. if there are key natural heritage features on the site or on adjacent land, that their health, diversity, size and connectivity will be maintained and, where possible, improved or restored;
 - c. if there are areas of natural and scientific interest (earth science) on the site or on adjacent land, that the geological or geomorphological attributes for which they were identified will be protected;
 - d. that there will be no extraction within 1.5 metres of the water table;
 - e. that the extraction of mineral aggregates from the site will be completed as quickly as possible;
 - f. that the site will be rehabilitated in stages as quickly as possible; and
 - g. that the entire site will be rehabilitated,
 - i) in the case of land in a prime agricultural area, by restoring the land so that the average soil quality of each area is substantially returned to its previous level, and
 - ii) in all other cases, by establishing or restoring natural self-sustaining vegetation.
2. In order to maintain connectivity, when a mineral aggregate operation or a wayside pit is located in an Oak Ridges Moraine Natural Linkage Area, there shall at all times be an excluded area (which, for greater certainty, may contain both undisturbed land and land whose rehabilitation is complete) that,
- a. is at least 1.25 kilometres wide;
 - b. lies outside the active or unrehabilitated portions of the area being used; and
 - c. connects parts of the Oak Ridges Moraine Natural Linkage Area outside the mineral aggregate operation or wayside pit.
3. An application for a mineral aggregate operation or wayside pit with respect to land in a key natural heritage feature may be approved if,

- a. the key natural heritage feature is occupied by young plantations or early successional habitat; and
 - b. the applicant demonstrates that,
 - i) the long-term ecological integrity of the Plan Area will be maintained, or where possible improved or restored,
 - ii) the extraction of mineral aggregates from the area within the key natural heritage feature will be completed, and the area will be rehabilitated, as early as possible in the life of the operation, and
 - iii) the area from which mineral aggregates are extracted will be rehabilitated by establishing or restoring natural self-sustaining vegetation of equal or greater ecological value.
4. In subclause (3)(b),
- “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.
5. An application for a mineral aggregate operation or wayside pit with respect to land in a landform conservation area (Category 1 or 2) shall not be approved unless the applicant demonstrates,
- a. that the area from which mineral aggregates are extracted will be rehabilitated to establish a landform character that blends in with the landform patterns of the adjacent land; and
 - b. that the long-term ecological integrity of the Plan Area will be maintained, or where possible improved or restored.
6. The policies regarding transportation, infrastructure and utilities in Section 3(14)(g) Oak Ridges Moraine Natural CoreArea, subsection (1) shall apply.

(i) Land Use Designation: Oak Ridges Moraine Countryside Area

Oak Ridges Moraine Countryside Areas as shown on Schedule “AA” are areas of rural land use such as agriculture, recreation, residential development, Oak Ridges Moraine Rural Settlements, mineral aggregate operations, parks and open space. Oak Ridges Moraine Rural Settlements are existing hamlets or similar existing small communities within the Oak Ridges Moraine Countryside Areas, generally long-established and identified in official plans.

(i) The purpose of Oak Ridges Moraine Countryside Areas is to encourage agricultural and other rural uses that support the Plan’s objectives by,

1. protecting prime agricultural areas;
2. providing for the continuation of agricultural and other rural land uses and normal farm practices; and
3. maintaining the rural character of the Oak Ridges Moraine Rural Settlements.

(ii) Oak Ridges Moraine Countryside Areas also have the objectives of,

1. maintaining, and where possible improving or restoring, the ecological integrity of the Plan Area;
2. 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;
3. maintaining the quantity and quality of groundwater and surface water;
4. maintaining groundwater recharge;
5. maintaining natural stream form and flow characteristics;
6. protecting landform features;
7. accommodating a trail system through the Plan Area and trail connections to it; and
8. providing for economic development that is compatible with the purpose of Oak Ridges Moraine Countryside Areas and

with subsection (i) and with clauses (1) to (7) of this subsection.

(iii) The following uses are permitted with respect to land in Oak Ridges Moraine Countryside Areas subject to ecological and hydrological integrity policies in Section 3(14) (j) to (s), specific Moraine land use policies in Section 3(14) (g)(iv), (h)(iv), (t) to (bb) and Section 7(5),

1. The uses permitted in Oak Ridges Moraine Natural Linkage Areas in section 3(14)(h)(iii) shall apply.
2. Agriculture-related uses.
3. Major recreational uses as described in subsection (ix)(2), (3), (4) and (5) of this section, except in prime agricultural areas as shown in Schedule “G” (Prime Agricultural Land)
4. Uses accessory to the uses listed in 1,2 and 3.

(iv) With respect to land in an Oak Ridges Moraine Rural Settlement, the following uses are permitted subject to the permitted uses listed in subsection (iii) above and subject to Moraine ecological and hydrological integrity policies in Section 3(14) (j) to (s), to specific Moraine land use policies in Section 3(14) (g)(iv), (h)(iv), (t) to (bb) and to Section 7(5) in addition to the uses in subsection (iii) above,

1. Residential development in accordance with Section 3(14)(v)(2) and (3), of this Plan.
2. Small-scale commercial, industrial and institutional uses that do not require large-scale modification of terrain, vegetation or both or large-scale buildings and structures if the applicant demonstrates that:
 - a. the buildings and structures will be planned, designed and constructed so as not to adversely affect the ecological integrity of the Plan Area.
3. For lands designated “Rural Settlement” and located on Kettleby Road west of Jane Street to Highway 400, the Township will prepare a Secondary Plan or a Community Plan to meet relevant requirements of the Oak Ridges Moraine Rural Settlement Area designation.

(v) New lots may be created in Oak Ridges Moraine Countryside Areas for the following purposes only, and subject to Moraine ecological and hydrological integrity policies in Section 3(14) (j) to (s), specific Moraine land use policies in Section 3(14) (g)(iv), (h)(iv), (t) to (bb)

and to Section 7(5),

1. The purposes and policies specified in section (t) on lot creation
 2. Minor infill within an Oak Ridges Moraine Rural Settlement.
 3. Minor rounding-out of Oak Ridges Moraine Rural Settlements designated in the applicable official plan as appropriate for this type of lot creation, provided that the lot does not encroach into an Oak Ridges Moraine Natural Core Area or Oak Ridges Moraine Natural Linkage Area.
- (vi) With respect to land in Oak Ridges Moraine Countryside Areas, the applicant shall ensure that natural self-sustaining vegetation is maintained or restored for the long-term protection of any key natural heritage feature or hydrologically sensitive feature on the lot or lots created,
1. on every site plan approval; and
 2. on every consent to the creation of a lot under subsection (v) above or subsection (t)(i).
- (vii) Nothing in this Plan applies to prevent a use or the erection or location of a building or structure with respect to land in an Oak Ridges Moraine Countryside Area, with the exception of land within an Oak Ridges Moraine Rural Settlement, if,
1. the use, erection and location would have been permitted by the applicable zoning by-law on November 15, 2001;
 2. the use, erection and location are permitted by the zoning by-law, as amended in accordance with sections 9 and 10 of the Act to bring them into conformity with this Plan, although they do not comply with the provisions listed in subsections (h) clause (iv)(1a,b,c,g) (3), (4) and (5), subsection (i) clause (iv)(2, 3) and clause (ix)(2-5) subsections (j) to (bb) , Section 7(5) and Table 1.
 3. in the case of major development, the applicant complies with sewage and water services policies in subsection(z)(i) clause (2); and
 4. the application conforms to subsections (j), (l), (m), (q), (r) and (bb)(viii)(1, 2 and 3).

- (viii) Nothing in this Plan applies to prevent a use or the erection or location of a building or structure within an Oak Ridges Moraine Rural Settlement if,
1. the use, erection and location would have been permitted by the applicable zoning by-law on November 15, 2001;
 2. the use, erection and location are 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 they do not comply with the provisions listed in subsections (h) clause (iv)(1a,b,c,g) (3), (4) and (5), subsection (i) clause (iv)(2, 3) and clause (ix)(2-54-9) , subsections (j) to (bb) , Section 7(5) and Table 1.
 3. the application conforms to subsections (q), (r), (bb)(viii)(1, 2, and 3); and
 4. the applicant demonstrates, to the extent possible, that the use, erection or location will not adversely affect the ecological integrity of the Plan Area.
- (ix) In addition to policies addressing the ecological and hydrological integrity of the Moraine in Section 3(14) (j) to (s), the specific Moraine land use policies in Section 3(14) (g)(iv), (h)(iv), (t) to (bb) and Section 7(5) the following policies shall apply to lands located in the Oak Ridges Moraine Countryside Areas:
1. An application for a mineral aggregate operation or wayside pit shall be subject to policies in Section 3(14) (h)(iv) subsections (1) (a, b, c, g), (3)(a, b), (4) and (5).
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 2. Major recreational uses are recreational uses that require large-scale modification of terrain, vegetation or both and usually also require large-scale buildings or structures, including but not limited to the following:
 - a. Golf courses.
 - b. Serviced playing fields.
 - c. Serviced campgrounds.
 - d. Ski hills.
 3. An application to establish or expand a major recreational use shall be accompanied by a recreation plan demonstrating that,

- a. water use for maintenance or snow-making or both will be kept to a minimum;
 - b. grassed, watered and manicured areas will be limited to sports field surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures;
 - c. crossings of intermittent and permanent streams will be kept to a minimum;
 - d. water-conserving technologies (such as low flow toilets and shower heads) will be used in clubhouses and restaurants;
 - e. water-conserving technologies (such as timed irrigation systems designed to reduce evaporation losses, and recycling of water from under greens) will be used in the irrigation and watering of sports field surfaces, golf fairways, tees and greens, and landscaped areas around buildings and structures; and
 - f. stormwater treatment facilities will be used to capture and treat runoff from areas with impervious surfaces.
4. An application to establish or expand a major recreational use shall be accompanied by a vegetation management plan demonstrating that,
- a. the application of fertilizers, pesticides, herbicides and fungicides will be limited to sports field surfaces, golf fairways, tees, greens and landscaped areas around buildings and structures, and, in those locations, will be kept to a minimum;
 - b. grass mixtures that require minimal watering and upkeep will be used for sports field surfaces and golf fairways; and
 - c. wherever possible, intermittent stream channels and drainage swales will be kept in a free-to-grow, low maintenance condition.
5. An application to establish or expand a major recreational use shall demonstrate that,
- a. the recreational activities on the site,
 - (i) will be compatible with the natural character of the surrounding area; and
 - (ii) will be designed and located so as not to conflict with adjacent land uses; and

- b. new technologies relating to construction, grounds maintenance and water conservation will be explored and incorporated, as they become available, to help maintain, and where possible improve or restore the ecological integrity of the Plan Area.

(j) Supporting Connectivity

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

(k) Minimum Area of Influence and Minimum Vegetation Protection Zone

For the purposes of this Part,

- (i) the minimum area of influence that relates to a key natural heritage feature or hydrologically sensitive feature described in Column 1 of Table 1 to this Part is the area referred to in the corresponding item in Column 1;
- (ii) the minimum vegetation protection zone that relates to a key natural heritage feature or hydrologically sensitive feature described in Column 1 of Table 1 is the area determined in accordance with the corresponding item in Column 3; and
- (iii) If land falls within more than one item in Column 1 of Table 1, the provisions that are more restrictive apply.

(l) Key Natural Heritage Features

- (i) The following are key natural heritage features within the Oak Ridges Moraine Plan Area:
 - 1. Significant portions of the habitat of endangered, rare and threatened species.
 - 2. Fish habitat.
 - 3. Areas of natural and scientific interest (life science).
 - 4. Significant valleylands.

5. Significant woodlands.
6. Significant wildlife habitat.
7. Sand barrens, savannahs and tallgrass prairies.

These features are shown on Schedule “D” except for significant valleylands, significant wildlife habitat, and the habitat of endangered rare and threatened species. Fish habitat is generally located in areas that have been identified as permanent streams, wetlands, or other water bodies (lakes) on the Oak Ridges Moraine.

- (ii) Key natural heritage features not shown in mapping shall only be identified using technical criteria provided by the Government of Ontario or when a proponent is undertaking a natural heritage evaluation.

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

COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4
Item	Feature	Minimum Area of Influence	Minimum Vegetation Protection Zone
1	Wetlands	All land within 120 metres of any part of feature	All land within 30 metres of any part of feature, subject to subsection (1)(iv)(4) 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 subsection (1)(iv)
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 subsection (1)(iv)(4) 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 subsection (1)(iv)
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 (s) (iv)
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 subsection (1)(iv)(4) 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 subsection (1)(iv)(4) 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 subsection (1) (iv)
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 subsection (1) (iv)(4) 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 subsection (m)(iii)(3) 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 subsection (m)(iii)(3) and subsection (m)(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 (m)(iii)(3) and subsection (m)(iv) if a hydrological evaluation is required

(iii) All development and site alteration with respect to land within a key natural heritage feature or the related minimum vegetation protection zone is prohibited, except the following:

1. Forest, fish, and wildlife management.
2. Conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary in the public interest after all alternatives have been considered.
3. Transportation, infrastructure, and utilities as described in section 3(14)(y), but only if the need for the project has been demonstrated and there is no reasonable alternative.
4. Low-intensity recreational uses as described in section 3(14)(w).
5. Mineral aggregate operations or wayside pits established in accordance with Section 3(14)(h)(iv)(3).

(iv) An application for development or site alteration with respect to land within the minimum area of influence that relates to a key natural heritage feature, but outside the key natural heritage feature itself and the related minimum vegetation protection zone, shall be accompanied by a natural heritage evaluation that shall:

1. demonstrate that the development or site alteration applied for will have no adverse effects on the key natural heritage feature or on the related ecological functions;
2. identify planning, design and construction practices that will maintain and, where possible, improve or restore the health, diversity and size of the key natural heritage feature and its connectivity with other key natural heritage features;
3. in the case of an application relating to land in an Oak Ridges Moraine Natural Core Area, Oak Ridges Moraine Natural Linkage Area or Oak Ridges Moraine Countryside 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;
4. if Table 1 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;

5. if Table 1 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
 6. in the case of a key natural heritage feature that is fish habitat, ensure compliance with the requirements of the Department of Fisheries and Oceans (Canada).
- (v) In the case of item 4 of Table 1, the basis on which the determination and specification mentioned in clause (iv) (5) above 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.
- (vi) Key natural heritage features not shown in Schedule “D” shall only be identified using criteria provided by the Government of Ontario in its Technical Paper Series on the Oak Ridges Moraine Conservation Plan when a proponent is undertaking a natural heritage evaluation.

(m) Hydrologically Sensitive Features

- (i) The following are hydrologically sensitive features within the Oak Ridges Moraine Plan Area:
1. Permanent and intermittent streams.
 2. Wetlands.
 3. Kettle lakes.
 4. Seepage areas and springs.

These features are shown on Schedule “D” except for seepage areas and springs.

- (ii) All development and site alteration with respect to land within a hydrologically sensitive feature or the related minimum vegetation protection zone is prohibited, except the uses listed in section (1)(ii).
- (iii) An application for development or site alteration with respect to land within the minimum area of influence that relates to a hydrologically sensitive feature, but outside the hydrologically sensitive feature itself and the related minimum vegetation protection zone, shall be

accompanied by a hydrological evaluation that shall:

1. demonstrate that the development or site alteration will have no adverse effects on the hydrologically sensitive feature or on the related hydrological functions;
 2. identify planning, design and construction practices that will maintain, and where possible improve or restore, the health, diversity and size of the hydrologically sensitive feature; and
 3. determine whether the minimum vegetation protection zone whose dimensions are specified in Table 1 to this Part 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.
- (iv) In the case of items 11 and 12 Table 1, the basis on which the determination and specification mentioned in clause (iii) (3) above is done shall include, without limitation, an analysis of land use, soil type and slope class, using criteria established by the Government of Ontario, as amended from time to time.
- (v) Hydrologically sensitive features not shown in mapping shall only be identified using technical criteria provided by the Government of Ontario or when a proponent is undertaking a hydrological evaluation.
- (n) Watershed Plans and Water Budgets and Conservation Plans
- The Regional Municipality of York is preparing watershed plans for every watershed whose streams originate within the municipality's area of jurisdiction as required by Section 24 of the Oak Ridges Moraine Conservation Plan.
- (i) recommendations, practices and strategies which flow out of the watershed plans will be implemented by amendment to this Plan .
- (o) Major Development
- (i) Major development as it applies to land within the Oak Ridges Moraine Plan Area means development consisting of,
1. the creation of four or more lots,
 2. the construction of a building or buildings with a ground floor area of 500 m² or more, or

3. the establishment of a major recreational use as described in Oak Ridges Moraine Countryside Area, section 3(14) (ix (2) to (5) of this Plan.
- (ii) For every application commenced on or after April 23, 2007, major development is prohibited unless,
1. the watershed plan for the relevant watershed, prepared in accordance with the watershed plan policy in section (n), has been completed;
 2. the major development conforms with the watershed plan; and
 3. the water budget and conservation plan prepared by the Region of York as defined in Section 25 of the Oak Ridges Moraine Conservation Plan, demonstrates 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 as delineated on Schedule ____, an application for major development shall not be approved unless,
1. the relevant municipality has complied with clause (ii) (3) above; or
 2. the applicant,
 - a. identifies any hydrologically sensitive features and related hydrological functions on the site and how they will be protected,
 - b. demonstrates that an adequate water supply is available for the development without compromising the ecological integrity of the Plan Area, and
 - c. provides, with respect to the site and such other land as the approval authority considers necessary, a water budget and water conservation plan that,
 - (i) characterizes groundwater and surface water flow systems by means of modeling,
 - (ii) identifies the availability, quantity and quality of water sources, and
 - (iii) identifies water conservation measures
- (iv) In addition to policies in Section 3(14) subsection (s), an application for major development with respect to land in a landform conservation area (landform conservation areas category 1 and 2 are

shown on Schedule F) of either category shall be accompanied by:

1. A landform conservation plan that shows, on one or more maps,
 - a. elevation contours in sufficient detail to show the basic topographic character of the site, with an interval of not more than two metres;
 - b. analysis of the site by slope type (for example, moderate or steep);
 - c. significant landform features such as kames, kettles, ravines and ridges; and
 - d. all water bodies including intermittent streams and ponds.
 2. The landform conservation plan shall also include a development strategy that identifies appropriate planning, design and construction practices to minimize disruption to landform character, including,
 - a. retention of significant landform features in an open, undisturbed form;
 - b. road alignment and building placement to minimize grading requirements;
 - c. concentration of development on portions of the site that are not significant;
 - d. use of innovative building design to minimize grading requirements; and
 - e. use of selective grading techniques
- (v) An application for major development shall be accompanied by a stormwater management plan as set out in section (bb) of this Plan.
- (vi) An application for major development shall be accompanied by a sewage and water system plan as set out in section (z) of this Plan.
- (p) Subwatershed
- (i) 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,
 1. 10 per cent; or
 2. any lower percentage specified in the applicable watershed plan.
 - (ii) In considering applications for development or site alteration with respect to land 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.

- (q) Wellhead Protection Areas
 - (i) Wellhead Protection Areas and zero to two year time of travel zones are found within the King City Community Plan Area. .
 - (ii) With the exception of existing uses, buildings, and structures referred to section 3(14)(c)(i) and areas where wellhead protection policies have been incorporated into this official plan, the following uses are prohibited with respect to land in wellhead protection areas:
 - 1. Storage, except by an individual for personal or family use, of,
 - a. petroleum fuels,
 - b. petroleum solvents and chlorinated solvents,
 - c. pesticides, herbicides and fungicides,
 - d. construction equipment,
 - e. inorganic fertilizers,
 - f. road salt, and
 - g. contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.
 - 2. Generation and storage of hazardous waste or liquid industrial waste.
 - 3. Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.
 - (iii) With the exception of existing uses, buildings, and structures referred to section 3(14)(c)(i), 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:
 - 1. Storage of animal manure, except by an individual for personal or family use.
 - 2. Animal agriculture, except by an individual for personal or family use.
 - 3. Storage of agricultural equipment, except by an individual for personal or family use.
 - (iv) Every person who carries on a use listed in subsection (ii) or (iii), 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 clause (ii) or (iii) above, as the case may be, and their release into the environment.

- (v) The Township shall consider and encourage restrictions on haulage routes for the transportation of chemicals and volatile materials through designated wellhead protection areas.

- (r) Areas of High Aquifer Vulnerability
 - (i) Despite anything else in this Plan, with the exception of existing uses, buildings, and structures referred to section 3(14)(c)(i) the following uses are prohibited with respect to land in areas of high aquifer vulnerability, as shown on Schedule “E” of this Plan.
 1. Generation and storage of hazardous waste or liquid industrial waste.
 2. Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.
 3. Underground and above-ground storage tanks that are not equipped with an approved secondary containment device.
 4. Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990.

- (s) Landform Conservation Areas
 - (i) With the exception of mineral aggregate operations, an application for development or site alteration with respect to land in a landform conservation area (Categories 1 and 2) shown on Schedule “F” shall identify planning, design and construction practices that will keep disturbance to landform character to a minimum, including,
 1. maintaining significant landform features such as steep slopes, kames, kettles, ravines and ridges in their natural undisturbed form;
 2. limiting the portion of the net developable area of the site that is disturbed to not more than 25 per cent of the total area of the site for land within Category 1 and not more than 50 per cent of the total area of the site for lands in Category 2; and
 3. limiting the portion of the net developable area of the site that has impervious surfaces to not more than 15 per cent of the

total area of the site for lands in Category 1 and not more than 20 per cent of the total area of the site in Category 2.

- (ii) For applications for major development with respect to land in landform conservation areas with the exception of mineral aggregate operations, refer to section 3(14)(o)(iv) of this Plan.
- (iii) With the exception of mineral aggregate operations, an application for development or site alteration that does not constitute major development, with respect to land in a landform conservation area of either category, shall be accompanied by a site plan that,
 - 1. identifies the areas within which all building, grading, and related construction will occur;
 - 2. demonstrates that buildings and structures will be located within the areas referred to in clause (1) above so as to minimize the amount of site alteration required; and
 - 3. provides for the protection of areas of natural and scientific interest (earth science) in accordance with subsection (iv) below.
- (iv) 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,
 - 1. 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
 - 2. 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.
- (t) Lot Creation
 - (i) A lot may be created only in the following circumstances, and subject to policies for new lot creation in Oak Ridges Moraine Countryside Areas in section 3(14)(i)(v) and policies related to Moraine ecological and hydrological integrity policies in section 3(14) (j) to (s) of this Plan:
 - 1. 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 a 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. .

2. 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.
 3. Allowing land acquisition for transportation, infrastructure, and utilities as described in section (y) of this Plan, but only if the need for the project has been demonstrated and there is no reasonable alternative.
 4. 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.
 5. Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation.
 6. 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.
- (ii) Subsection (i) above applies whether the transaction takes the form of a conveyance, a lease for twenty-one years or more, or a mortgage.
 - (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 or their respective minimum vegetation protection zones.
 - (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) In subsection (i) above,

“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;

“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;

“residence surplus to a farming operation” means,

- (a) if there are two or more farm residences, both built before 1978, on a lot that is being used in a farming operation, one of those residences that is surplus to the farming operation, or
- (b) if the owner and operator of a farming operation acquires an additional lot and uses it in the consolidated farming operation, any existing farm residence that is surplus to the consolidated farming operation;

“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.

(u) Uses Accessory to Agriculture

(i) Permitted uses accessory to agricultural uses include, but are not limited to,

1. the roadside sale of produce of the farm operation;
2. 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 ;

3. 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:
 - a. is required to house help that is needed on the farm operation on a seasonal or full time basis taking into consideration the size and intensity of the farm use,
 - b. is located in close proximity to the existing farm buildings and utilizes the same driveway access as the principle residence,
 - c. 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,
 - d. will not adversely affect the ecological integrity of the Plan Area, and
 - e. does not require a severance, with the exception of criteria outlined in Section 3(14) (t)(lot creation within the Oak Ridges Moraine Plan Area).
4. mobile homes, which may be permitted as a temporary use.

(v) Comprehensive Rehabilitation Plans

The Township of King will seek the cooperation of the mineral aggregate industry to develop and implement comprehensive rehabilitation plans for parts of the Conservation Plan Area that are affected by mineral aggregate operations.

(w) Low-Intensity Recreational Uses

Low-intensity recreational uses are 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:

1. Non-motorized trail uses.
 2. Natural heritage appreciation.
 3. Unserviced camping on public and institutional land.
 4. Accessory uses.
- (i) 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,

1. keeping disturbed areas to a minimum; and
2. 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.

(x) Trail System

A recreational trail system shall be established to provide continuous access and travel within the Oak Ridges Moraine Plan Area, accessible to all including persons with disabilities.

- (i) The trail system shall,
 1. be designed to maintain and, where possible, improve or restore the ecological integrity of the Plan Area;
 2. be located in the Oak Ridges Moraine Natural Core Areas and Oak Ridges Moraine Natural Linkage Areas as much as possible;
 3. be located away from unopened road allowances as much as possible.
- (ii) Despite anything else in this Plan, the following uses, buildings and structures are permitted on the trail system:
 1. Non-motorized trail uses, and the use of motorized wheelchairs by persons who need them for mobility.
 2. Parking, signage, washrooms and interpretive facilities to support access to the trail system.
 3. Fencing to define and protect the trails.
 4. Works to improve access to the trail system and remove barriers to its use, for the benefit of all including persons with disabilities.
 5. Works to protect ecologically sensitive portions of the trail system.
 6. Conservation and erosion control to protect or restore key natural heritage features and hydrologically sensitive features and the related ecological functions along the trail system.

(y) Transportation, Infrastructure and Utilities

- (i) Transportation, infrastructure and utilities uses include,
 1. public highways;
 2. transit lines, railways and related facilities;
 3. gas and oil pipelines;

4. sewage and water service systems and lines and stormwater management facilities;
 5. power transmission lines;
 6. telecommunications lines and facilities, including broadcasting towers;
 7. 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 (1) to (6) of this subsection; and
 8. rights of way required for the facilities listed in clauses (1) to (7) of this subsection.
- (ii) Except as permitted in subsection (iii) below, 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 shall be prohibited on land in a key natural heritage feature or a hydrologically sensitive feature.
- (iii) Transportation, infrastructure, and utilities uses may be permitted to cross a key natural heritage feature or a hydrologically sensitive feature if the applicant demonstrates that,
1. the need for the project has been demonstrated and there is no reasonable alternative;
 2. the planning, design and construction practices adopted will keep any adverse effects on the ecological integrity of the Plan Area to a minimum;
 3. 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 (x) on the Oak Ridges Moraine Plan Area trail system.
 4. 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
 5. 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.
- (iv) 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.

(z) Sewage and Water Services

- (i) An application for major development in the Oak Ridges Moraine Plan Area shall be accompanied by a sewage and water system plan that demonstrates,
 - 1. that the ecological integrity of hydrological features and key natural heritage features will be maintained;
 - 2. that the quantity and quality of groundwater and surface water will be maintained;
 - 3. that stream baseflows will be maintained;
 - 4. that the project will comply with the applicable watershed plan and water budget and conservation plan; and
 - 5. that the water use projected for the development will be sustainable.
- (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.

(aa) Partial Services

- (i) The construction or expansion of partial services is prohibited, with the exception of construction or expansion:
 - 1. That is necessary to address a serious health concern or environmental concern.
 - 2. 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.

(bb) Stormwater Management

- (i) An application for major development as described in Section 3(14) subsection (o) shall be accompanied by a stormwater management plan, which shall be prepared in accordance with the Region of York's watershed plan
- (ii) The objectives of a stormwater management plan are to:

1. maintain groundwater quantity and flow and stream baseflow;
 2. protect water quality;
 3. protect aquatic species and their habitat;
 4. prevent increases in stream channel erosion; and
 5. prevent any increase in flood risk.
- (iii) A stormwater management plan shall provide for 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,
1. lot level controls such as devices and designs that direct roof discharge to rear yard ponding areas;;
 2. conveyance controls such as grassed swales; and
 3. end-of-pipe controls such as wet ponds at the final discharge stage
- (iv) Every application for development or site alteration, except for mineral aggregate operations, shall demonstrate that planning, design and construction practices that protect water resources will be used, including,
1. keeping the removal of vegetation, grading and soil compaction to a minimum;
 2. keeping all sediment that is eroded during construction within the site;
 3. seeding or sodding exposed soils as soon as possible after construction; and
 4. keeping chemical applications to suppress dust and control pests and vegetation to a minimum.
- (v) In considering an application for development or site alteration, except for mineral aggregate operations, the municipality 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.
- (vi) Municipal standards for development other than mineral aggregate operations for that part of the Oak Ridges Moraine lying within the Township of King shall incorporate planning, design and construction practices that will,
1. reduce the portions of lots and sites that have impervious surfaces; and

2. provide the flexibility to use alternative stormwater management techniques such as directing roof discharge to rear yard ponding areas and using grassed swales.
- (vii) For the purposes of stormwater management, the minimum standard for water quality is that 80 per cent of suspended solids shall be removed from stormwater runoff as a long-term average.
- (viii) Despite anything else in this Plan, the following are prohibited:
1. disposal of stormwater into a kettle lake.
 2. new stormwater management ponds with respect to land in key natural heritage features and hydrologically sensitive features; and
 3. new rapid infiltration basins and new rapid infiltration columns.

(ix) In subsection (viii),

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

“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;

“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.”

2.16 By adding the following section to Section 4 (Transportation Policy):

“(8) Oak Ridges Moraine Transportation

Notwithstanding section 4(1) to 4(7), lands located within the Oak Ridges Moraine Plan Area as shown on Schedule “AA” are also subject to Section 3(14) of this Plan. In cases of conflict, the policies of the Oak Ridges Moraine Conservation Plan

will prevail.”

- 2.17 By deleting the text “25” in Section 5(4) subsection (c) and replacing it with the following text:

“2.5”

- 2.18 By adding the following Section to Section 5 (Development Policies):

“(9) OAK RIDGES MORaine DEVELOPMENT POLICIES

Notwithstanding Section 5(1) to 5(8), lands located within the Oak Ridges Moraine Plan Area as shown on Schedule “AA”, are also subject to Section 3(14) of this Plan. In cases of conflict, the policies of the Oak Ridges Moraine Conservation Plan shall prevail.”

- 2.19 By adding the following subsection to Section 6(4) (Subdivision and Part-Lot Control By-laws):

“(y) Notwithstanding the above policies, lands located within the boundary of the Oak Ridges Moraine Plan Area are subject to policies in section 3(14) of this Plan. In cases of conflict, the policies of the Oak Ridges Moraine Conservation Plan shall prevail.”

- 2.20 By adding the following subsection to Section 6(8) (Site Plan Control):

“(e) Notwithstanding the above, lands located within the boundary of the Oak Ridges Moraine Plan Area are subject to policies in section 3(14) of this Plan. In cases of conflict, the policies of the Oak Ridges Moraine Conservation Plan shall prevail.”

- 2.21 By adding the following sentence to the end of subsection 6(iii) (Definition):

“Within the area shown as Oak Ridges Moraine Plan Area on Schedule “AA” to this Plan, Development and Site Alteration shall be as defined in Section 7(5).”

- 2.22 By amending Section 7(1) (Land Use Boundaries and Roads)

- i) Adding the following new sentence after the first sentence:

“For lands located within the Oak Ridges Moraine Plan Area the outside boundaries and the boundaries of the Natural Core Areas, Natural Linkage Areas, Countryside Areas, Rural Settlements and Settlement Areas are absolute and may not be changed.

2.23 By amending Section 7(2) as follows:

- i) Adding the following text to the end of the first sentence:

“for lands located outside the Oak Ridges Moraine Plan Area. For lands located within the Oak Ridges Moraine Plan Area, figures and quantities are regarded as fixed and not flexible.”

- ii) Adding the following new sentence after the end of the second sentence:

“Within the boundaries of the Oak Ridges Moraine Plan Area, applications for development, site alteration and transportation, infrastructure and utilities shall comply with the requirements of the Oak Ridges Moraine Conservation Plan.”

2.24 By adding the following text to the end of the paragraph in Section 7(3) (Accessory Uses):

“except for lands located within the boundary of the Oak Ridges Moraine Plan area. For land located within the Oak Ridges Moraine Plan Area, policies on accessory uses must comply with section 3(14) of this Plan.”

2.25 By adding the following subsection to Section (7) (Interpretation):

“(5) OAK RIDGES MORaine POLICY FOR MINERAL AGGREGATE OPERATIONS, WAYSIDE PITS AND AGRICULTURE

- (i) For lands located within the boundaries of the Oak Ridges Moraine Plan area, nothing in this Plan shall be interpreted as being more restrictive than the Oak Ridges Moraine Conservation Plan with regard to the following:

1. Agricultural uses.
2. Mineral aggregate operations.
3. Wayside pits.”

2.26 By adding the following subsection to Section (7) (Interpretation):

“(6) OAK RIDGES MORaine DEFINITIONS

The following definitions shall apply for land within the Oak Ridges Moraine Plan Area:

“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;

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

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

“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;

“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;

“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;

“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;

“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 travelling or vacationing public in up to three guest rooms.

“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;

“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 section 3(14) subsection (y), 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;

“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;

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

“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;

“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;

“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;

“farm vacation home” means an establishment that provides sleeping accommodation including participation in farm activities, meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public in up to three guest rooms within a single dwelling that is located on a farm and is the principal residence of the proprietor of the establishment;

“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);

“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;

“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;

“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;

“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;

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

“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;

“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;

“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;

“hydrological features” means,

- (a) permanent and intermittent streams,
- (b) wetlands,
- (c) kettle lakes and their surface catchment areas,
- (d) seepage areas and springs, and
- (e) aquifers and recharge areas;

“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;

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

“hydrologically sensitive feature” means a hydrologically sensitive feature as described in section 3(14) subsection (m);

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

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

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

“key natural heritage feature” means a key natural heritage feature as described in section 3(14) subsection (l);

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

“landform conservation area” means a landform conservation area as described in section 3(14) subsection (s);

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

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

“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;

“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 m² or more, or
(c) the establishment of a major recreational use as described in Section 3(14) (i) subsection (ix) ;

“meander belt” means the land across which a stream shifts its channel from time to time;

“mineral aggregate” means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act, but does not include metallic ores, asbestos, graphite,

kyanite, mica, nepheline syenite, talc, wollastonite, or other material prescribed under that Act;

“mineral aggregate operation” means,

(a) an operation, other than a wayside pit, conducted under a licence or permit under the Aggregate Resources Act, and

(b) associated facilities used in the extraction, transportation, beneficiation, processing or recycling of mineral aggregate or the production of related by-products;

“natural self-sustaining vegetation” means self-sustaining vegetation dominated by native plant species;

“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;

“Oak Ridges Moraine Conservation Plan Area” or “Oak Ridges Moraine Plan Area” means the areas described in section 3(14) and shown on Schedule “AA”;

“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;

“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;

“prime agricultural area” means an area that is,

(a) designated as prime agricultural land in the relevant official plan, or

(b) identified through an alternative agricultural land evaluation system approved by the Government of Ontario;

“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;

“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;

“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;

“sand barrens” means land (not including land that is being used for agricultural purposes and no longer exhibits sand barrens characteristics) that,

- (a) has sparse or patchy vegetation that is dominated by plants that are,
 - (i) adapted to severe drought and low nutrient levels, and
 - (ii) maintained by severe environmental limitations such as drought, low nutrient levels and periodic disturbances such as fire,
- (b) has less than 25 per cent tree cover,
- (c) has sandy soils (other than shorelines) exposed by natural erosion, depositional process or both, 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;

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

“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
- (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;

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

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

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

“site” means the land subject to an application;

“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 section 3(14) and subsection (y), 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;

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

“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;

“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;

“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;

“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;

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

“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;

“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;

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

“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;

“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;

“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;

“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;

“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;

“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