

EXPLANATORY NOTE
TO ACCOMPANY BY-LAW NUMBER 2021-073

By-law Number 2021-073 is a By-law to amend the Zoning By-law for the Schomberg and King City Urban Areas (By-law 2017-66). Specifically, the Amendment concerns two contiguous parcels located at the northeast corner of King Boulevard and King Road, in the Village of King City that together measure a total of 0.3041 hectares (0.84 acres) in size with frontage on both King Road and King Boulevard. The subject lands are municipally known as 2000 and 2008 King Road.

The Zoning By-law Amendment proposes to rezone the subject property on a site-specific basis from “Core Area – King City (CAK)” and “Institutional (I)” to “Core Area – King City – Exception Section 7.5.2.13 (CAK-13(H))” and “Core Area – King City – Exception Section 7.5.2.14 (CAK-14(H))” to facilitate the development of twelve (12) freehold common element townhouse dwelling units. The site-specific amendments include amendments to amenity area requirements, floor space index, setbacks, height, density and lot coverage requirements.



THE CORPORATION OF THE TOWNSHIP OF KING

BY-LAW NUMBER – 2021-073

**BEING A BY-LAW TO AMEND ZONING BY-LAW
NUMBER 2017-66, AS AMENDED**

WHEREAS Zoning By-law Number 2017-66, being a By-law to regulate the use of land and the character, location and use of buildings and structures in the Township of King, was passed on the 26th day of June, 2017;

AND WHEREAS it is deemed necessary to further amend By-law Number 2017-66, as amended, to implement Official Plan Amendment No. 98 to the King City Community Plan;

AND WHEREAS authority is granted pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, Chapter P. 13, to the Council of the Corporation of the Township of King to exercise such powers;

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

That Zoning By-law Number 2017-66, be amended as follows:

- 1) **THAT** the lands subject to this By-law consist of the lands described as Lots 9 and 10, Registered Plan 337 and Part of Lot 6, Concession 3, Township of King, in the Regional Municipality of York, municipally known as 2000 King Road and 2008 King Road, as more particularly shown on Schedules “1” and “2” attached hereto.
- 2) **THAT** Schedules “1” and “2” attached hereto form a part of this By-law.
- 3) **THAT** for the subject lands shown on Schedules “1” and “2” attached hereto, Zoning By-law 2017-66 be amended as follows:
 - a. Changing the zone symbol from “Core Area – King City (CAK)” and “Institutional (I)” to “Core Area – King City – Holding – Exception Section 7.5.2.13 (CAK-13(H))” and the “Core Area – King City – Holding – Exception Section 7.5.2.14 (CAK-14(H))” for those lands shown on Schedule ‘1’ and Schedule ‘2’ attached hereto.
- 4) **THAT** Section 7.5 of By-law Number 2017-66, as amended be further amended by adding the following subsection: **7.5.2.13(H)**. The lands delineated as “Core Area – King City – Exception Section 7.5.2.13(H) (CAK-13(H))” as shown on Schedules ‘1’ and ‘2’ attached hereto, may be used in accordance with the following provisions:
 - a. Permitted uses shall include a maximum of 6 cluster townhouse dwellings, accessory uses, and home occupation uses.
 - b. Notwithstanding Section 2.204, “street” shall also include a private condominium road. For the purposes of this By-law, a private condominium road shall mean a street owned, operated and maintained as a common element and subject to a condominium agreement and/or condominium corporation under the Condominium Act, 1998.
 - c. That notwithstanding Section 2.116 “Lot” and Section 2.121 “Lot Line” of this By-law, the lot lines for a townhouse dwelling to be established by way of 50(7) of the Planning Act (Part Lot Control Exemption) will be deemed to be in place in accordance with a Site Plan as approved under Section 41 of the Planning Act, for the purpose of all yards, measurements, dimensions and similar requirements under Section 41 of the Planning Act, for the purpose of all yards, measurements, dimensions and similar requirements.

- d. For the purpose of this subsection, the front lot line shall be deemed to be the shortest lot line abutting a private condominium road;
- e. That Section 3.3 shall not apply.
- f. Notwithstanding Section 3.12, no person shall be permitted to erect, reconstruct or enlarge a building or structure on any lot unless the lot has frontage on a public street or private condominium road.
- g. That the maximum width of a private garage shall be 3.5 m, measured between the interior walls of the private garage.
- h. That where the front face of an attached private garage faces the front lot line, the front face of a garage shall be located at least 0.3 m further from the front lot line than either the portion of the dwelling closest to the front lot line or the portion of the porch closest to the front lot line.
- i. That Table 7.3a – Lot and Building Requirements for the Commercial – Core Area Zones be deleted and replaced with the following:

Requirement	CAK-13(H)
Minimum Lot Area	150 m ²
Minimum Lot Frontage	6.4 m
Minimum Front Yard	4.5 m
Maximum Front Yard	6.0 m to the private sidewalk
Minimum Rear Yard	7.5 m
Minimum Exterior Side Yard	3.0 m
Minimum Interior Side Yard on one side	2.3 m
Minimum Interior Side Yard between townhouse units within a block	0.0 m
Maximum Lot Coverage	60%
Minimum required step back for all storeys above the second storey	0.0 m
Minimum number of storeys for the main building(s)	2.0 storeys
Minimum Height	7.0 m
Maximum Height	13.5 m
Maximum Floor Space Index (excluding accessory buildings & structures)	1.2 shall apply to the entire site, inclusive of both zone categories
Other minimum density requirements.	For stand-alone residential uses with no commercial uses a maximum density of 44 units per hectare shall apply to the entire site, inclusive of both zone categories

- j. That the minimum setback to an attached private garage shall be 6.0 m.
- k. That notwithstanding Section 4.4.1(c), the minimum dimensions of a parallel parking space shall be 2.8 m by 5.8 m.
- l. That notwithstanding Table 4.1, in addition to the minimum number of parking spaces per dwelling unit, 0.25 visitor parking spaces per dwelling unit shall be provided. Further, the total required visitor parking spaces shall be calculated and distributed throughout the site and can be contained in both zone categories.
- m. That the maximum lot coverage for accessory buildings and structures shall be ten percent (10%) of the lot area.

5) **THAT** Section 7.5 of By-law Number 2017-66, as amended be further amended by adding the following subsection: **7.5.2.14(H)**. The lands delineated as “Core Area – King City – Exception Section 7.5.2.14(H) (CAK-14(H)) as shown on Schedules ‘1’ and ‘2’ attached hereto, may be used in accordance with the following provisions:

- a. Permitted uses shall include a maximum of 6 street townhouse dwellings, accessory uses, and home occupation uses.
- b. Notwithstanding Section 2.204, “street” shall also include a private condominium road. For the purposes of this By-law, a private condominium road shall mean a street owned, operated and maintained as a common element and subject to a condominium agreement and/or condominium corporation under the Condominium Act, 1998.
- c. That notwithstanding Section 2.116 “Lot” and Section 2.121 “Lot Line” of this By-law, the lot lines for a townhouse dwelling to be established by way of 50(7) of the Planning Act (Part Lot Control Exemption) will be deemed to be in place in accordance with a Site Plan as approved under Section 41 of the Planning Act, for the purpose of all yards, measurements, dimensions and similar requirements under Section 41 of the Planning Act, for the purpose of all yards, measurements, dimensions and similar requirements.
- d. For the purpose of this subsection, the front lot line shall be the lot abutting a public street.
- e. That Section 3.3 shall not apply.
- f. Notwithstanding Section 3.34, on any corner lot, a sight triangle shall be provided as a minimum of 10.0 metres for any public street.
- g. Notwithstanding Table 3.42.1 – Permitted Yard and Setback Encroachments, Porches, Decks and Balconies with or without roofs and with or without foundations may project into the required rear yard to a maximum of 3.0 m.
- h. Notwithstanding Table 3.42.1 – Permitted Yard and Setback Encroachments, Porches, Decks and Balconies with or without roofs and with or without foundations may project into the required front yard to a maximum of 1.3 m and stairs shall be a minimum of 1.0 m from the lot line.
- i. That notwithstanding Table 4.1, in addition to the minimum number of parking spaces per dwelling unit, 0.25 visitor parking spaces per dwelling unit shall be provided. Further, the total required visitor parking spaces shall be calculated and distributed throughout the site and can be contained in both zone categories.
- j. That notwithstanding Section 4.4.2, a driveway is permitted in the rear yard via access from a private and/or condominium road.
- k. That no driveways, parking spaces and/or parking areas shall be permitted in the front yard.
- l. That no accessory buildings or structures shall be permitted in the front yard.
- m. That Table 7.3a – Lot and Building Requirements for the Commercial – Core Area Zones be deleted and replaced with the following:

Requirement	CAK-14(H)
Minimum Lot Area	140 m ²
Minimum Lot Frontage	6.2 m
Minimum Front Yard	2.5 m

Maximum Front Yard	4.5 m
Minimum Rear Yard	6 m
Minimum Exterior Side Yard	3.5 m
Minimum Interior Side Yard on one side	2.6 m
Minimum Interior Side Yard between townhouse units within a block	0.0 m
Maximum Lot Coverage	65% Lot Coverage shall not include porches and decks
Minimum required step back for all storeys above the second storey	0.0 m
Minimum number of storeys for the main building(s)	2.0 storeys
Minimum Height	7.0 m
Maximum Height	13.5 m
Maximum Floor Space Index (excluding accessory buildings & structures)	1.2 shall apply to the entire site, inclusive of both zone categories
Other minimum density requirements.	For stand-alone residential uses with no commercial uses a maximum density of 44 units per hectare shall apply to the entire site, inclusive of both zone categories

- n. That the minimum setback shall be 0.3 m to a sight triangle. A setback of 0.0 m is required to a 0.3 m reserve adjacent to a sight triangle.
 - o. That notwithstanding Section 4.4.1(c), the minimum dimensions of a parallel parking space shall be 2.8 m by 5.8 m.
- 6) Notwithstanding any other provisions of this By-law, a Holding Symbol denoted as an "H" to the zone symbol for the "Core Area – King City – Holding – Exception Section 7.5.2.13 (CAK-13(H))" and the "Core Area – King City – Holding – Exception Section 7.5.2.14 (CAK-14(H))" zones, shall require that no person use any land, erect, alter or use any building or structures for any other purpose until such time as the Holding Symbol (H) is removed by an amendment to this By-law passed pursuant to Section 36 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended; and
- 7) Council for the Municipality may amend this By-law to remove the (H) Holding symbol from all or parts of the lands to which are zoned with a (H) Holding symbol, to permit the development of the lands in accordance with the provisions of this By-law, at such time that the following provisions, as applicable to the relevant lands/uses, have been fulfilled:
- a. That the Council of the Municipality has assigned water and sanitary servicing allocation to those uses that require allocation;
 - b. A site plan has been approved by the Municipality as a Site Plan Development Agreement respecting the development of the use of the lands has been executed between the owner(s) and encumbrance(s), if any, of these lands and the Municipality, and that such Agreement is registered on the title of the lands;
 - c. That written confirmation is obtained by the Township Engineer and/or appointed representatives that adequate water supply is available in the existing system to service domestic and fire flow demands required for the proposed development (per hydrant flow tests or system improvements); and,
 - d. That written confirmation is obtained by the Township Engineer and/or appointed representatives that adequate sanitary servicing capacity is available to service the development, based upon the completion and assessment of the 2020 Township Wastewater Servicing Plan, related protocols and required system improvements (if required).

- 8) **THAT** Schedule "A4" of Zoning By-law 2017-66 is hereby further amended by changing the zone symbol on the lands described in Section 3 above from "Core Area – King City (CAK)" and "Institutional (I)" to "Core Area – King City – Holding – Exception Section 7.5.2.13 (CAK-13(H))" and "Core Area – King City – Holding – Exception Section 7.5.2.14 (CAK-14(H))" as illustrated on Schedules "1" and "2" attached hereto.
- 9) **THAT** this By-law shall come into force on the day it was passed where no notice of appeal has been filed with the Township Clerk in accordance with the requirements and within the time prescribed under Section 34 (19) of the Planning Act.

READ a FIRST and SECOND time this 28th day of June, 2021.

READ a THIRD time and **FINALLY PASSED** this 28th day of June, 2021.


Steve Pellegrini
Mayor


Kathryn Moyle
Director of Corporate Services
Township Clerk

(Ref. Planning Dept. Report No: GMS-PL-2021-26,
C.O.W. June 28, 2021)

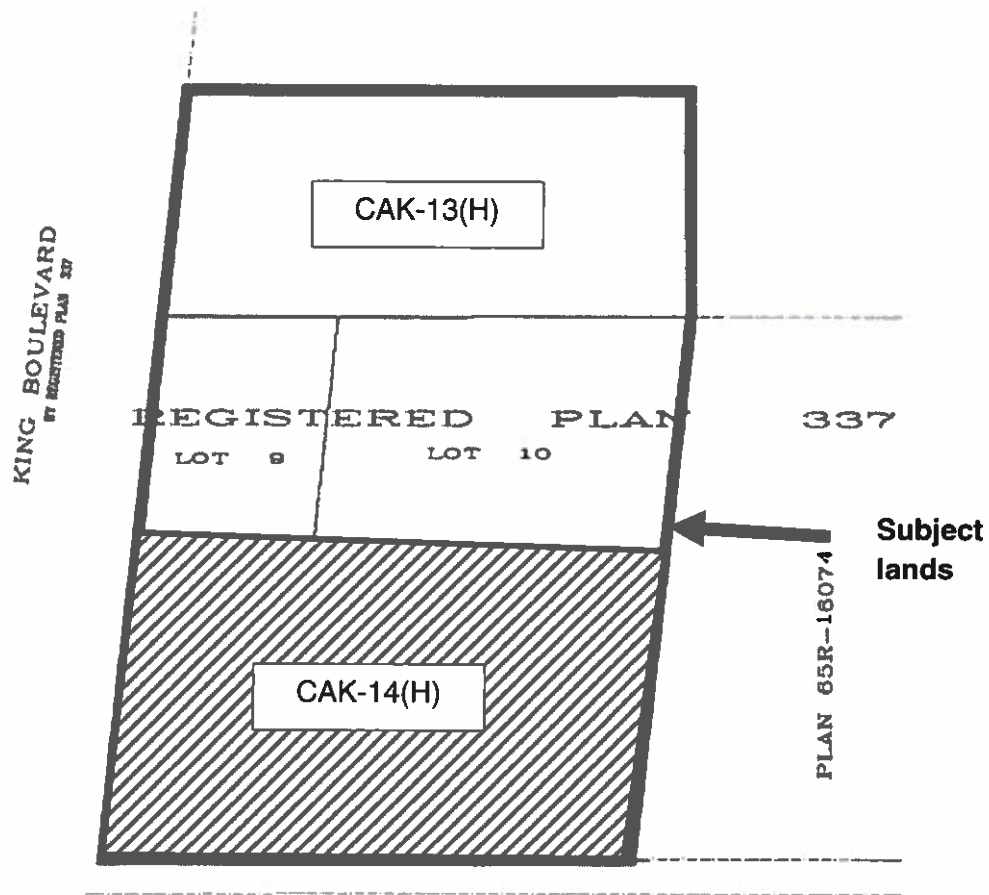
THIS IS SCHEDULE "1" TO BY-LAW NO. 2021-073

Lots 9 and 10, Registered Plan 337 and Part of Lot 6, Concession 3

(2000-2008 King Road, King City)

TOWNSHIP OF KING

REGIONAL MUNICIPALITY OF YORK



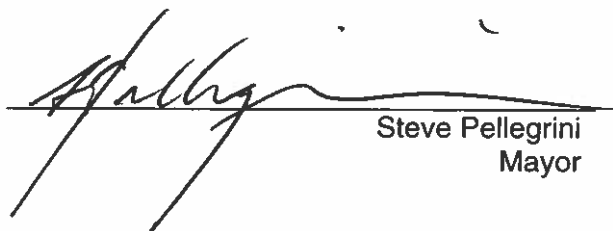
SUBJECT LANDS



"Core Area – King City – Exception Section
7.5.2.13 (CAK-13(H)) Zone"



"Core Area – King City – Exception Section
7.5.2.14 (CAK-14(H)) Zone"


Steve Pellegrini
Mayor


Kathryn Moyle
Director of Corporate Services
Township Clerk

THIS IS SCHEDULE "2" TO BY-LAW NO. 2021-073

Lots 9 and 10, Registered Plan 337 and Part of Lot 6, Concession 3

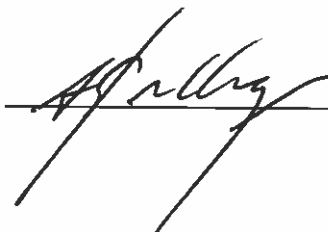
(2000-2008 King Road, King City)

TOWNSHIP OF KING

REGIONAL MUNICIPALITY OF YORK



From: "Core Area – King City (CAK)" and "Institutional (I)" to
"Core Area – King City – Holding – Exception Section
7.5.2.13 (CAK-13(H)) and "Core Area – King City –
Holding – Exception Section 7.5.2.14 (CAK-14(H))" Zones.


Steve Pellegrini
Mayor


Kathryn Moyle
Director of Corporate Services
Township Clerk