



**NOTICE OF PASSING
OF ZONING BY-LAW AMENDMENT 2023-059
BY THE CORPORATION OF THE TOWNSHIP OF KING**

TAKE NOTICE that the Council of the Corporation of the Township of King passed By-law Number 2023-059 on the 29th day of May 2023 under Section 34 and 36 of the *Planning Act*, R.S.O, 1990.

By-law Number 2023-059 is a by-law to amend Zoning By-law Number 2017-066, and concerns properties described as Part of Lots 4 and 11, Concession 4 in the Township of King and municipally known as 12805 & 12665 Jane Street, King City, Township of King.

AND TAKE NOTICE that any person or agency may appeal to the Ontario Land Tribunal (OLT) in respect of the by-law by filing with the Clerk of the Corporation of the Township of King not later than the **28th day of June, 2023** a notice of appeal setting out the objection to the by-law, and the reasons in support of the objection, together with a filing fee **per application** being appealed, in the amount as specified on the OLT website (www.olt.gov.on.ca), along with a cheque for \$243.00 per application being appealed, payable to the Township of King representing the Clerk's Department 2023 Administrative processing fee and a cheque for \$400 per appeal, representing the Planning Division's 2023 Administrative processing fee, payable to the Township of King. Should this date fall on a holiday or weekend, you will have until 4:30 p.m. of the next business day to file your appeal. If you wish to appeal to the OLT, a copy of an appeal form is available from the OLT website at (www.olt.gov.on.ca). Please note the Tribunal will only accept filing fee payments by certified cheque or money order.

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal (OLT). A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

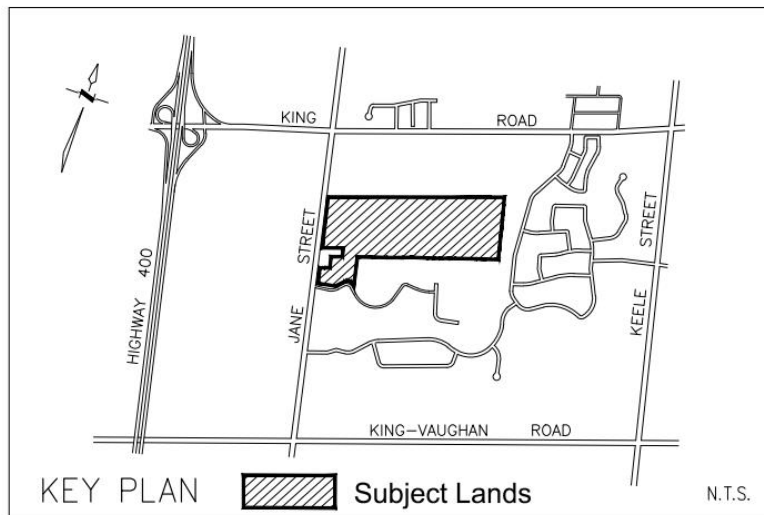
No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal (OLT), there are reasonable grounds to add the person or public body as a party.

All submissions were considered as part of the decision-making process. Public, Staff and Agency submissions were considered and where applicable, are reflected in the Zoning By-law and/or conditions of approval to the related Draft Plan of Subdivision 19T-20K02. Public consultation took place in the form of a public meeting held by Council on March 1, 2021, which was a formal statutory meeting under the Planning Act. All comments received were considered in Municipal Planning staff reports and were made available to the public.

The comments were identified, discussed, and where appropriate, addressed in the Conditions of Draft Plan Approval, Draft Plan, Official Plan Amendment, and Zoning By-law, which were presented at the Council meeting on February 27, 2023 and within Planning Division Report No. GMS-PL-2023-13. Comments received and considered from the public were summarized and included in the Planning Division Report (GMS-PL-2023-13). The report is available on the Township's website www.king.ca. More specifically, comments received in relation to traffic, noise, environmental protection, community consultation, streetscaping, landscaping and urban design, housing mix, employment uses, integration and impacts to neighbouring lands and South Summit Farm Road were summarized and responded to within Appendix 7 of Report GMS-PL-2023-13.

An explanation of the purpose and effect of the By-laws and a key map showing the location of the lands affected by the By-laws are attached and available on our website (www.king.ca).

DATED at the Township of King this 8th day of June, 2023.



Denny Timm
Township Clerk
2585 King Road
KING CITY, ON L7B 1A1
Telephone: (905) 833-5321
Email: dtimm@king.ca

Comments and personal information are being collected in accordance with the requirements of the Planning Act, R.S.O. 1990, Chapter c.P. 13 as amended, and will become part of the decision making process of the application as noted on this form. Personal information will be protected in accordance with Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), all information received other than personal information may be included in the documentation which will become part of the public record. Should you have any questions or concerns with regard to the collection of personal information, please contact the Planning Department, Township of King at (905) 833-5321.

**EXPLANATORY NOTE
TO ACCOMPANY BY-LAW NUMBER 2023-059**

By-law Number 2023-059 concerns properties described as Part of Lots 4 and 11, Concession 4 in the Township of King and municipally known as 12805 & 12665 Jane Street, King City, Township of King.

Zoning By-law Number 2023-059 rezones the subject lands from Future Use (F) Zone to the following:

RESIDENTIAL SINGLE DETACHED “A” – 18 (R1A-18) EXCEPTION ZONE (HOLDING);
RESIDENTIAL SINGLE DETACHED “A” – 19 (R1A-19) EXCEPTION ZONE (HOLDING);
RESIDENTIAL SINGLE DETACHED “A” – 20 (R1A-20) EXCEPTION ZONE (HOLDING);
RESIDENTIAL TOWNHOUSE – 9 (R3-9) EXCEPTION ZONE (HOLDING);
RESIDENTIAL TOWNHOUSE – 10 (R3-10) EXCEPTION ZONE (HOLDING);
ENVIRONMENTAL PROTECTION – 3 (EP-3) EXCEPTION ZONE ;
OPEN SPACE (OS) ZONE ;

to facilitate the development of single detached, townhouse, and “lifestyle”, residential units. The proposed park/open space lands, stormwater management facilities, environmental features and buffers will be zoned Open Space/ “OS”, and Environmental Protection/ “EP” respectively. The Zoning By-law also introduces a series of development standards for the residential zones.

The Zoning By-law also includes Holding (H) provisions to ensure matters such as a Subdivision Agreement, servicing allocation, phasing and other related matters are addressed. A separate by-law will be required to be passed in the future to lift the “H” once the necessary conditions of the Holding zone have been satisfied.



THE CORPORATION OF THE TOWNSHIP OF KING

BY-LAW NUMBER 2023 – 059

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, adopted by Council on the 26th day of June, 2017 and currently under appeal to the Ontario Municipal Board;

AND WHEREAS it is deemed necessary to further amend By-law Number 2017-66, as amended, the matters herein set out are in conformity with the Official Plan of the Township of King,;

AND WHEREAS authority is granted pursuant to Section 34 and 36 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, as amended, be amended as follows:

1. **THAT** the lands subject to this By-law consists of Part of Lots 4 and 11, Concession 4 in the Township of King and municipally known as 12805 & 12665 Jane Street , and more particularly shown on Schedule “1” attached hereto, and that Schedule “1” forms part of this by-law.
2. **THAT** for the purposes of the lands subject to this by-law as shown on Schedule “1” attached to this By-law, Definition 95 “Height” and Definition 118, “Lot Coverage” shall be replaced with the following:

“95. Height: means the vertical distance measured from the established grade to:

- a) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- b) the deckline of a mansard roof; or
- c) the mean level between eaves and ridge of a gabled, hip, gambrel roof or other type of pitched roof.

Where a lot abuts an Environmental Protection (EP) zone, and the average finished grade level at the rear yard elevation of the building is lower than the average finished grade level at the front yard elevation of the building, the building height shall be measured from the average finished grade level at the front yard elevation of such building to:

- a) the highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- b) the deckline of a mansard roof; or
- c) the mean level between eaves and ridge of a gabled, hip, gambrel roof or other type of pitched roof.”

“118. Lot Coverage: means the percentage of the lot area, covered by all buildings and structures above grade, excluding decks, porches and loggias, and shall not include the portion of such lot area which is occupied by a structure or portion thereof which is completely below grade, and for the purposes of this definition, the lot coverage in each zone shall be deemed to apply only to that portion of such lot which is located within said zone.”

3. **THAT** for the purposes of this by-law, the portion of the Township of King shown on Schedule “1” attached hereto shall be subject to the following zone boundaries which are shown on Schedule “1” attached hereto:

RESIDENTIAL SINGLE DETACHED “A” – 18 (R1A-18) EXCEPTION ZONE (HOLDING)
RESIDENTIAL SINGLE DETACHED “A” – 19 (R1A-19) EXCEPTION ZONE (HOLDING)
RESIDENTIAL SINGLE DETACHED “A” – 20 (R1A-20) EXCEPTION ZONE (HOLDING)

RESIDENTIAL TOWNHOUSE – 9 (R3-9) EXCEPTION ZONE (HOLDING)
RESIDENTIAL TOWNHOUSE – 10 (R3-10) EXCEPTION ZONE (HOLDING)
ENVIRONMENTAL PROTECTION – 3 (EP-3) EXCEPTION ZONE
OPEN SPACE (OS) ZONE

4. **THAT** Schedule “A5” of By-law 2017-66 as amended, is hereby further amended by changing the zone symbol on the lands described in Section 1 above from Future Use (F) Zone to the following for the subject lands as shown on Schedule “1” attached hereto and described in this By-law:

RESIDENTIAL SINGLE DETACHED “A” – 18 (R1A-18) EXCEPTION ZONE (HOLDING)
RESIDENTIAL SINGLE DETACHED “A” – 19 (R1A-19) EXCEPTION ZONE (HOLDING)
RESIDENTIAL SINGLE DETACHED “A” – 20 (R1A-20) EXCEPTION ZONE (HOLDING)
RESIDENTIAL TOWNHOUSE – 9 (R3-9) EXCEPTION ZONE (HOLDING)
RESIDENTIAL TOWNHOUSE – 10 (R3-10) EXCEPTION ZONE (HOLDING)
ENVIRONMENTAL PROTECTION – 3 (EP-3) EXCEPTION ZONE
OPEN SPACE (OS) ZONE

5. **THAT** Section 3.21.1(I) of By-law 2017-66 "Exception for Site Plan Approval Within Draft Approved Plans of Subdivision" be replaced with the following for the lands subject to this By-law:

"Exception for Site Plan Approval Within Draft Approved Plans of Subdivision

- I) Notwithstanding any other provision of section 3.21, Site Plan Approval for the purposes of section 3.21 for a single detached dwelling, semi detached or a street townhouse or its accessory uses shall not be required on a lot that is within a draft plan of subdivision which was approved after November 15, 2001 and for which a related Subdivision Agreement has been entered into with the Township of King after November 15, 2001."
6. **THAT** Notwithstanding Table 3.42.1 of By-law 2017-66, the following provisions with respect to Yard and Setback Encroachment shall apply in addition to those listed in Table 3.42.1:
- i. Notwithstanding any other provision to the contrary, decks with a height greater than 0.6m from grade shall be permitted to encroach 2.4m into the rear yard.
 - ii. Notwithstanding any other provision to the contrary, stairs shall be excluded from the Yard and Setback Encroachment requirements.
 - iii. Notwithstanding any other provision to the contrary, no porch shall encroach more than 2.0m into the exterior side yard on lots with frontages of 18.0 m or less
7. **THAT** Notwithstanding Tables 6.2a, 6.2b, 6.3a and 6.3c of By-law 2017-66, as amended, the following Lot and Building requirements shall apply, and that Sections 6.5.2 and 6.5.10 shall be amended accordingly to add the following subsections:

No.	Exception (Schedule “A”)	By-law Number(s)	Urban Area
6.5.2	R1A Zone Exceptions		
6.5.2.18	R1A-18	2023-059	King City
a) The minimum lot area shall be 360.0 m2. b) The minimum lot frontage shall be 12.0 m. c) The minimum front yard shall be 4.5 m to the house and 6.0 m to the garage. d) The minimum rear yard shall be 7.5 m. e) The minimum interior side yard shall be 1.2 m. f) The minimum exterior side yard shall be 3.5 m. g) The maximum lot coverage shall be 50%. h) The maximum height shall be 11.0 m.			

No.	Exception (Schedule "A")	By-law Number(s)	Urban Area
6.5.2.19	R1A-19	2023-059	King City
a) The minimum lot area shall be 360.0 m ² . b) The minimum lot frontage shall be 12.0 m. c) The minimum front yard shall be 4.5 m to the house and 4.5 m to the garage. d) The minimum rear yard shall be 1.2 m. e) The minimum interior side yard shall be 1.2 m. f) The minimum exterior side yard shall be 3.5 m. g) The maximum lot coverage shall be 50%. h) The maximum height shall be 11.0 m.			
6.5.2.20	R1A-20	2023-059	King City
a) The minimum lot area shall be 450.0 m ² . b) The minimum lot frontage shall be 15.0 m. c) The minimum front yard shall be 4.5 m to the house and 6.0 m to the garage. d) The minimum rear yard shall be 7.5 m. e) The minimum interior side yard shall be 1.2 m. f) The minimum exterior side yard shall be 4.0 m. g) The maximum lot coverage shall be 50%. h) The maximum height shall be 11.0 m.			

No.	Exception (Schedule "A")	By-law Number(s)	Urban Area
6.5.10	R3 Zone Exceptions		
6.5.10.9	R3-9	2023-059	King City
a) The minimum lot area shall be 225.0 m ² . b) The minimum lot frontage shall be 7.5 m. c) The minimum front yard shall be 4.5 m to the house and 6.0 m to the garage. d) The minimum rear yard shall be 7.5 m. e) The minimum side yards shall be 0 m for an interior lot and 1.5 m for an end lot. f) The minimum exterior side yard or corner lot shall be 3.5 m. g) The maximum lot coverage shall be 55%. h) The maximum height shall be 11.0 m.			
6.5.10.10	R3-10	2023-059	King City
a) The minimum lot area shall be 205.0 m ² . b) The minimum lot frontage shall be 7.0 m. c) The minimum front yard shall be 4.5 m to the house and 5.8 m to the garage. d) The minimum rear yard shall be 6.0 m (*3.0 metres for Blocks 169, 170, and 183 on Draft Plan of Subdivision 19T-20K02). e) The minimum side yards shall be 0 m for lots with a common wall; 1.5 m for an interior townhouse end unit; 1.2 m for a semi or single detached unit. 3.5 m for an exterior yard for a townhouse end unit and semi or single detached unit. f) The maximum lot coverage shall be 55%. g) The maximum height shall be 11.0 m. h) Notwithstanding Table 6.2b of By-law 2017-66, as amended, the following uses shall be permitted in the R3-10 Exception Zone: <ul style="list-style-type: none"> a. Single detached dwellings b. Semi-detached dwellings c. Townhouse dwellings 			

8. **THAT** Section 6.4.1 of By-law 2017-66 “Special Attached Garage Requirements in the R1A and R3 Zone” be replaced by the following for the lands subject to this By-law:

“6.4.1 Special Attached Garage Requirements in the R1A and R3 Zones

The following additional provisions shall apply to the R1A and R3 Zones as identified in the below table:

- a. The maximum width of an attached private garage shall be in accordance with the following table:

Lot Frontage	Zone	Maximum Interior Width of an Attached Private Garage	Maximum Driveway Width at Curb
i) 12.0 m to less than 18.0 m	R1A-18, R1A-19, R1A-20	6.25 m	6.25 m
ii) 7.5 m or greater	R3-9	3.75 m for single-car garage ¹ 5.5 m for double-car garage ²	3.75 m 5.5 m
iii) 7.0 m or greater	R3-10	3.75 m for single-car garage 5.5 m for double-car townhouse garage 6.25 m for a double-car garage on a semi-detached 9.25 m for a triple-car garage on a lot with a single detached dwelling.	3.75 m 5.5 m 6.25m 9.25m

NOTES:

- 1. Required for a minimum 33% of dwelling units within a townhouse block or within a number of townhouse blocks combined.
- 2. Permitted for up to 67% of dwelling units within a townhouse block.

- b. In no case shall an attached private garage project beyond the main first storey front wall of the main building or front porch or entry feature, whichever projects furthest towards the Front Lot Line or Exterior Lot Line. Notwithstanding, when a private attached garage projects beyond the main first storey front wall as permitted by this section, but does not project beyond the front porch or entry feature, the private attached garage shall not project more than 1.5 metres from the main first storey front wall. For the purposes of this section, the main first storey front wall shall be measured by including any portion of the initial 50% width of the main first storey front wall which is located closest and immediately adjacent to the private attached garage.
- c. Where the width of the attached private garage exceeds 6.25 m, the face of the attached private garage in excess of 6.25 m shall be located a further 1.5 m from the Front Lot Line or Exterior Lot Line than the front face of the initial 6.25 m face of the attached private garage.
- d. Attached garages may project beyond the main wall or entry feature of the dwelling provided the lot has 18 m frontage or greater and that the garage entry faces the interior side lot line. Such a garage must have a front yard setback a minimum of 4.5 m.”

9. **THAT** the following exception shall be added to Section 9.5.4 of By-law 2017-66:

9.5.4 EP Zone Exceptions			
9.5.4.3	EP-3	2023-059	King City

Notwithstanding the provisions of Section 9.2 on the lands subject to this By-law shown as EP-3 on Schedule 1 of this By-law:

In addition to the uses listed in Table 9.2, the uses permitted shall also include one or more of the following:

- Low impact development drainage facilities and related uses and structures
- Walking trails and related uses and structures


10. **THAT** the following Holding (H) Provisions shall apply as follows to the lands subject to this By-law shown on Schedule "1" attached to this by-law:

- i. Notwithstanding any other provisions of this By-law, where a Holding Symbol denoted as a "H" is shown as a suffix to any Zone symbol no person shall use any land, erect, alter or use any building(s) or structure(s) for any purpose other than legally existing use(s), building(s), or structure(s) until such time as the Holding Symbol is removed by an amendment to this By-law passed pursuant to Section 36 of the Planning Act, as amended.
- ii. Council for the Township of King may amend this By-law to remove the Holding Symbol from all or part of the lands or in stages to permit the development of the lands subject to the Holding Symbol in accordance with the provisions of this By-law and Section 36 of the Planning Act, as amended, at such time:
 - a. The Council of the Township of King has made the necessary assignment of water and sanitary sewage allocation. The Holding Symbol shall not be removed for any development or portion thereof which has not been assigned water and sanitary sewage allocation.
 - b. A Draft Plan of Subdivision has been draft approved and a Subdivision Agreement(s) in accordance with Section 51 of the Planning Act, R.S.O. 1990, Chapter P.13, has been executed between the Township of King and the owner(s) of the lands subject to this by-law, as shown on Schedule "1" attached hereto, and any encumbrancer(s), if any, and that such Agreement has been registered on title.
 - c. The Council of the Township of King is satisfied that any required noise attenuation measures in accordance with a Noise Impact Study/Report approved by the Township and the Region of York, as applicable, are in place or will be in place prior to any residential dwelling occupancy, and/or in accordance with the terms of the Subdivision Agreement between the Township of King and the owner(s) and any encumbrancer(s).
 - d. The Council of the Township of King is satisfied that the Subdivision Agreement(s) includes provisions requiring the approval of a phasing plan, and acknowledgement and agreement regarding the restriction of residential units and building permits in accordance with the phasing plan and related conditions of draft plan approval in accordance with Section 51 of the Planning Act, R.S.O. 1990, Chapter P.13.
 - e. The Council of the Township of King is satisfied that there is compliance with the Municipal Capital Facility Agreement (MCFA) between the Township and Owner, if any, or such successor agreement between the Township and any successor landowners as may be executed with the Township.
- iii. Council for the Township of King may amend this By-law to remove the Holding Symbol in part/stages from portions of the lands and/or zone to which it applies subject to the following:
 - a. The criteria in Section 10.ii. above as applicable to the relevant Zone has been fulfilled;
 - b. The amending By-law shall include a schedule which identifies the lands upon which the Holding Symbol is being removed and/or shall remain in place; and

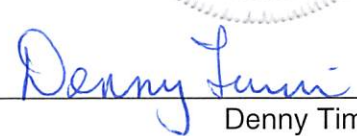

- c. The criteria in Section 10.ii. above shall continue to apply to the lands upon which the Holding Symbol shall remain in place.
11. **THAT** minor variance applications will be accepted and processed by the Township for the lands within Schedule "1" that are subject to this amendment, within the two-year period following the passing of this by-law.
12. **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 with the time prescribed under Section 34(19) of the *Planning Act*.

READ a **FIRST** and **SECOND** time this 29th day of May 2023.

READ a **THIRD** time and **FINALLY PASSED** this 29th day of May 2023.



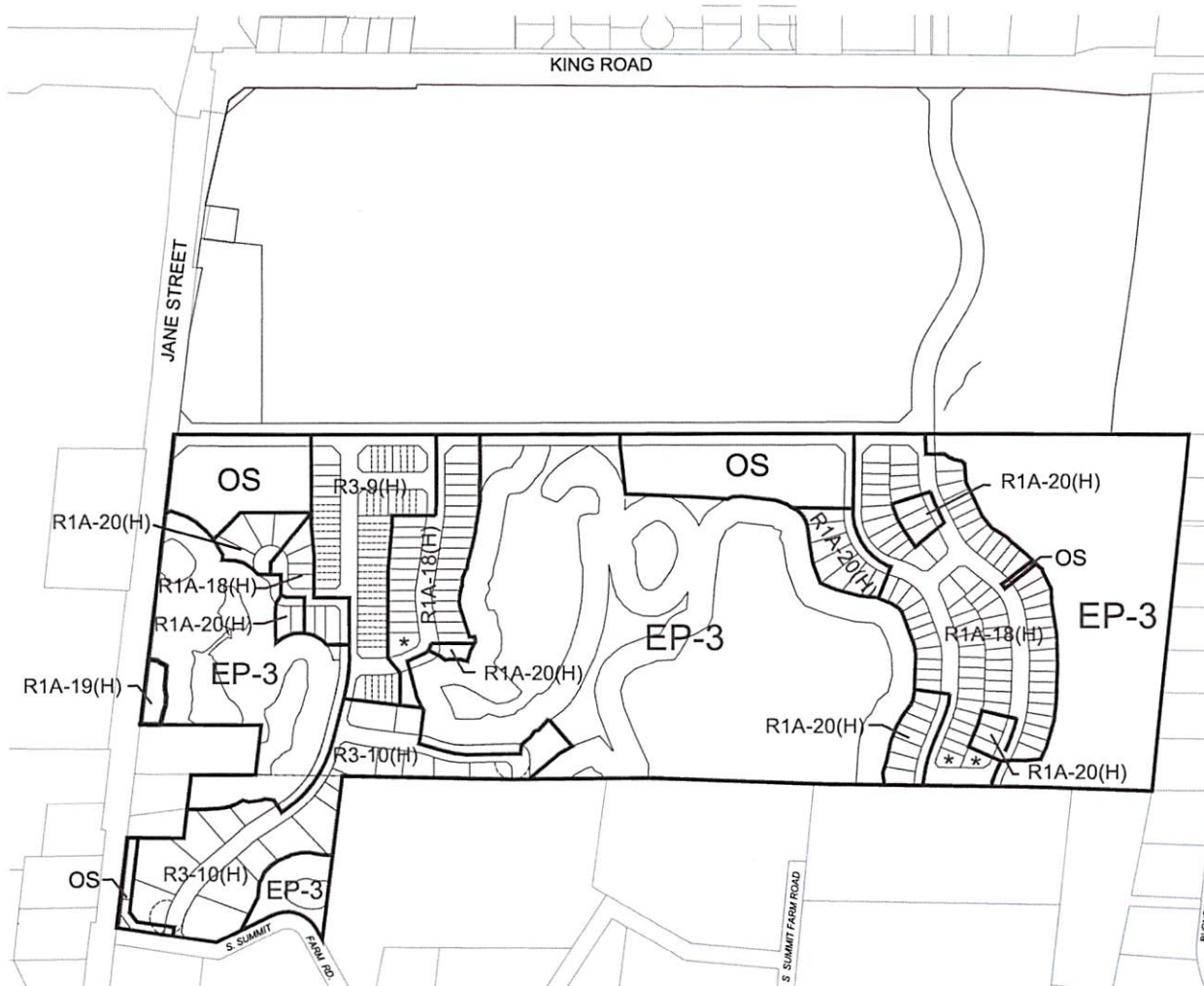
Steve Pellegrini
Mayor



Denny Timm
Township Clerk

(Ref. Growth Management Services Dept. – Planning Division
Report No. GMS-PL-2023-13, C.O.W. Feb. 27/23, File 19T-20K02)

PLAN SHOWING
PART OF LOTS 4 AND 11, CONCESSION 4
PART 1
TOWNSHIP OF KING
REGIONAL MUNICIPALITY OF YORK



* For the purposes of this By-law, lots identified with the * symbol on this schedule shall be considered a corner lot.

THIS IS SCHEDULE "1" TO BY-LAW No.2023-059
PASSED ON THIS 29 DAY OF MAY, 2023

Steve Pellegrini
STEVE PELLEGRINI, MAYOR

Denny Timm
DENNY TIMM, CLERK

SUBJECT LANDS