



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

# Preamble (How to Use this By-law)

This Preamble does not form a part of the Zoning By-law but is provided for context and convenience purposes only.

## 1. Overview of Zoning By-laws

A Zoning By-law is a detailed municipal by-law that regulates:

- a) the types of land uses and activities that may occur on a property or buildings; and
- b) the height, location, massing and character of buildings and structures.

The specific matters that may be regulated by a Zoning By-law are outlined in Section 34 of the Ontario Planning Act, as amended. Zoning By-laws are used by most municipalities in Ontario to manage land uses and manage the character and appearance of neighbourhoods and communities. Zoning By-laws are also prepared to implement the policies of a municipality's Official Plan, which establishes goals and policies respecting the types of permitted land uses and desired built form within different geographic areas of the municipality. The Zoning By-law is used to translate these policies into more specific permitted land uses and requirements for lot and buildings.

A Zoning By-law is implemented through various Planning Act application processes and Building Permit applications. Where a property owner or occupant wishes to construct something on their property, and applies for a Building Permit, the proposal must be consistent with the provisions of the Zoning By-law. If the proposal is not consistent, the applicant can:

- a) rework their proposal so that it complies with the Zoning By-law;
- b) apply for a minor variance to seek relief from the provisions of the Zoning By-law; or
- c) apply for a rezoning (Zoning By-law Amendment) to change their zone or seek major relief from the provisions of the Zoning By-law where the relief is consistent with the Township's Official Plan.

## 2. Overview of the Zoning By-law for the Countryside

This Zoning By-law regulates the use of land and buildings and the massing, location, height and character of buildings and structures for all lands in the Township outside of the Nobleton, Schomberg and King City Urban Areas, as designated by the Official Plan.

All properties in the Countryside Area, shown on Schedule "A" as the "defined area", are subject to the provisions of this Zoning By-law. The lands within the Village of Nobleton are subject to Zoning By-law 2016-71, as amended, and the lands within the Villages of King City and Schomberg are subject to Zoning By-law 2017-66, as amended.

The Zoning By-law for the Countryside is structured similarly to other comprehensive Zoning By-laws in Ontario and the Township's other Zoning By-laws. It contains the following components:

1. **Administrative provisions** are outlined in Part 1. This includes penalties where someone contravenes the requirements of the Zoning By-law, and clauses to govern how the Zoning By-law is to be read and interpreted.
2. **Definitions to assist in interpreting the By-law** are contained in Part 2. Definitions are critical to ensuring the Zoning By-law is interpreted consistently and can be understood by all. Accordingly, the Zoning By-law contains hundreds of definitions.
3. **General provisions** are provided in Part 3. These provisions will apply depending on the proposed use, or on the characteristics and context of the lot. These provisions include detailed requirements for on-farm diversified uses, farm help dwellings, home occupations, accessory buildings, and many more subjects that will be applicable depending on the context.
4. **Parking and loading requirements** are outlined in Part 4, including bicycle parking requirements. Most uses are required to have a certain number of parking spaces provided to accommodate vehicles. Some land uses are also required to have loading spaces to accommodate commercial activities. In this By-law, some uses are also required to provide and maintain a certain number of bicycle parking spaces.
5. **Part 5 defines the 'zones'** and goes hand in hand with Schedule "A", the Zoning Schedule. All lands subject to the By-law are shown on Schedule "A". All lands are also subject to a "zone" which defines permitted uses and lot and building requirements. Other special provisions are shown on Schedules "B" and "C".
6. Parts 6 through 9 provide the **permitted uses, lot and building requirements** for the Hamlet Zones, Rural and Agricultural Zones, Oak Ridges Moraine Zones, and Other Zones, respectively, as delineated on Schedule "A".
7. **Exception zones** are established in Part 10. Exception zones contain special zoning provisions that apply to specific areas of the Township, as delineated on Schedule "A".
8. Part 11 includes provisions that bring the Zoning By-law into effect.

All provisions of the By-law are intended to be read in conjunction with one another. It is always important, when reading a Zoning By-law, to identify all applicable provisions throughout the document.

The headings and provisions of this By-law are organized in a hierarchy, as follows:

1. A ‘Part’ is one of eleven major sections.

1.1 A ‘Section’ is a component of a Part, numbered in the format “1.1”, for example (Section 1 of Part 1).

1.1.1 A ‘Subsection’ is a numbered component of a Section, and is organized as 1.1.1, for example (Subsection 1 of Section 1 of Part 1).

a) A ‘Clause’ falls under a section or subsection and is lettered as “a)” for example.

i) A ‘Subclause’ is a component under a clause, and is numbered with Roman numerals, such as i).

1. A ‘Paragraph’ is a component of a subclause and is numbered.

**3. Checking the Zoning and Applicable Provisions for a Property**

Zoning By-law users are a diverse audience. Some readers will want to examine how the Zoning By-law addresses a certain issue or regulates a certain use (e.g., how does the Zoning By-law regulate Hamlet Residential zoning? In which zones are on-farm diversified uses permitted?) Other users are responsible for administering the By-law and must understand it in great detail.

Most readers, however, will use a Zoning By-law in order to determine what they are permitted to do on their property. Following is an outline of the steps one may typically take to determine what types of regulations apply to their property:

1. **Identify a property of interest on Schedule “A”:** A good first step is to locate the property on Schedule “A” (comprised of Schedules A1 to A22).

To locate a property’s zoning, start by identifying the applicable location and refer to the index map (Schedule “A”) to identify which of the subsequent maps are likely to illustrate the zoning for the property.

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Note that the provisions of Section 5 will assist in reading and interpreting Schedule “A”.

If the property of interest is not included within the defined area of this By-law, then it is subject to Zoning By-law 2016-71 or 2017-66, as amended, and is not subject to this Zoning By-law. Lands within the Nobleton Village Reserve designation (shown in the Township’s Official Plan) are subject to this Zoning By-law.

2. **Make a note of what zoning applies to the property on Schedule “A”:** Once the applicable map(s) included within Schedule “A” is identified, the applicable zoning may now be identified. The zones are colour-coded in the legend. Make a note of the property’s applicable zone symbol (e.g., “HR1”).

In some cases, the property may have an exception zone applied, shown as a thick pink border with dotted hatching, denoted by a number. Make a note of any exceptions that apply.

The property might also fall within an “overlay” – a hatched area represents that your property is subject to the Regulated Area of either the Toronto and Region Conservation Authority or the Lake Simcoe Region Conservation Authority.

3. **Check if the property is affected by Schedule “B”:** Schedule “B” (comprised of Schedules B-1 and B-2) illustrates the wellheads in the rural areas and those lands within the prime agriculture designation of the Official Plan, respectively. If the property is within a Wellhead Protection Area or the Prime Agriculture Overlay, make a note of it. The intent of Schedule B-1 is to implement Ontario’s Clean Water Act and the applicable Source Protection Plans. The intent of Schedule B-2 is to identify those lands within the Prime Agriculture designation of the Official Plan where additional zoning provisions apply in this By-law.
4. **Check if the property is affected by Schedule “C”:** Schedule “C” consists of a series of maps that illustrate special provisions applying to the Countryside. These schedules relate to provisions for lands affected by the Oak Ridges Moraine Conservation Plan, which is a Provincial Plan aimed at conserving the Oak Ridges Moraine landform. The provisions of Section 8.5 apply to lands affected by these maps.
5. **Check if the property is affected by Schedule “D”:** Schedule “D” shows where certain cannabis related uses are restricted within the Nobleton Village Boundary. Schedule “D” affects uses permitted in the Nobleton Village Reserve (NVR) Zone and the Greenbelt Natural Heritage (GNH) Zone, as permitted under Section 9.2.
6. **Check if the property is affected by Schedule “E”:** Schedule “E” shows the general location of natural heritage features within the Township as mapped in the Official Plan. Schedule “E” does not represent the precise delineation of natural heritage

features, but is intended to support implementation of Provincial plans, as well as the Regions and Townships Official Plan through this Zoning By-law.

6. **Check the permitted uses and regulations applying to the property:** Every property has some base zone applying to it (e.g., HR). For Hamlet Zones (e.g., HR1, HR2, HC, etc.), there is a list of uses that are permitted on the property in Part 6. For Rural and Agricultural Zones (e.g., RR, A, AR, etc.) there is a list of permitted uses and lot and building requirements in Part 7. For Oak Ridges Moraine Zones (e.g., ORC, ORX, etc.), the list of permitted uses, lot and buildings requirements are under Part 8, and for all Other zones, these requirements are included in Part 9.

Some properties are subject to a site-specific exception zone, as represented by thick pink border with dotted hatching, denoted by a number. If this is the case, the property has special provisions that apply. These provisions will supersede all other provisions of the Zoning By-law. To find the applicable special provisions, refer to Part 10 and locate the exception number that corresponds with the symbol shown on the property.

If the property's zoning was subject to a holding symbol (H), refer to Section 5.3. A holding symbol indicates that permitted uses will be limited until the holding symbol is lifted by by-law, and this will require the owner to meet certain conditions.

6. **Understanding permitted uses and lot and building requirements:** The permitted uses for each zone are organized in a matrix. The uses permitted on the property are represented by a dot corresponding with the applicable zone symbol. Similarly, the lot and building requirements are organized in a matrix. For each zone, the requirements for lot frontage, front yard setback, rear yard setback, maximum building height, and other requirements are identified.

It is important to read the definitions associated with the terminology used in this By-law. All of the uses permitted in this By-law are associated with a definition. Many technical terms are also defined, such as lot frontage, lot coverage, and front yard setback, for example. Where a term is defined, you will see it appear in italics in the text for convenience.

7. **Locate the other provisions that may apply:** The types of uses permitted and lot and building requirements are principally regulated by the zone requirements. However, Part 3 contains provisions that apply to certain permitted uses. For example, there are provisions that are specifically applicable to swimming pools, accessory buildings, home occupations, on-farm diversified uses, and many other uses. Further, if the property of interest was included in a Wellhead Protection Area or Prime Agriculture Overlay as shown on Schedule "B" (Step 3 outlined previously), the associated general provisions will apply.
8. **Consider the administrative provisions of the Zoning By-law:** Part 1 of the Zoning By-law contains some provisions that can help the reader understand how to read and

use the By-law and what the penalties are for contravening the Zoning By-law. The reader should be familiar with these provisions as they may be essential depending on the specific circumstance.

#### **4. Confirming with the Township**

It is always a good idea to consult with the Township about a construction project, as Township staff will help determine whether a proposed project will comply with the applicable provisions of the Zoning By-law. For many development proposals, consultation with the Township will be required in advance of an application. .

#### **5. Relationship to Other By-laws, Regulations, Legislation, etc.**

The Zoning By-law does not supersede or trump any other legislation, regulations or municipal by-laws. In fact, depending on the proposal or the use of your property, other laws may apply. It is the property owner's responsibility to understand what laws will apply to their land use or their construction project.

Recognizing the many partners involved in guiding and regulating land uses in Township of King, this By-law must be read in concert with the land use planning policy documents and regulations of the Province of Ontario, the Region, the Township, and Conservation Authorities. In particular, any person who wishes to know the complete and precise land use permissions and restrictions on their lands should refer to the text and schedules to this By-law and the Township's Official Plan. New development and/or site alteration on lands within the Greenbelt, Oak Ridges Moraine, Conservation Authority Regulated Area, and/or the York Region may be subject to additional approvals such as Site Plan Control, a Conservation Authority permit and/or Building Permit supported by additional information, studies, and/or environmental feature identification as set out in policies of the Official Plan and requirements of the regulations under Conservation Authorities Act.

The municipality administers other by-laws that are related to this Zoning By-law. For example, the Township administers a Sign By-law to regulate signs. This Zoning By-law does not regulate signage. The Township administers a by-law that regulates and provides a process for licensing certain businesses, subject to conditions, such as the Township's Kennel By-law. These by-laws essentially 'build' on the Zoning By-law's requirements and should be considered "in addition to" the Zoning By-law's requirements.

The laws and regulations of the Federal Government, the Province, and other agencies may also apply. Some uses may be subject to Federal/Provincial licensing or regulation. It is not the role of the Zoning By-law to integrate with the regulations or laws of other government. The Township can help to identify what other laws and regulations might apply to a proposed project.

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