KING

THE CORPORATION OF THE TOWNSHIP OF KING

BY-LAW NUMBER – 2022-074

A BY-LAW TO AMEND BY-LAW 2022-052, BEING A BY-LAW TO ESTABLISH SITE PLAN CONTROL AREAS WITHIN THE LIMITS OF THE TOWNSHIP OF KING AND TO ADOPT RULES FOR THE PROCESSING OF SITE PLAN DEVELOPMENT APPLICATIONS

PASSED PURSUANT TO SECTION 41 OF THE
PLANNING ACT, R.S.O. 1990 c. P. 13, AS AMENDED

WHEREAS By-law 2022-052 establishes site plan control areas within the Township of King and adopts rules for the processing of Site Plan Development Applications;

AND WHEREAS by the provisions of subsection 41(3) of the Planning Act, a by-law passed under subsection 41(2) may designate a site plan control area by reference to one or more land use designations contained in a by-law passed under section 34 of the said Act;

AND WHEREAS the Our King Official Plan designates all lands within the Township as a site plan control area;

AND WHEREAS the Township requires the approval of certain plans and drawings as a condition of development in the Township, and requires that an Owner enter into a site plan agreement with the Township, in accordance with Section 41 of the Planning Act;

AND WHEREAS the Township of King has passed by-laws under section 34 of the said Act, being by-laws 74-53, 2005-23, 2017-66, 2016-71, and 2022-053, or their successors;

NOW THEREFORE the Council of the Corporation of the Township of King **HEREBY ENACTS AS FOLLOWS:**

1. That By-law 2022-052 be amended by adding a new Section "25. Greenbelt Natural Heritage System" as follows:

   "25. Greenbelt Natural Heritage System
   Notwithstanding any other provision of this By-law, in the Greenbelt Natural Heritage System Area, the approval of plans and drawings is required in accordance with Section 41 of the Planning Act for the following:
   a) Within the Greenbelt Natural Heritage System zone of By-law 2022-053 for the Countryside Area in accordance with Section 9.6 e) where the development and/or site alteration is within the Natural Heritage Features or within the Natural Heritage Features (120 m Buffer) as delineated on Schedules E-1, E-2, E-3, E-4, and E-5 of By-law 2022-053."

2. That By-law 2022-052 be amended by adding a new Section "26. Hamlet Residential Area" as follows:

   "26. Hamlet Residential Area"
   Notwithstanding any other provision of this By-law, within all Hamlet Residential zones (HR1, HR2, HR3, HR4 and HR5) subject to By-law 2022-053 for the Countryside Area,

the approval of drawings and plans is required in accordance with Section 41 of the Planning Act for the following:

a) Replacement dwellings, where a single detached dwelling is demolished and replaced;
b) Replacement dwellings, where a dwelling is intended to be demolished and replaced, while the existing dwelling is proposed to be retained until the construction of the new dwelling has obtained occupancy;
c) Additions and alterations, in accordance with Section 8 of this By-law;
d) Accessory buildings and structures, where the accessory building or structure is greater than 5% of the lot area or 50 square metres;
e) Accessory buildings, where the accessory building contains an additional residential unit, or garden suite;
f) Residential dwellings, where the lot was created by consent or plan of subdivision;

3. That By-law 2022-052 be amended by replacing Section 4. c) with the following:

4. c) Site plan applications as required in Sections 12, 13, 25 and 26 of this By-law, are hereby sub-delegated to the Manager of Planning and Development, including the authority to execute any agreement associated with such approval and the granting of the necessary servicing allocation related to the applicable Site Plan Approval.

5. That By-law 2022-052 be amended by replacing Section 5. Notice to Council with the following:

5. Notice to Council

Notice will be circulated to all members of Council for information purposes at the time of complete application and in advance of a decision for all applications received under Section 41 of the Planning Act, with the exception of applications as required in Sections 12, 13, 25 and 26 of this By-law to provide an opportunity for members of Council to request a Report from Staff for information purposes in advance of a decision.

6. That By-law 2022-052 be amended by replacing Section 6. g) with the following:

6. g) The laying out and establishment of open storage and open product display areas associated with any commercial, industrial or employment use;

7. That By-law 2022-052 be amended by replacing Section 11. a) with the following:

11. a) Single-detached, semi-detached, and duplex residential buildings and structures, and accessory buildings and structures thereto, except as specified in Schedule "A" to this By-law and in Sections 12, 13, 25 and 26, herein;

8. That By-law 2022-052 be amended by replacing Section 11. c) with the following:

11. c) Agricultural buildings and structures containing agricultural operations, except as specified in Schedule "A" to this By-law and Sections 12 and 25, herein; or

9. That By-law 2022-052 be amended by replacing Section 12. c) with the following:
12. c) c) Within all zones within the Oak Ridges Moraine Conservation Plan Area subject to By-law 2022-053, for the Countryside Area of the Township, including all Hamlets where the development is within 120 m of a Key Natural Heritage Feature (KNHF), where the development is located within a Landform Conservation Area, or where the development constitutes major development as defined by this By-law:

i. Any agricultural building or structure and accessory buildings or structures thereto;

ii. Any residential building or structure, and accessory buildings or structures thereto; or

iii. Any additions and/or alterations to any agricultural or residential building or structure, including accessory buildings and structures in accordance with Section 8 of this By-law;

10. That By-law 2022-052 be amended by replacing Section 17. Pre-Application Consultation Requirements with the following:

17. Pre-Application Consultation Requirements
No person shall submit a site plan application prior to engaging in a pre-consultation process with Township Staff and Staff from any external agency, as set out in Section 9.1.3 of the Our King Official Plan, unless exempted from that process by the Director of Growth Management Services. The Director of Growth Management Services may refuse to accept or may return any site plan application submitted prior to the owner/applicant engaging in a pre-consultation process with Township Staff, in accordance with By-law 2014-71, as amended (or its successor) and in accordance with Section 9.1.3 of the Our King Official Plan.

11. That By-law 2022-052 be amended by replacing Section 24. with the following:

24. This By-law shall come into full force and effect on the date of the passing hereof with the exception of Sections 13 and 26 of this By-law which shall come into full force and effect on January 1, 2023.

12. That By-law 2022-052 be amended by replacing Schedule "A" with Schedule "A" of this By-law.

13. That By-law 2022-052 be amended by replacing Schedules "B" through "D", inclusive, with Schedules "B" through "D", inclusive, of this By-law.

READ a **FIRST** and **SECOND** time this 26th day of September 2022.

READ a **THIRD** time and **FINALLY PASSED** this 26th day of September 2022.

Steve Pellegrini
Mayor

Denny Timm
Township Clerk

(Ref. Growth Management Services Dept.
Report No.: GMS-PL-2022-20, C.O.W. Sept. 26/22)

THE COMMISSION OF THE POLITBUREAU OF THE CC RKP
1920

THIS IS SCHEDULE "A" TO BY-LAW NO. 2022-074

Site Plan Approval Process for Classes of Development[1]
AGRICULTURAL
Mushroom Growing Houses
Commercial Riding Areas and/or Barns and Stables associated with the equine industry
Commercial Greenhouses
Agricultural Greenhouses that constitute major development, as defined in this By-law
Agricultural Buildings and/or Structures including Accessory Buildings and Structures, and Alterations and Additions in accordance with Sections 12 and 25 of this By-law
Agricultural Cannabis Production Facilities
Medical Cannabis Production Sites
Farm Help Dwelling
Seasonal Farm Help Dwelling
On-Farm Diversified Uses
Commercial Patios Associated with an On-Farm Diversified Use
Agriculture-Related Uses
Additional Residential Units in an Accessory Building
Garden Suites
Bed and Breakfasts
Farm Implement Dealership
Farm Equipment Repair
Shipping Container
Agriculture-Related Use or On-Farm Diversified Use Parking Lots
Expansions of Agriculture-Related Use or On-Farm Diversified Use Parking Lots resulting in an additional five (5) or more spaces
COMMERCIAL
All Commercial Development, unless otherwise stated in this By-law
Commercial and Mixed-Use Parking Lots
Expansions of Commercial and Mixed-Use Parking Lots resulting in an additional five (5) or more spaces
Drive-through
Commercial Patios
Commercial Accessory Buildings or Structures
Accessory Dwelling Units within a Commercial Building
Automobile Service Stations, Including the Installation of a Car Wash
Open Produce Display Areas
Open Storage
Shipping Container
Mixed-Use Buildings
INSTITUTIONAL
All Institutional Development, unless otherwise stated in this By-law
Schools
School Portables – Includes all Public and Private Schools[2]
Institutional Parking Lots
Expansions of Institutional Parking Lots resulting in an additional five (5) or more spaces
Accessory Buildings or Structures
Accessory Dwelling Units within an Institutional Building
Child Care Facilities
INDUSTRIAL/EMPLOYMENT
All Industrial Development, unless otherwise stated in this By-law
Industrial Parking Lots
Expansions of Industrial Parking Lots resulting in an additional five (5) or more spaces
Accessory Buildings or Structures
Open Storage Areas
Open Product Display Areas
Shipping Container
Accessory Dwelling Units within an Industrial Building
Industrial Cannabis Processing Facility
Medical Cannabis Production Site
RECREATIONAL
Privately Operated Facilities

Outdoor Recreational Facilities including golf courses, driving ranges, sports fields, private parks, campgrounds, etc.
Major Recreational Uses
Recreational Parking Lots
Expansion of Recreational Parking Lots resulting in an additional five (5) or more spaces
RESIDENTIAL
Residential Dwellings, and Additions and Alterations to Residential Dwellings as identified in Sections 12, 13, 25 and 26 of this By-law
Residential Accessory Buildings and Structures, and Additions and Alterations to Residential Accessory Buildings and Structures as identified in Sections 12, 13, 25 and 26 of this By-law
Replacement Dwellings
Additional Residential Units in an Accessory Building
Garden Suites
Temporary Dwellings
Enlargement of an existing dwelling which obtains its access via a private road or right-of-way
New residential dwellings which obtain its access via a private road or right-of-way
Residential Buildings containing more than three (3) residential dwelling units
Residential Parking Lots
Expansion of a Residential Parking Lot resulting in an additional five (5) or more parking spaces
Infill Residential Dwelling Units
Townhouse Dwelling Units, unless otherwise stated in this By-law
LEGAL NON-CONFORMING USES
As may be required in an Official Plan Amendment or Subdivision Agreement
Enlargement or Extension or Conversion of a Legal Non-Conforming Use
TRANSPORTATION and COMMUNICATION
Airstrips, Aerodromes, Airports

Notes:

1) Any Class of Development requiring site plan approval which is not specifically listed in the categories above or expressly exempt in this By-law, shall be required to obtain site plan approval from the Director of Growth Management Services.

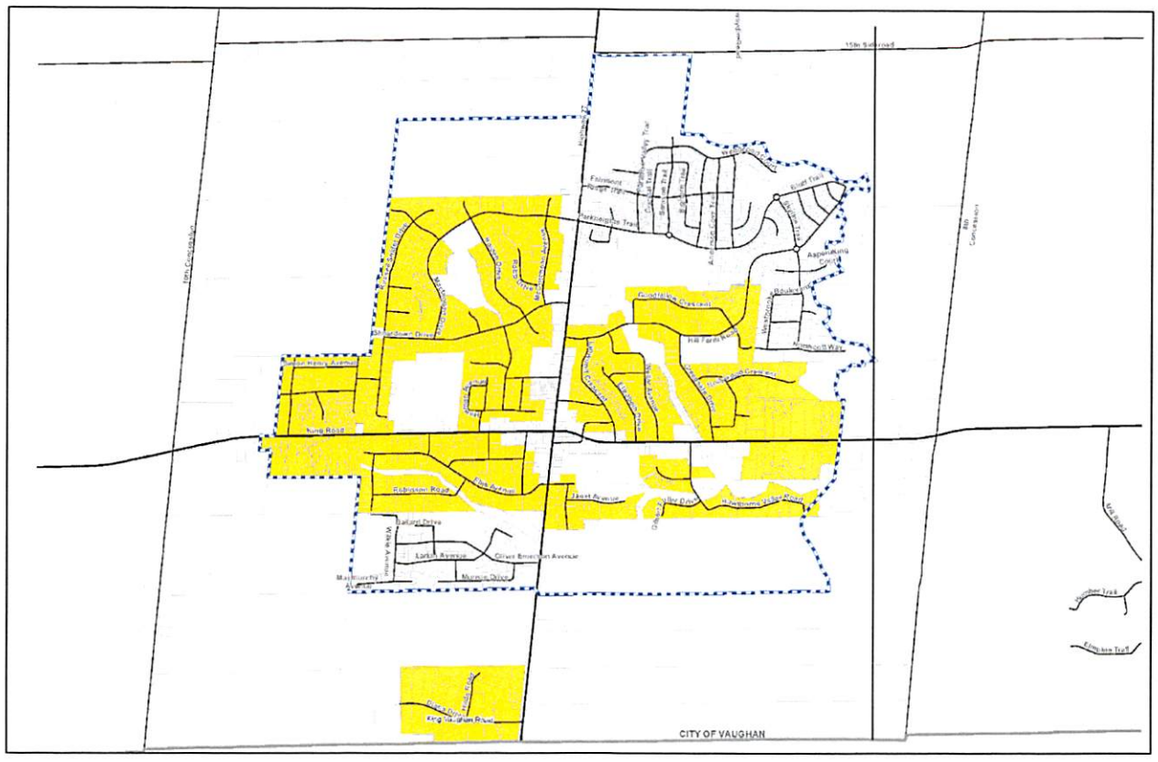
2) Notwithstanding Section 41(1.1) of the Planning Act, school portable classrooms on a school site of a district school board where the school was in existence on January 1, 2007, are not exempt from the Site Plan Control By-law and its requirements if the school site is subject to the Oak Ridges Moraine Conservation Plan policies.

Steve Pellegrini
Mayor

Denny Timm
Township Clerk

THIS IS SCHEDULE "B" TO BY-LAW NO. 2022-074

Established Neighbourhoods of Nobleton



Established Neighbourhood

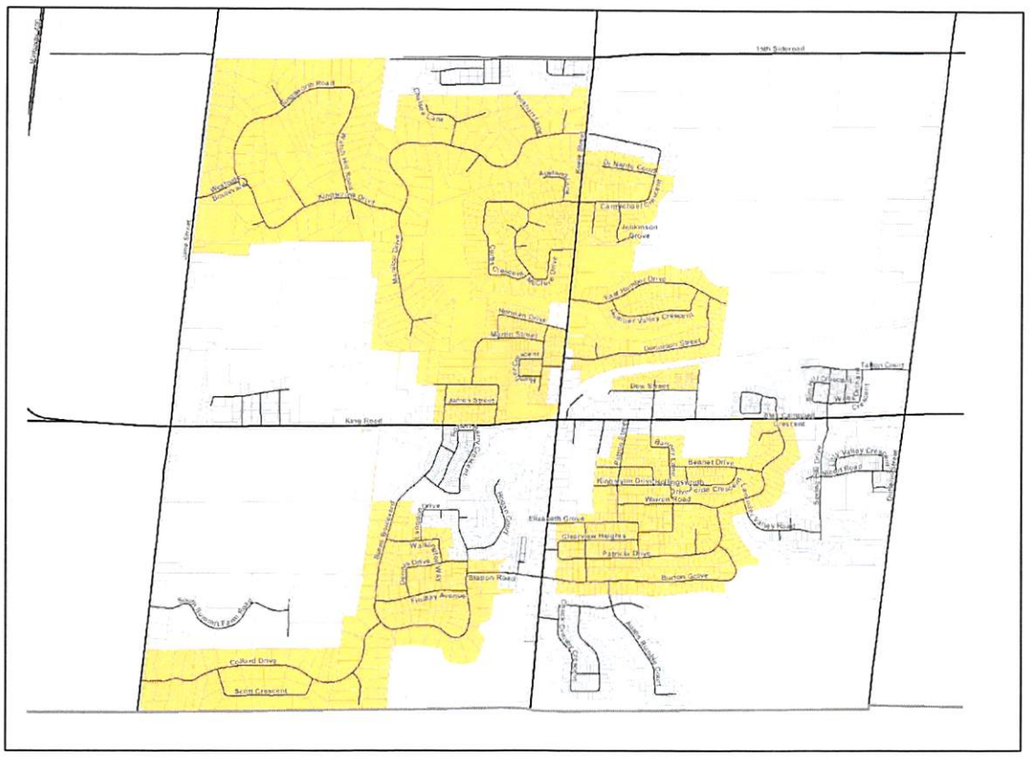
Steve Pellegrini
Mayor

Denny Timm
Township Clerk

THE COLLEGE OF JUDICATURE
1830

THIS IS SCHEDULE "C" TO BY-LAW NO. 2022-074

Established Neighbourhoods of King City



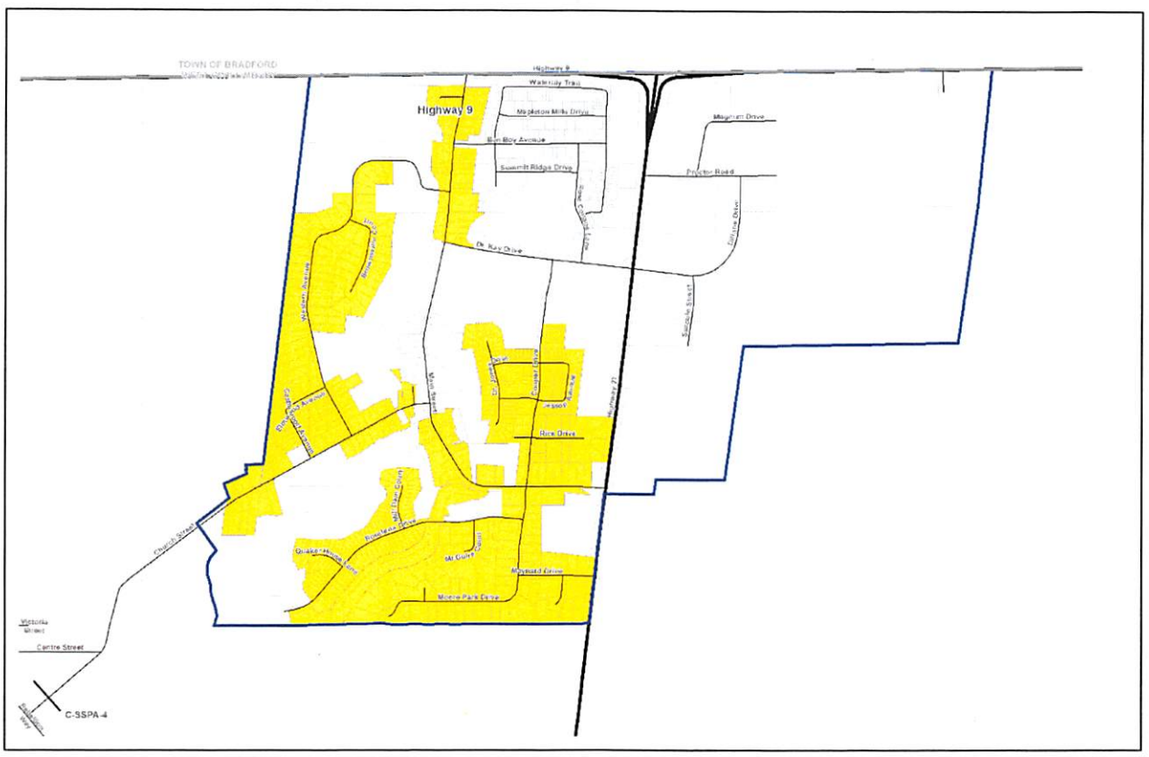
Established Neighbourhood

Steve Pellegrini
Mayor

Denny Timm
Township Clerk

THIS IS SCHEDULE "D" TO BY-LAW NO. 2022-074

Established Neighbourhoods of Schomberg



Established Neighbourhood

Steve Pellegrini
Mayor

Denny Timm
Township Clerk

THE COLLEGE OF KING WILLIAM AND QUEEN MARY
1839