



Township of King
Zoning By-law for the Countryside

By-law No. 2022-053

Final | September 2022

Prepared by WSP for the Township of King

Part 8 | Oak Ridges Moraine Zones

8.1 List of Oak Ridges Moraine Zones

For convenience purposes, the Oak Ridges Moraine zones, as defined in Table 5-1, are also shown in Table 8-1:

Table 8-1: Oak Ridges Moraine Zones

Zone	Zone Symbol
Oak Ridges Moraine Feature Protection	ORF
Oak Ridges Moraine Natural Core and Linkage	ORL
Oak Ridges Moraine Countryside	ORC
Oak Ridges Moraine Aggregate	ORX

8.2 Permitted Uses in the Oak Ridges Moraine Zones

No person shall use any lot, building or structure for any purpose except for one or more of the uses as permitted in accordance with Table 8.2. Uses permitted in the Oak Ridges Moraine zones are denoted by the symbol “●” in the column applicable to that zone and corresponding with the row for a permitted use in Table 8-2:

Table 8-2: Uses Permitted in the Oak Ridges Moraine Zones

Use	ORF	ORL	ORC	ORX
<i>Agricultural use</i> (4)	●	●	●	
<i>Conservation projects and flood and erosion control projects</i>	●	●	●	
<i>Fish, wildlife and forest management</i>	●	●	●	
<i>Low-intensity recreational use</i>	●	●	●	
<i>Mineral aggregate operation</i> (4)				●
<i>Single detached dwelling</i> (1)	●	●	●	●
<i>Transportation, infrastructure, and utilities uses</i>	●	●	●	
<i>Unserviced park</i>		●	●	
On-Farm Diversified Uses				
<i>Agri-tourism use</i> (2)(4)		● (3)	●	

Use		ORF	ORL	ORC	ORX
<i>Agricultural animal clinic</i>	(2)(4)		• (3)	•	
<i>Bed and breakfast</i>	(2)(4)		• (3)	•	
<i>Equine event facility</i>	(2)(4)		• (3)	•	
<i>Farm micro-brewery, cidery, or winery</i>	(2)(4)		• (3)	•	
<i>Farm produce outlet</i>	(2)(4)		• (3)	•	
<i>Home industry</i>	(2)(4)		• (3)	•	
<i>Ground-mounted solar facility</i>	(2)(4)		• (3)	•	
<i>On-farm shop or café</i>	(2)(4)		• (3)	•	
<i>Studio</i>	(2)(4)		• (3)	•	
<i>Value-added agricultural use</i>	(2)(4)		• (3)	•	
Specified Accessory Uses					
<i>Additional residential unit</i>	(2)			•	
<i>Bed and breakfast</i>	(1)(2)(4)	•	•	•	
<i>Home industry</i>	(2)(4)	• (1)	•	•	
<i>Home occupation</i>	(1)(2)(4)	•	•	•	
<i>Shipping container</i>	(2)(4)			•	•

Special Provisions:

- (1) This *use* shall only be permitted subject to Section 8.6 of this By-law.
- (2) This *use* is subject to special provisions under Section 3 of this By-law.
- (3) This *use* shall only be permitted on a *lot* or a portion of a *lot* located within the area shown as prime agricultural as shown on Schedule B-2.
- (4) This *use* shall not be permitted within a *key natural heritage feature*.

8.3 Lot and Building Requirements for the Oak Ridges Moraine Zones

No person shall within any Oak Ridges Moraine zone use any *lot*, or *erect*, *alter* or use any *building* or *structure* except in accordance with Table 8-3.

Table 8-3: Lot and Building Requirements for the Oak Ridges Moraine Zones

Requirement	ORF	ORL	ORC	ORX
Minimum <i>Lot Area</i>	As legally existing	As legally existing	As legally existing	N/A
Minimum <i>Lot Frontage</i>	As legally existing	As legally existing	As legally existing	N/A
Minimum <i>Front Yard</i>	15.0	15.0	15.0	30.0 (1)
Minimum <i>Rear Yard</i>	23.0	23.0	23.0	30.0 (1)
Minimum <i>Side Yard</i>	9.0	9.0	9.0	30.0 (1)
Maximum <i>Lot Coverage</i>	As required by Section 8.4 of this By-law			N/A
Maximum Height	11.0 m	11.0 m	11.0 m	N/A
Minimum <i>planting strip</i> abutting a road, Future Use zone, or residential use (width in m)	N/A	N/A	N/A	6.0 (2)

Special Provisions:

- (1) In the Oak Ridges Moraine Aggregate zone, the minimum required *yard* shall be 60.0 m where a *yard* abuts a *public street* or road and the digging or materials or quarrying of stone shall be prohibited within this required *yard*.
- (2) A required *planting strip* in the Oak Ridges Moraine Aggregate zone shall be subject to Section 3.23 of this By-law.

8.4 Maximum Lot Coverage in the Oak Ridges Moraine Zones

- a) In the Oak Ridges Moraine Countryside (ORC), Oak Ridges Moraine Natural Core and Linkage (ORL) and Oak Ridges Moraine Feature Protection (ORF) zones, the maximum *lot coverage* shall be:
 - i) for *lots* with a *lot area* greater than 20.0 ha, the maximum *lot coverage* shall be 3% or 1.0 ha., whichever is less.

- ii) for *lots* with a *lot area* greater than 4.0 ha, but equal to or less than 20.0 ha, the maximum *lot coverage* shall be 5%.
- iii) for *lots* with a *lot area* greater than 1.0 ha, but equal to or less than 4.0, the maximum *lot coverage* shall be 10%.
- iv) for *lots* with a *lot area* equal to or less than 1.0 ha, the maximum *lot coverage* shall be 15%.

8.5 Oak Ridges Moraine Special Provisions

8.5.1 Undersized Lots in the Oak Ridges Moraine Zones

- a) Notwithstanding Table 8.3, the *use, erection* or expansion of a *single detached dwelling* in the Oak Ridges Moraine Feature Protection (ORF), Oak Ridges Moraine Natural Core and Linkage (ORL) and Oak Ridges Moraine Countryside (ORC) *zones* shall be permitted on an *existing lot* with frontage on a *public street* where the *lot area* is greater than 1,900.0 m² but less than 10.0 ha., subject to the following requirements:
 - i) The minimum *lot frontage* shall be 30.0 m.
 - ii) The minimum *front yard* shall be 11.0 m.
 - iii) The minimum *rear yard* shall be 12.0 m.
 - iv) The minimum *interior side yard* shall be subject to the following:
 - a) 1.5 m for a *dwelling* with a *height* of 6.0m or less;
 - b) 1.8 m for a *dwelling* with a *height* greater than 6.0 m but less than 9.5 m; or
 - c) 2.1 m for a *dwelling* with a *height* greater than 9.5 m.
 - vi) The maximum height shall be 11.0 m.
 - vii) The minimum *exterior side yard* shall be 4.5 m.
 - viii) The maximum *lot coverage* shall be subject to Section 8.4 of this By-law.
 - ix) For clarity, all other requirements of this By-law shall apply.

8.5.2 Oak Ridges Moraine Aggregate Zone Yard Restrictions

- a) Where an Oak Ridges Moraine Aggregate *zone* abuts Residential or Future Use *zone*, the following additional requirements shall apply:
 - i) The extraction of aggregates shall be prohibited within 120.0 m of any abutting Residential *zone*.

- ii) The removal of quarry stone or the processing of aggregate shall be prohibited within 215.0 m of any abutting Residential zone.

8.6 Oak Ridges Moraine Conservation Plan Area Special Provisions

The provisions of this Section shall apply to all lands located within the *Oak Ridges Moraine Conservation Plan Area*.

8.6.1 General, Transition, and Existing Uses

Development in Accordance with the Official Plan

- a) Nothing in this By-law applies to prevent a *use* or the *erection* or location of a *building* or *structure* within the *Oak Ridges Moraine Conservation Plan Area*, as designated in the Township of King Official Plan or its successor, provided:
 - i) The *use, building* or *structure* would have been permitted by the applicable zoning by-law on November 15, 2001, and complies with the permitted *uses* and performance standards of the applicable *zone* in this By-law.
 - ii) The *use, building* or *structure* complies with Section 3.47 (*Wellhead Protection Areas*) of this By-law.
 - iii) *Site Plan* Approval is obtained under Section 41 of the Planning Act if the *use, building* or *structure* is comprised of *major development*, or proposed within a *landform conservation area*, the Oak Ridges Moraine Feature Protection (ORF) *zone* or the *Area of Influence* demonstrating that the expansion will not adversely affect the ecological integrity of the *Oak Ridges Moraine Conservation Plan Area*.

Previously Authorized Single Detached Dwellings

- b) On lands located within the *Oak Ridges Moraine Conservation Plan Area* nothing in this By-law shall prevent the *use, erection*, or location of a *single detached dwelling* and *accessory buildings* thereto provided:
 - i) The *use, erection* and location would have been permitted by the applicable zoning by-law on November 15, 2001.
 - ii) Where any portion of the *lot* is within a *zone* other than an Oak Ridges Moraine *zone*, the performance standards of the applicable *zone* shall apply to all *buildings* and *structures*. Where the entire *lot* is zoned ORF, the performance standards of the ORF *zone* shall apply to all *buildings* and *structures*. The minimum *lot area* and minimum *lot frontage* shall be as they legally existed on November 15, 2001.
 - iii) *Site Plan* Approval is obtained under Section 41 of the Planning Act if the *single detached dwelling* is comprised of *major development* or proposed within an Oak Ridges Moraine Feature Protection (ORF) *zone*, the *area of influence* or a

landform conservation area demonstrating that, to the extent possible, the *use* will not adversely affect the ecological integrity of the *Oak Ridges Moraine Conservation Plan Area*.

Reconstruction of Existing Buildings and Structures

- c) On lands located within the *Oak Ridges Moraine Conservation Plan Area*, nothing in this By-law shall prevent the reconstruction, within the same location and dimensions, of an *existing building* or *structure* that is damaged or destroyed by causes beyond the owners' 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 site.

Expansion of Existing Buildings and Structures

- d) Nothing in this By-law applies to prevent the expansion of an *existing building* or *structure* on the same *lot* within the *Oak Ridges Moraine Conservation Plan Area*, provided:
- i) The *use, building* or *structure* was legally *existing* as of November 15, 2001;
 - ii) The performance standards for the applicable *zone* are met;
 - iii) There is no change in *use*;
 - iv) *Site Plan Approval* is obtained under Section 41 of the Planning Act if the expansion is proposed within the Oak Ridges Moraine Feature Protection (ORF) and in an *area of influence* or *landform conservation area*, or if the proposal comprises *major development* demonstrating that the expansion will not adversely affect the ecological integrity of the Oak Ridges Moraine Conservation Plan Area.

Transition (Building Permits in Progress)

- e) On lands located within the *Oak Ridges Moraine Conservation Plan Area* the provisions of this By-law shall not prevent the *erection* or *use* for a purpose prohibited by this By-law of a *building* or *structure* for which a permit has been issued under subsection 8(2) of the Building Code Act, as amended, on or before November 15, 2001 if:
- i) The permit has not been revoked under subsection 8(10) of the Building Code Act, 1992, as amended.
 - ii) The *building* or *structure* when *erected* is *used* and continues to be *used* for the purpose for which it was *erected*.

Transition (Applications in Progress)

- f) On lands located within the *Oak Ridges Moraine Conservation Plan Area* nothing in the By-law applies to prevent the *use, erection* and location of a *building or structure* if the *use, erection* or location was authorized by the approval of an application that was commenced before November 17, 2001 and approved after that date or commenced after November 17, 2001 and decided upon in accordance with subsection 17(1) of the Oak Ridges Moraine Conservation Act, as amended.

Continuation of Existing Uses

- g) Within the *Oak Ridges Moraine Conservation Plan Area*, nothing in this By-law applies to prevent the *use* of any land, *building or structure* prohibited by this By-law, if the land, *building or structure* was lawfully *used* for that purpose on November 15, 2001 and continues to be *used* for that purpose.

Existing Institutional Uses

- h) Nothing in this By-law applies to prevent the *expansion* of an existing *institutional use* within the *Oak Ridges Moraine Conservation Plan Area*, provided:
- i) The performance standards set out in the applicable *zone* are met.
 - ii) There is no change in *use*.
 - iii) *Site Plan Approval* is obtained under Section 41 of the Planning Act if the *expansion* is proposed within the Oak Ridges Moraine Feature Protection (ORF) and in an *area of influence, a landform conservation area, a wellhead protection area* or an *area of high aquifer vulnerability* or if the proposal comprises *major development* demonstrating that the expansion will not adversely affect the ecological integrity of the *Oak Ridges Moraine Conservation Plan Area*.
 - iv) Where the land is within a *landform conservation area*, a Landform Conservation Plan, prepared in accordance with the Township of King Official Plan or its successor is submitted with the *Site Plan* or Building Permit application.
 - v) For the avoidance of doubt, in this clause, the *expansion* of an *existing institutional use* means that there shall be no change in *use*. Such *expansions* shall be subject to the *zone* provisions.

Public Uses and Infrastructure

- i) Within the *Oak Ridges Moraine Conservation Plan Area*, new *transportation, infrastructure and utilities uses* shall comply with Section 41 of the Oak Ridges Moraine Conservation Plan and corresponding policies of the Township of King Official Plan, as amended.

Interpretation

- j) For the purposes of interpreting the provisions of Section 8.5, notwithstanding the definition of existing as contained in Part 2 of this By-law, existing shall mean lawfully in existence on November 15, 2001 and for greater certainty does not include a *use*, *building* or *structure* that was in existence on that date without being lawful.
- k) For the purposes of interpreting the provisions of Section 8.5 development shall mean the creation of a new *lot*, a change in *use*, or the expansion of *buildings* and *structures* requiring approval under the Planning Act, the Environmental Assessment Act or the Drainage Act, but does not include the construction of facilities for *transportation*, *infrastructure* and *utilities* uses as described in Section 41 of the Planning Act by a public body or for greater certainty, the reconstruction, repair or maintenance of a drain approved under the Drainage Act and in existence on November 15, 2001, or the carrying out of agricultural practices on land that was being used for *agricultural uses* on November 15, 2001.

Major Development (ORMCP)

- l) A *use*, *building* or *structure* with a total combined *ground floor area* greater than 500.0 m² per *lot* and that is proposed on lands within an Oak Ridges Moraine zone shall not be permitted unless it is in accordance with a *site plan* prepared under Section 41 of the Planning Act and approved by *Council*.

8.6.2 Area of Influence (Schedule “C-1”)

- a) No development, *site alteration* or change of *use* shall take place within the Area of Influence boundaries shown on Schedule “C-1” unless it is in accordance with a *site plan* prepared under Section 41 of the Planning Act and approved by *Council*.

8.6.3 Landform Conservation Area Provisions (Schedule “C-2”)

- a) No development, *site alteration* or change of *use* shall take place within the areas shown as Landform Conservation Area (Category 1) and Landform Conservation Area (Category 2) on Schedule “C-2”, as applicable, unless it is in accordance with a *site plan* prepared under Section 41 of the Planning Act and approved by Council. Where development or *site alteration* comprises an *expansion* to an existing *institutional use*, the applicable provisions of subsection 8.5.1 h) shall apply.
 - i) Where development or *site alteration* comprises an *expansion* of a *building* or *structure* the applicable provisions of subsection 8.5.1 d) shall apply.
 - ii) Where development or *site alteration* comprises previously authorized *dwelling*s and *accessory buildings* thereto, the applicable provisions of subsection 8.5.1 b) shall apply.

- iii) Where the development, *site alteration* or change of *use* are located within the Countryside designation in the Township of King Official Plan, the provisions of subsection 8.5.1 a) shall apply.
- b) On lands shown as Landform Conservation Area (Category 1), the area of *impervious surface* shall not exceed 15% of the area so identified within the subject property, and the proportion of the area so identified within the subject property that is disturbed through grading or other construction activity shall not exceed 25%.
- c) On lands shown as Landform Conservation Area (Category 2), the area of *impervious surface* shall not exceed 20% of the total of the area so identified within the subject property and the proportion of the area so identified within the subject property that is disturbed through grading or other construction activity shall not exceed 50%.

8.6.4 Areas of High Aquifer Vulnerability (Schedule “C-3”)

- a) Notwithstanding any other provision of this By-law with the exception of the provisions for *existing institutional uses* under subsection 8.5.1 h), the following *uses* are prohibited on lands identified as areas of high aquifer vulnerability on Schedule “C-3”, with the exception of those such *uses* lawfully existing on November 15, 2001 which may continue until the *use* ceases:
 - i) Generation and storage of *hazardous waste* or liquid industrial waste.
 - ii) *Waste disposal facilities*, organic soil conditioning sites, and snow storage and disposal facilities.
 - iii) Underground and above-ground storage tanks that are not equipped with an approved secondary containment device.
 - iv) Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990 or its successor.

8.6.5 Oak Ridges Moraine Wellhead Protection Areas (Schedule “C-4”)

- a) Notwithstanding any other provision of this By-law with the exception of the provisions for existing *institutional uses* under subsection 8.5.1 h), the following *uses* are prohibited on lands identified as *wellhead protection area* on Schedule “C-4”, with the exception of those such *uses* lawfully existing on November 15, 2001 which may continue until the *use* ceases:
 - i) Storage, except by an individual for personal or family *use*, of:
 1. Petroleum fuels;
 2. Petroleum solvents and chlorinated solvents;
 3. Pesticides, herbicides and fungicides;

4. Construction equipment;
 5. Inorganic fertilizers;
 6. Road salt; and
 7. Contaminants listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario or its successor.
- ii) Generation and storage of *hazardous waste* or liquid industrial waste.
 - iii) Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities.
- d) For the purposes of clarity, the provisions of this subsection shall be in addition to the provisions for *Wellhead Protection Areas* in accordance with the Clean Water Act and the applicable Source Protection Plan, as provided in Section 3.47 of this By-law. Where there is conflict, the more restrictive requirements shall apply.