

King Road

Wellington Street

Old King Road

Highway 27



Zoning By-law Amendment Application (File No. Z-2022-07)

12958, 12966, 12972, 12978 Highway 27 & 15 Wellington Street, Village of Nobleton



View southwest along Highway 27 toward 12958 Highway 27. Property is identified as 'non-designated' on the Township of King Heritage Register (June 2023).



View to west from Highway 27 toward 12966 Highway 27.



View to west from Highway 27 toward 12972 Highway 27.



View to northwest from Highway 27 toward 12978 Highway 27.



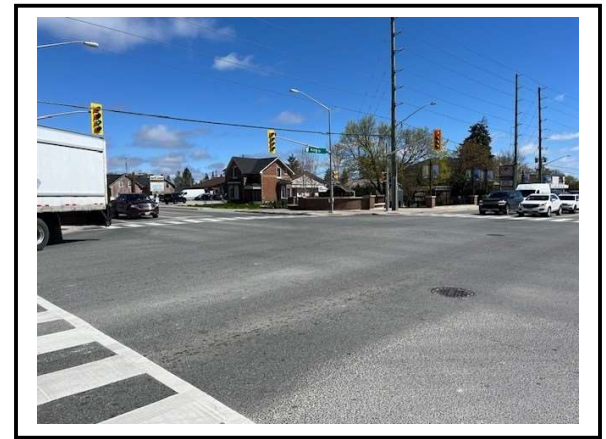
View southeast along Wellington Street toward 15 Wellington Street.



View northeast from Wellington Street toward 15 Wellington Street. Existing commercial development located in background to the north.



View east along King Road toward the Village Core and the intersection of King Road and Highway 27.



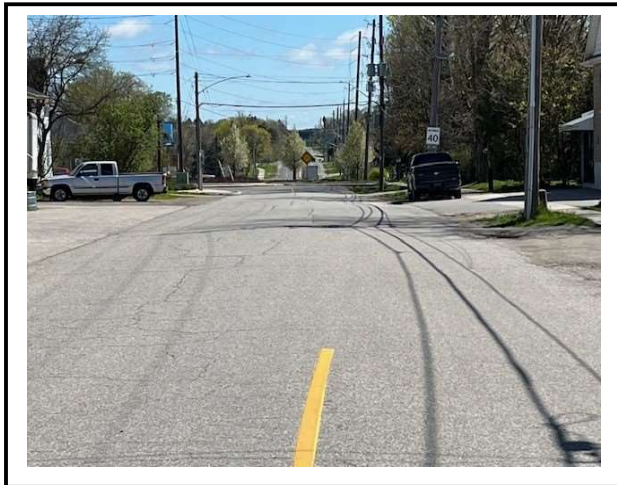
View northeast from intersection of King Road and Highway 27. Other nearby development proposals within the Village Core includes mixed use project at the northwest corner.



View north along Highway 27 toward gateway to Village Core area and existing commercial development.



View southwest along Highway 27 toward lot frontage of total landholding. Existing road width and municipal sidewalks shown. Location of proposed toward left side of photo.

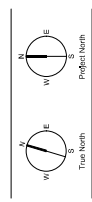


View east along Old King Road toward Nobleton Community Centre & Arena located approximately 100 metres to the east of the subject lands.

All photos are from a site visit conducted on May 2, 2024

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WORKSHEET
MAP 5102
01 REQUIRED FOR REZONING
MAY 2022
02 REQUIRED FOR REZONING
MAY 2022
03 REQUIRED FOR REZONING
MAY 2024
04 REQUIRED FOR REZONING
MAY 2024



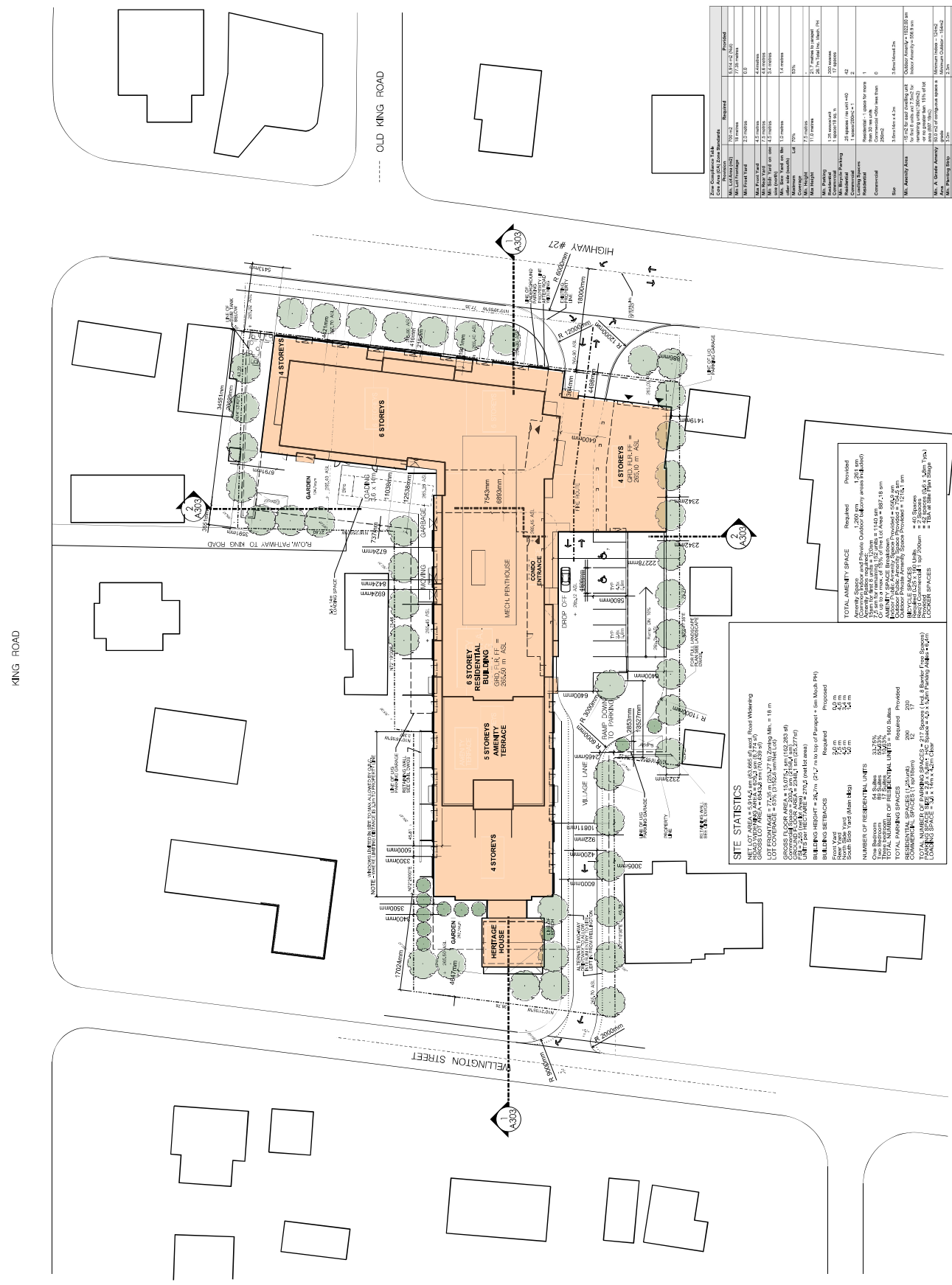
12566 Highway #27, Hamilton
Ontario, Canada
**NOBLETON
Condominium**

SITE PLAN

date: November 20, 2021 project no.: 20104
scale: 1:300 drawn by: JB

A 100

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Item	Quantity	Unit	Notes
Site Area (Total)	100.00	m ²	
Site Area (Covered)	100.00	m ²	
Site Area (Open)	100.00	m ²	
Site Area (Paved)	100.00	m ²	
Site Area (Grass)	100.00	m ²	
Site Area (Other)	100.00	m ²	
Site Area (Total)	100.00	m ²	
Site Area (Covered)	100.00	m ²	
Site Area (Open)	100.00	m ²	
Site Area (Paved)	100.00	m ²	
Site Area (Grass)	100.00	m ²	
Site Area (Other)	100.00	m ²	
Site Area (Total)	100.00	m ²	

SITE STATISTICS

REAR YARD SETBACK: 3.0m (Min. 1.5m)
 SIDE YARD SETBACK: 1.0m (Min. 0.5m)
 LOT COVERAGE = 65% (65% of 18.0m x 18.0m = 18.0m x 11.7m)
 GROUND COVER: 20% (20% of 18.0m x 18.0m = 18.0m x 3.6m)
 TOTAL PARKING SPACES: 270
 RESIDENTIAL SPACES: 270
 TOTAL NUMBER OF PARKING SPACES: 270
 TOTAL NUMBER OF RESIDENTIAL SPACES: 270
 TOTAL NUMBER OF COMMERCIAL SPACES: 0
 TOTAL NUMBER OF OFFICE SPACES: 0
 TOTAL NUMBER OF RETAIL SPACES: 0
 TOTAL NUMBER OF RESTAURANT SPACES: 0
 TOTAL NUMBER OF OTHER SPACES: 0

TOTAL AMENITY SPACE Required: 1400 sqm
 Provided: 1400 sqm
 (Common Areas, Clubhouse, Gym, Pool, etc.)

RESIDENTIAL SPACES Required: 270
 Provided: 270
 (One Bedroom, Two Bedroom, Three Bedroom, etc.)

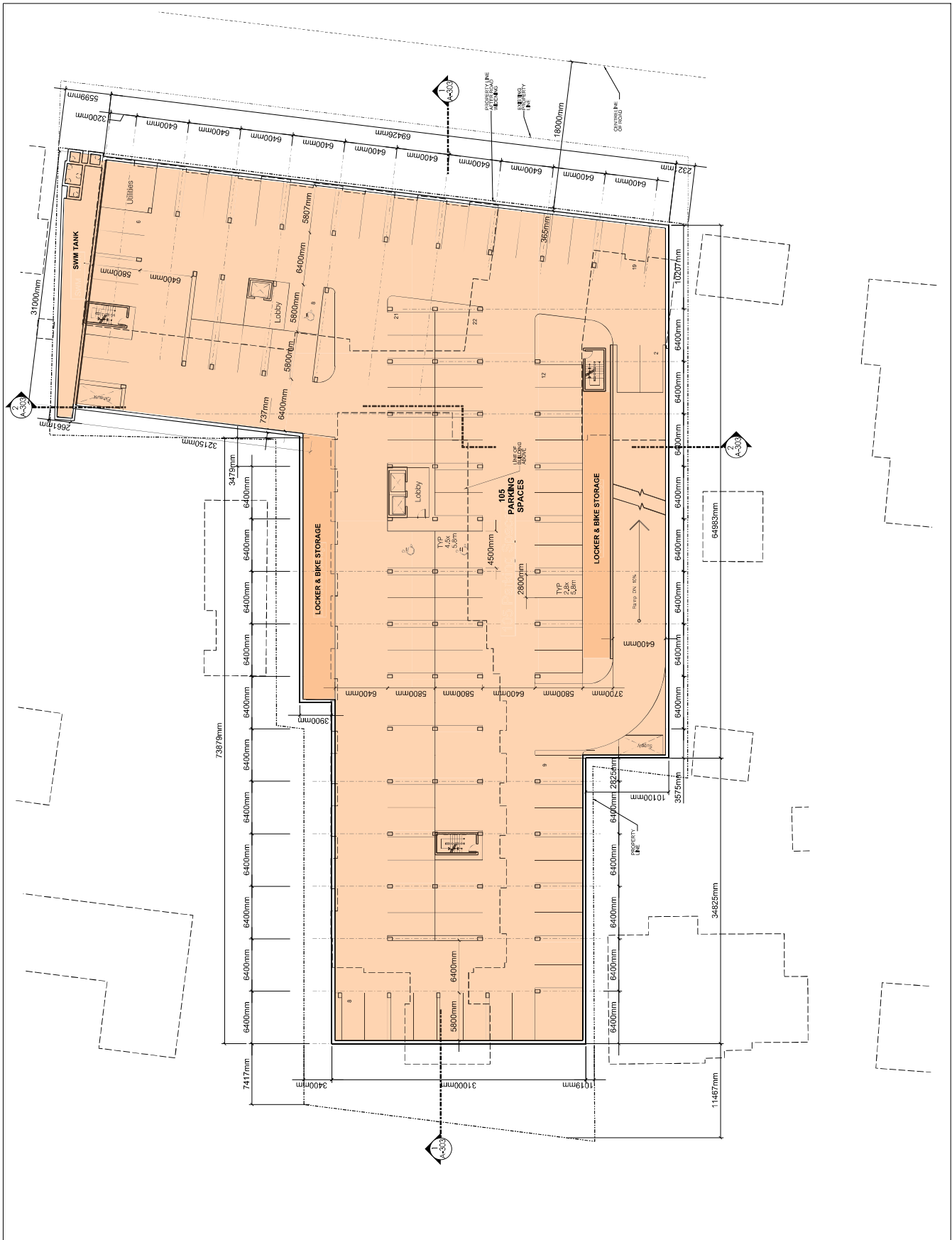
COMMERCIAL SPACES Required: 0
 Provided: 0
 (Retail, Office, Restaurant, etc.)

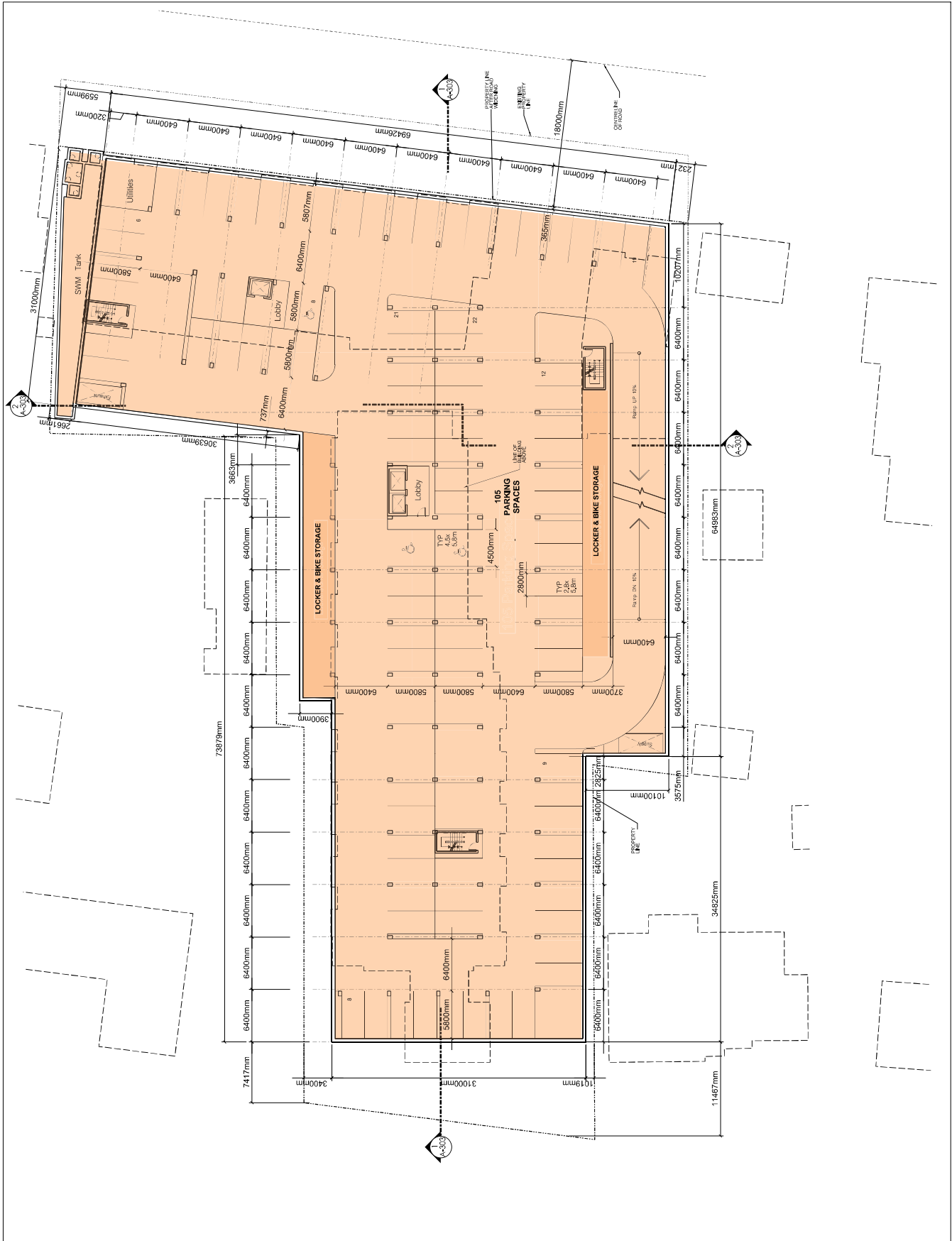
OFFICE SPACES Required: 0
 Provided: 0
 (Office, etc.)

RETAIL SPACES Required: 0
 Provided: 0
 (Retail, etc.)

RESTAURANT SPACES Required: 0
 Provided: 0
 (Restaurant, etc.)

OTHER SPACES Required: 0
 Provided: 0
 (Other, etc.)





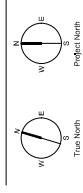


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DATE: MAR 31/22
BY: RE-ISSUED FOR REZONING
DATE: MAY 27/22
BY: RE-ISSUED FOR REZONING
DATE: MAR 30/24
BY: RE-ISSUED FOR REZONING
DATE: MAY 22/24



125th Highway #27, Oakville
Ontario, Canada
**NOBLETON
Condominium**

MEZZANINE PLAN

date: November 20, 2021 project no.: 20104
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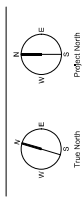


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Revised History
01 ISSUED FOR REZONING MAR 31/22
02 RE-ISSUED FOR REZONING MAY 27/22
03 ISSUED FOR REZONING JUN 20/22
04 RE-ISSUED FOR REZONING MAR 30/24
05 RE-ISSUED FOR REZONING MAY 22/24



12588 Robson #27, Oakville
Ontario, Canada

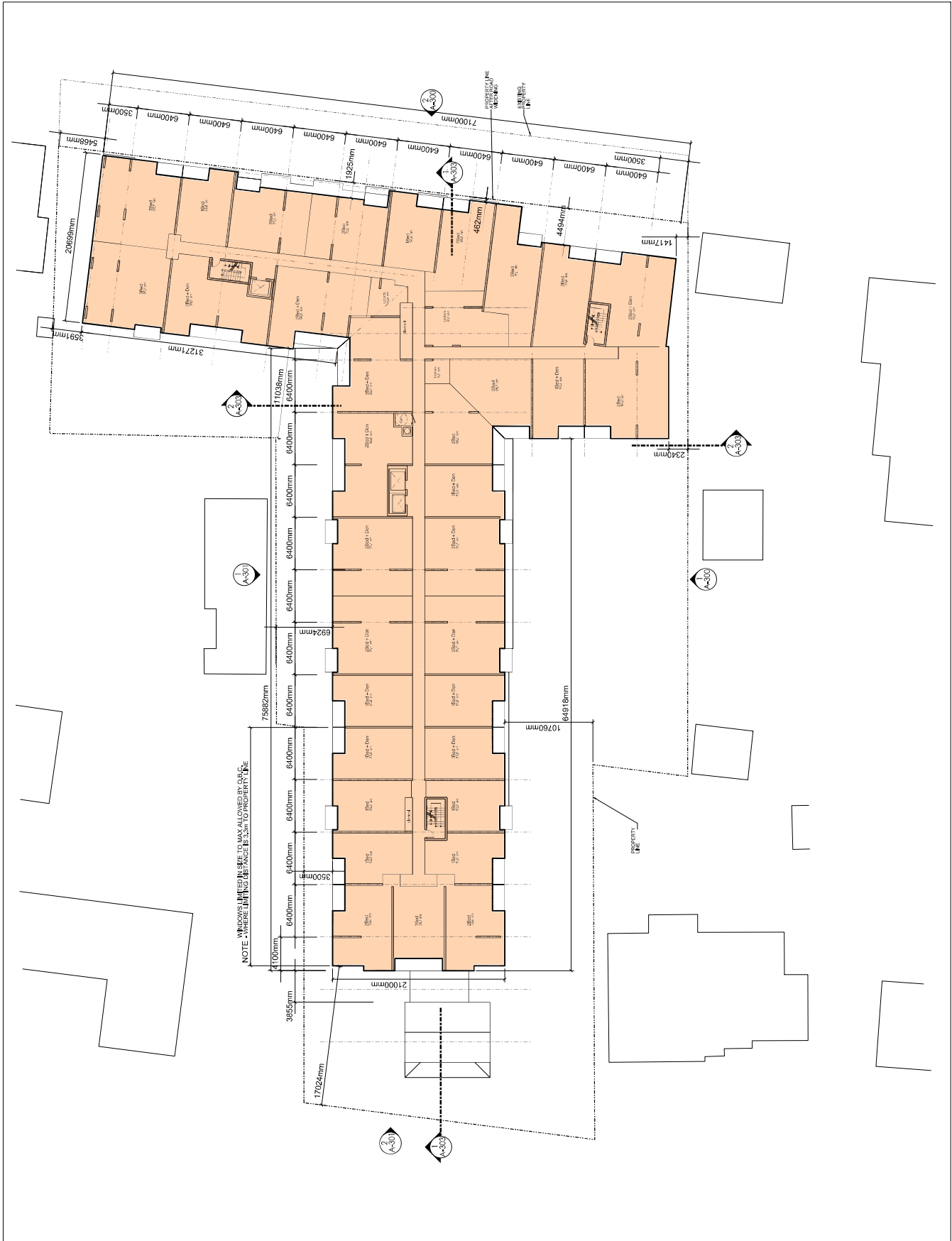
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Condominium

SECOND FLOOR PLAN

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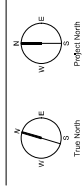
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REVISIONS

01	ISSUED FOR PERMITTING	MAR 31/22
02	RE-ISSUED FOR PERMITTING	MAY 27/22
03	RE-ISSUED FOR PERMITTING	MAY 27/22
04	RE-ISSUED FOR PERMITTING	MAY 27/22
05	RE-ISSUED FOR PERMITTING	MAY 27/22
06	RE-ISSUED FOR PERMITTING	MAY 27/22
07	RE-ISSUED FOR PERMITTING	MAY 27/22
08	RE-ISSUED FOR PERMITTING	MAY 27/22
09	RE-ISSUED FOR PERMITTING	MAY 27/22



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Ontario, Canada

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Condominium**

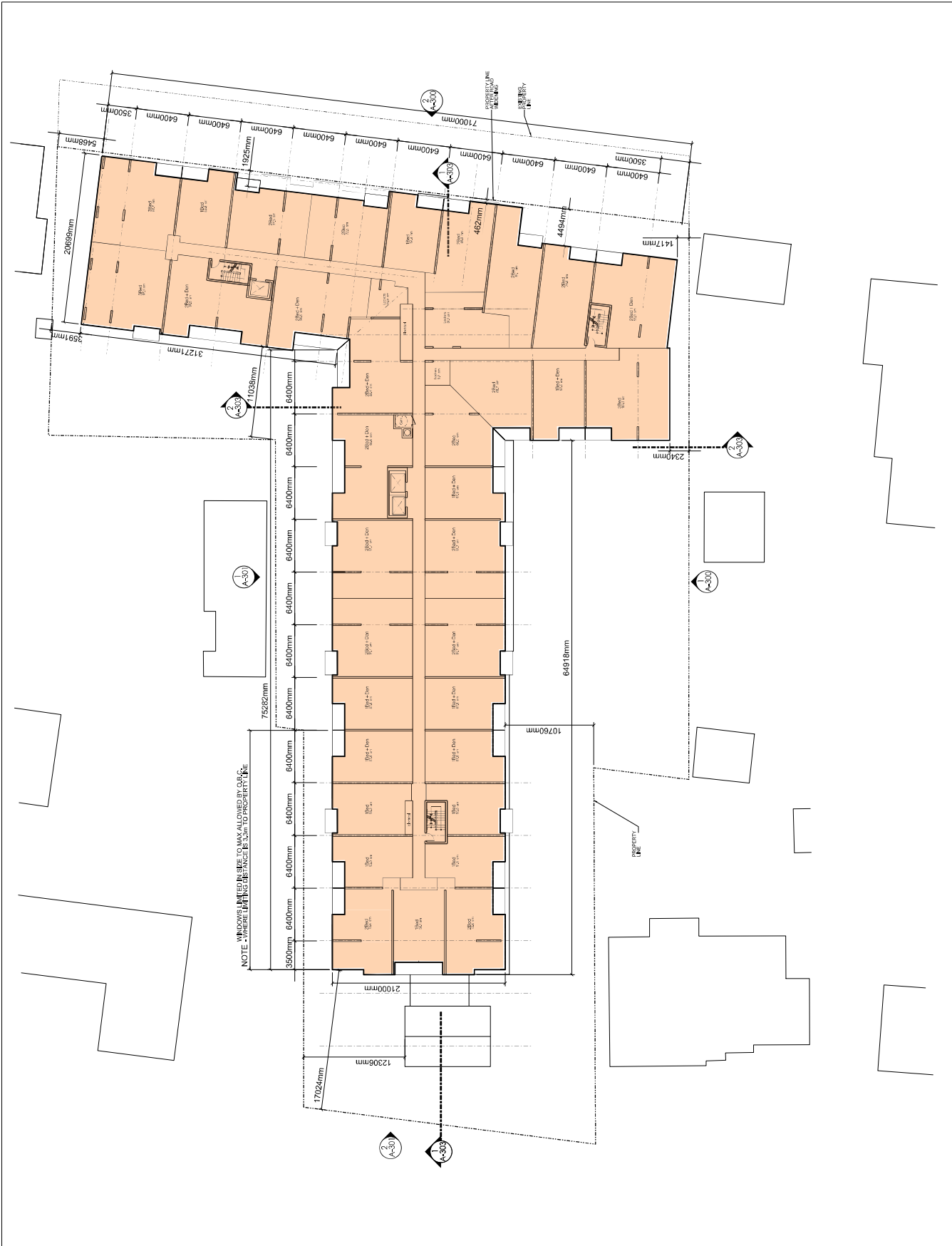
THIRD FLOOR PLAN

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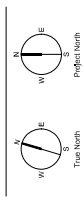


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Revised History
01 ISSUED FOR REZONING MAR 31/22
02 RE-ISSUED FOR REZONING MAY 27/22
03 RE-ISSUED FOR REZONING JUN 20/22
04 RE-ISSUED FOR REZONING MAR 30/24
05 RE-ISSUED FOR REZONING MAY 22/24



12566 Robson #27, Oakville
Ontario, Canada

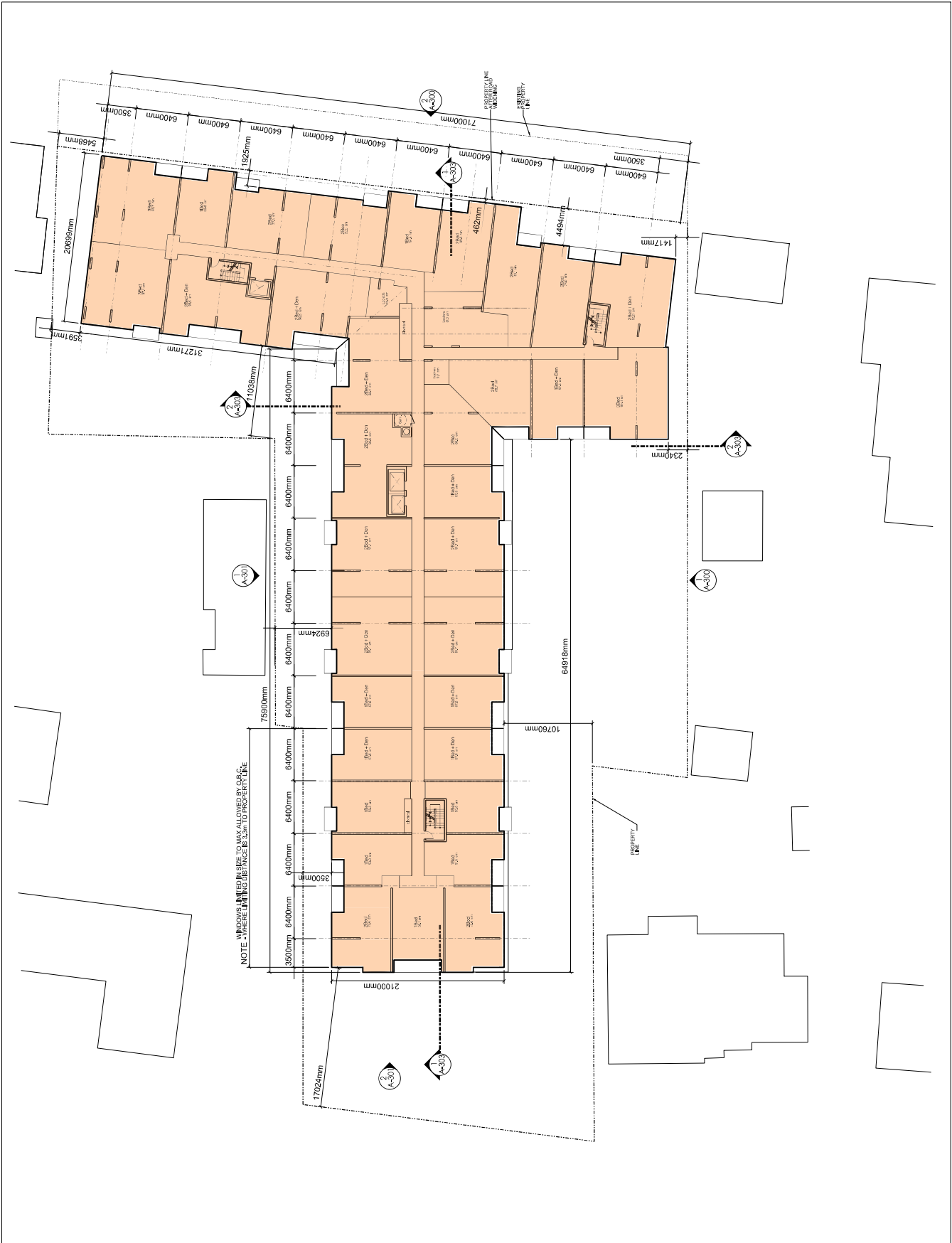
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FOURTH FLOOR PLAN

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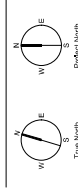


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BY: [REDACTED]
REASON: RE-ISSUED FOR REZONING
DATE: MAY 27/22
BY: [REDACTED]
REASON: RE-ISSUED FOR REZONING
DATE: MAR 30/24
BY: [REDACTED]
REASON: RE-ISSUED FOR REZONING
DATE: MAY 22/24



12555 Highway 407, Vaughan
Ontario, Canada

NOBLETON
Condominium

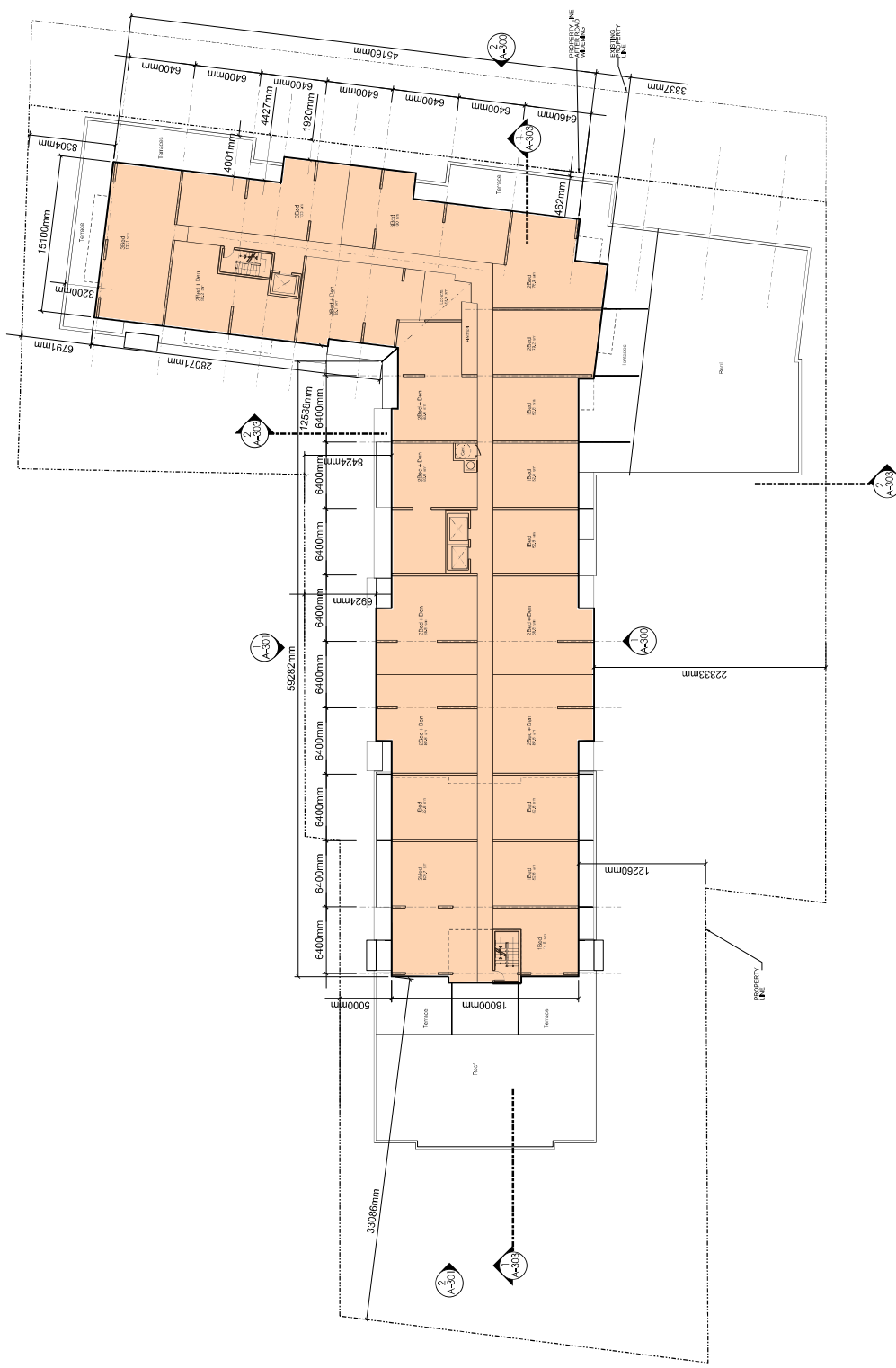
FIFTH FLOOR PLAN

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A 207

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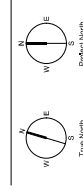


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REVISION HISTORY
DATE: 3/22/21
BY: [Redacted]
REASON: RE-ISSUED FOR REZONING
DATE: 5/27/22
BY: [Redacted]
REASON: RE-ISSUED FOR REZONING
DATE: 3/30/24
BY: [Redacted]
REASON: RE-ISSUED FOR REZONING
DATE: 5/27/24
BY: [Redacted]
REASON: RE-ISSUED FOR REZONING



125th Avenue #27 Addition
Ottawa, Canada

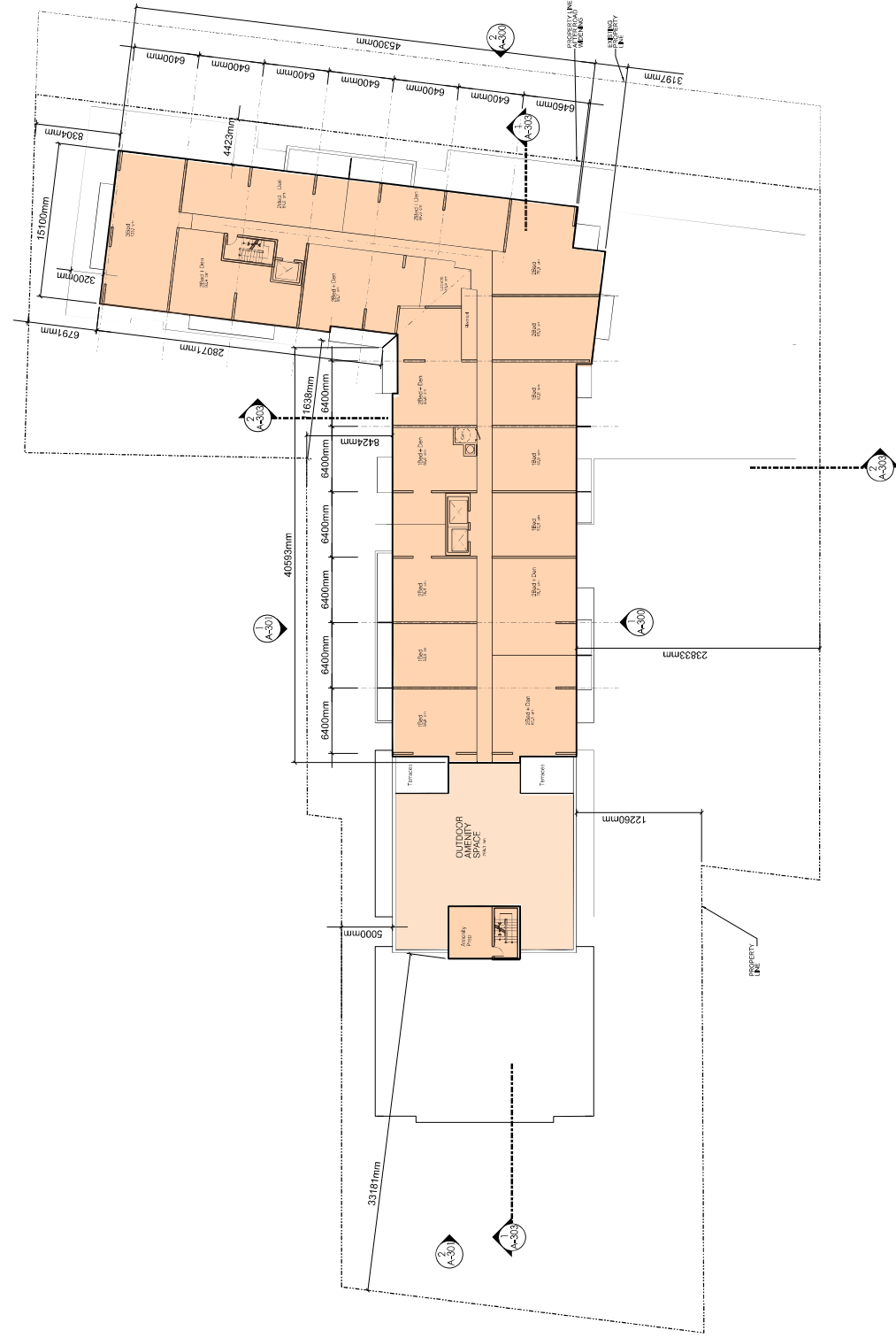
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Condominium**

SIXTH FLOOR PLAN

date: November 20, 2021 project no: 2019A
scale: 1:200 drawn by: JB

A 208 rev. **05**

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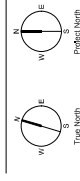


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NOBLETON PLAN
01 RE-ISSUED FOR REZONING MAR 31/22
02 RE-ISSUED FOR REZONING MAY 27/22
03 RE-ISSUED FOR REZONING MAR 31/22
04 RE-ISSUED FOR REZONING MAR 31/22
05 RE-ISSUED FOR REZONING MAY 27/22



12556 Robinson Ave, Vaughan
Ontario, Canada

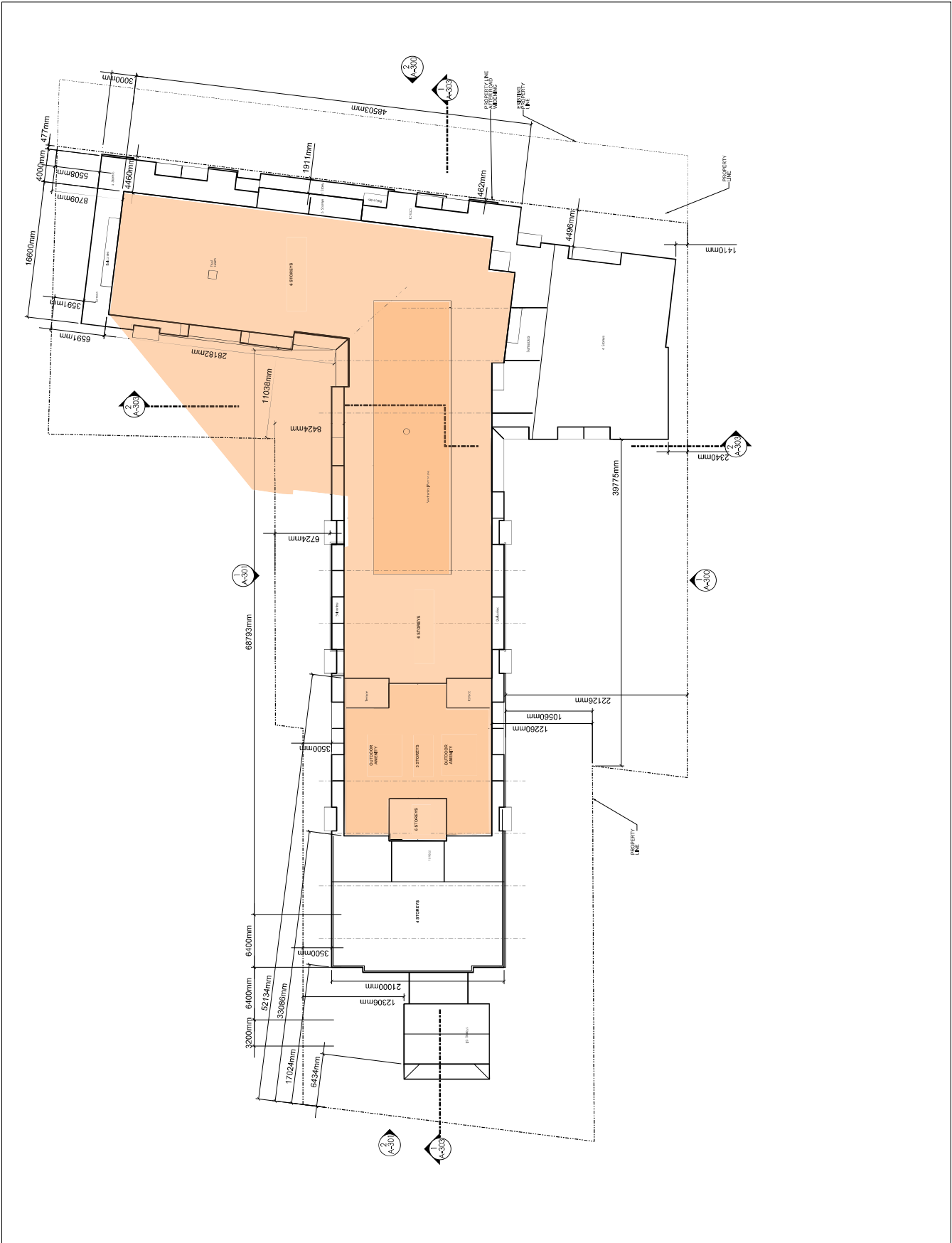
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ROOF PLAN

date: November 20, 2021 project no: 20194
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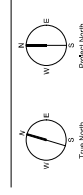
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Revision History

01	ISSUED FOR PERMITTING	MAR. 31/22
02	REVISED FOR PERMITTING	MAY 27/22
03	REVISED FOR PERMITTING	MAY 27/22
04	REVISED FOR PERMITTING	MAY 30/22
05	REVISED FOR PERMITTING	MAY 22/24

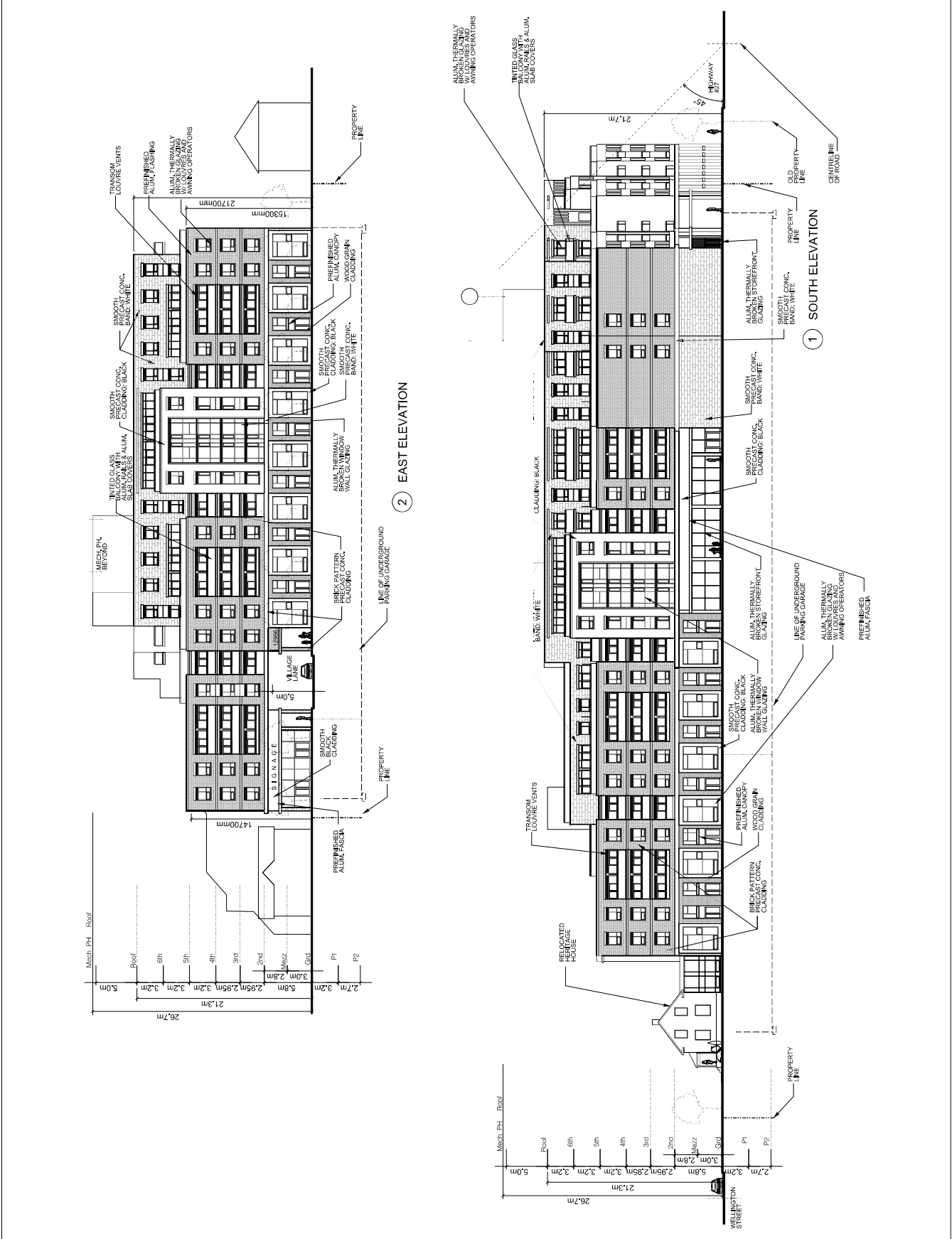


125th Melbourne St. Addition
Ottawa, Ontario
**NOBLETON
Condominium**

**SOUTH and EAST
ELEVATIONS**

date: November 20, 2021 project no.: 20194
scale: 1:200 drawing by: JB

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2 EAST ELEVATION

1 SOUTH ELEVATION



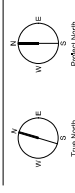
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Revision History

01	ISSUED FOR PERMITTING	MAY 31 2021
02	RE-ISSUED FOR PERMITTING	MAY 27 2021
03	RE-ISSUED FOR PERMITTING	MAY 27 2021
04	RE-ISSUED FOR PERMITTING	MAY 30 2021
05	RE-ISSUED FOR PERMITTING	MAY 22 2021



125th Adelaide St. W. Hamilton
Ontario Canada

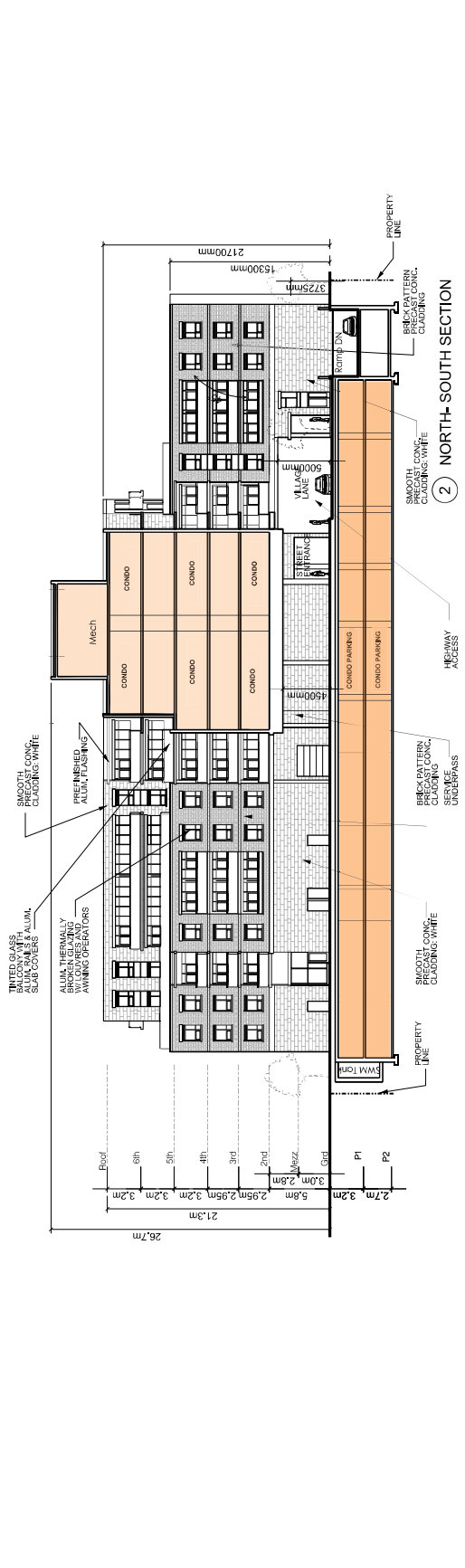
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BUILDING SECTIONS

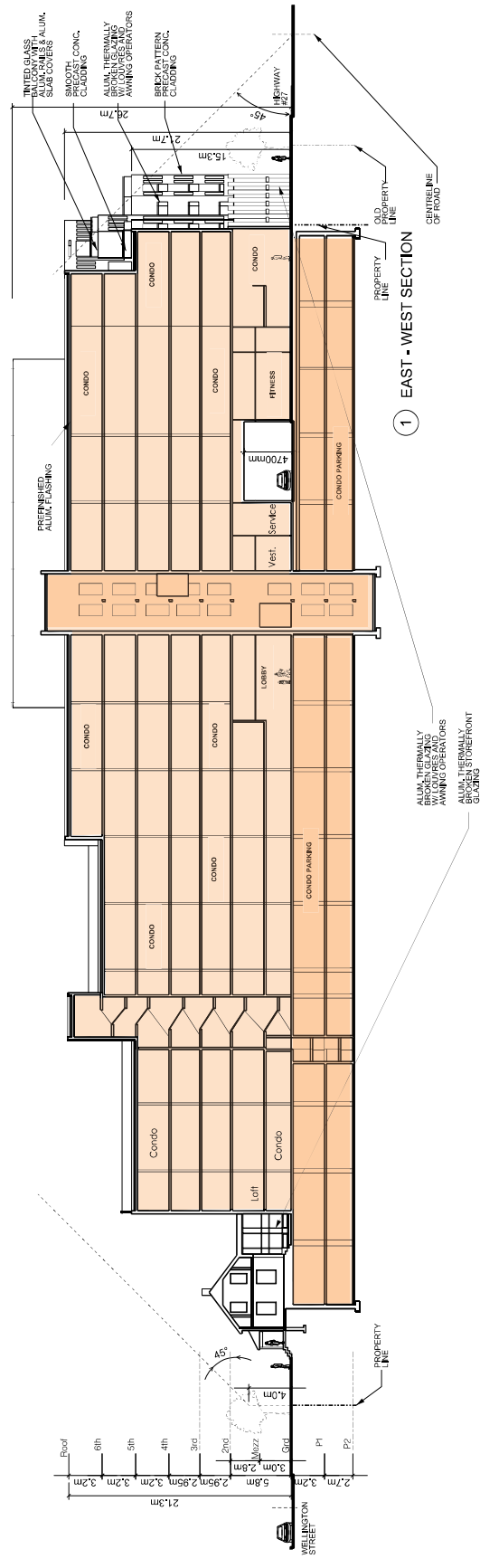
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2 NORTH-SOUTH SECTION



1 EAST-WEST SECTION



THE CORPORATION OF THE TOWNSHIP OF KING
Report to HERITAGE ADVISORY COMMITTEE

Heritage Impact Assessment Review for 12958 Highway 27
Zoning By-law Amendment Application, File No. Z-2022-07
Part Lot 5, Concession 9
Plan 420, Lot 27
12978, 12972, 12966, 12958 Highway 27 & 15 Wellington Street, Nobleton
Owners: Crisadan Holdings Inc.
Kingvit Estates Inc.
Agent: Humphries Planning Group Inc.

RECOMMENDATION(S):

Heritage Planning Staff respectfully submits the following recommendation(s) to the Heritage Advisory Committee:

1. That the following recommendations as prepared by Steven Burgess Architects (SBA) be recommended and forwarded to the Planning Division for inclusion as conditions of approval to be satisfied as part of the of Site Plan Approval Application:
 - A Stabilization Plan prior the relocation of the house and undertaken by a Heritage Structure Engineer and a member of the Canadian Association of Heritage Professionals.
 - A Moving Plan undertaken by or with input from a heritage house mover.
 - A Conservation Plan undertaken by a member of the Canadian Association of Heritage Professionals in order to ensure the continued stewardship of the heritage house.

REPORT HIGHLIGHTS:

- Zoning By-law Amendment and Site Plan applications were submitted in 2022 for the lands at 12978, 12972, 12966 and 12958 Highway 27 and 15 Wellington Street. The property at 12958 Highway 27 is "Listed" on the Township's Heritage Register.
- The property is proposed to be retained and relocated to another area of the property as part of the redevelopment project.
- A Heritage Impact Assessment was submitted to evaluate the cultural heritage value or interest of the property. The evaluation and assessment concluded that the building does not meet the minimum criteria for heritage designation.
- The property was not found to meet the minimum criteria established by O.Reg 9/06as amended by O.Reg 569/21 for heritage designation. Only one criteria was found to be met through the research and evaluation conducted whereas a minimum of two criteria is required to be met. Therefore, the building does not merit designation.
- Staff recommend that the recommendations as made in the HIA be included in the conditions of approval for Site Plan Approval.

PURPOSE:

The purpose of this Report is to update and inform the Heritage Advisory Committee on the development occurring on the properties of Z-2022-07 (12978, 12972, 12966 & 12958 Hwy 27 & 15 Wellington Street). The property at 12958 Highway 27 is "Listed" on the Township's Heritage Register.

BACKGROUND:

SITE

The subject Application concerns a total of five (5) properties located on the west side of Highway 27, approximately 30 metres south of King Road in the Village of Nobleton. Four properties front onto Highway 27 and one property fronts onto Wellington Street. Together, the development site measures 0.59 hectares with approximately 77 metres of frontage on Highway 27 and 35 metres of frontage on Wellington Street. The subject lots on Highway 27 consist of a mix of commercial businesses, dwellings and accessory structures while the lot on Wellington Street supports a single detached dwelling.

2022

A public meeting for the applications were held on December 5, 2022 and was proposing to develop the subject site to provide for a new 6-storey mixed use building containing 169 residential units and 805 square metres of ground floor commercial space, resulting in a floor space index of 2.51. The Application also provides for the heritage structure at 12958 Highway 27 to be retained and integrated into the redevelopment for retail use, while all other existing structures are planned to be demolished. Two full-move driveways are planned, one from Highway 27 and one from Wellington Street. Development details included:

- Density of 286 units per net hectare;
- Total of 257 Parking Spaces (244 spaces in 2 underground levels, 13 at grade);
- Total of 212 Residential Parking Spaces and 45 Commercial Parking Spaces;
- Lot Coverage of 53 percent;
- Soft Landscaping Area of 15% percent.

2024

Since the public meeting of 2022, the development has now been revised to propose a 6 storey mixed use building with a reorientation of the main building layout, reduction of residential units and parking and commercial space. A further detailed list of changes to the proposal is reflective in the cover letter as provided.

The revised plans continue to show the retention of the existing building in the new development, but relocated to the rear of the property and fronting Wellington Street instead of Highway 27. The relocation of the existing building is proposed for indoor amenity uses for the rest of the residential development.

Provincial Policy

The Provincial Policy Statement (PPS) 2020 states that built heritage resources and cultural heritage landscapes shall be conserved where they have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

Official Plan

King's Official Plan (OP) identifies the need to recognize and protect the Township's heritage resources as being important to help with the enrichment and understanding of the community's historical traditions and understanding of the past. Continued protection, conservation and adaptive re-use of the Township's cultural heritage resources will meet the objectives and policies of the Official Plan.

Ontario Heritage Act (OHA)

Under the OHA municipalities are responsible for identifying, evaluating, and conserving heritage properties. Section 27 of the OHA states that "no owner of the property shall not demolish or remove a building or structure on the property or permit the demolition or removal of the building or structure unless the owner gives the council of the municipality at least 60 days notice in writing of the owner's intention to undertake the above aforementioned". The current development application does not propose the demolition of the building on the property, but the relocation of the building to the rear of the development. A Heritage Impact Assessment has been requested to determine if there would be any adverse impacts as a result of the relocation and to provide more information by way of research completed for the building.

ANALYSIS:

A comprehensive Heritage Impact Assessment for the property was prepared by SBA and submitted to Staff for review. The purpose of the HIA was to evaluate the cultural heritage value or interest of the property. While the existing building is not proposed to be demolished, it is proposed to be relocated and prior to this taking place, Staff requested further information regarding the property had any contextual value that may be impacted as a result of the move. The HIA provides a history of the property, architectural description, and a survey of the surrounding area. An evaluation of the above was undertaken to reach a conclusion on whether the property contained potential cultural heritage interest worthy of heritage protection.

As per the HIA Report, the property was not found to meet the minimum criteria as established by O.Reg 9/06as amended by O.Reg 569/21 for heritage designation. Only one criteria was found to be met through the research and evaluation conducted. Therefore, the building does not merit designation.

However, as per the latest drawings and plans, the applicant is seeking to retain, relocate and incorporate the existing building into the development project. The building is proposed to be relocated to front onto Wellington Street instead of Highway 27 and be used as future amenity space.

Prior to the relocation of the building to the rear for adaptive re-use, the condition of the building should be accessed and repaired and stabilized before it is lifted for relocation and incorporated into the new development

A Structural Engineer, who is a member of the Canadian Association of Heritage Professional should also be retained and engaged to review and provide guidance on the next steps to safely prepare the building for relocation.

A Moving Plan as prepared and undertaken from a heritage house mover should be engaged and provided to Staff for review.

Once the relocation is completed, a Conservation Plan should be prepared by a heritage professional, who is a member of who is a member of the Canadian Association of Heritage Professional and in accordance with the Township's Conservation Plan Terms of Reference. The Conservation Plan will assess the building for repairs and restoration opportunities to ensure long term maintenance of the building.

Staff are supportive of this approach and recommend that the HAC recommend to Staff to incorporate the recommendations as made in the HIA by SBA as a condition of approval to be satisfied:

That the heritage building be retained and conserved for incorporated into the new development project for adaptive re-use, which shall require the following documents and plans to be submitted:

- A Stabilization Plan prior the relocation of the house and undertaken by a Heritage Structure Engineer and a member of the Canadian Association of Heritage Professionals.
- A Moving Plan undertaken by or with input from a heritage house mover.
- A Conservation Plan undertaken by a member of the Canadian Association of Heritage Professionals in order to ensure the continued stewardship of the heritage house.

FINANCIAL CONSIDERATIONS:

There are no financial considerations at this time. Securities shall be considered and collected for the relocation, continued stabilization and conservation works anticipated and needed for the existing building on the property.

CONCLUSION

The property at 12958 Highway 27 was evaluated and not found to meet the minimum criteria for heritage designation. However, the existing building is proposed to be retained, relocated and incorporated into the rest of the new development on the property. Staff is supportive of this approach and makes the recommendation to the HAC that conditions of approval to allow for its continued adaptive re-use on the property be incorporated into any future site plan agreements between the Owner and the Township.

Prepared By:

Colin Pang

Planner II/Heritage Coordinator



**TOWNSHIP MUNICIPAL CENTRE
2585 King Rd., King City, ON L7B 1A1**

HERITAGE ADVISORY COMMITTEE AGENDA
Thursday, July 4th, 2024 - 6:00 PM
Hybrid

At this time, Committee meetings are being held hybrid.

The following members were present at this meeting:

Committee Members:

Augusto Nalli, Chair
Todd Coles, Vice Chair
Councillor Mary Asselstine
Anna Manna Santarosa
Peter Latoszek
Michelle Hubert
Catherine Flear

Staff

Colin Pang, Planner II/Heritage Coordinator

Members of the Public

Councillor Debbie Schaefer
Humphries Planning c/o Rosemarie Humphries

1. INTRODUCTION OF ADDENDUM ITEMS

There were no additional items added to the agenda of July 4th, 2024.

2. APPROVAL OF AGENDA

A motion was made by M. Hubert and seconded by M. Asselstine to approve the agenda of the July 4th, 2024 meeting.

All members were in favour of the motion.

3. DECLARATIONS OF PECUNIARY INTEREST

There were no declarations of pecuniary interest by members at the July 4th, 2024 meeting.

4. CHAIR'S COMMENTS

The Chair welcomed the HAC members in attendance for the July 4th 2024 meeting.

5. AGENDA ITEMS

-

5.1 Review of 12958 Highway 27 - Zoning By-law Amendment Application - Z-2022-07

R. Humphries from Humphries Planning, was in attendance as the agent for the owner of the lands, to make a presentation and an update on the application for Zoning By-law Amendment Application File# Z-2022-07. The property is currently "Listed" on the Heritage Register.

The HAC reviewed the HIA and Staff's report prepared for the application.

The HAC asked how close the relocated heritage building would be to the other houses along Wellington Street.

R. Humphries indicated that the relocated heritage house will be in the same general area as where the existing dwelling is. The existing house will be demolished and replaced with the relocated heritage building.

The HAC indicated that it would be desirable if the heritage building were to stand out from the rest of the development, as it may be overpowered by the new development at the rear.

R. Humphries indicated that the new development which is attached to the heritage building is proposed to be 4 storeys. The elevations may not show this very clearly

The HAC indicated support for the retention of the existing heritage building.

The HAC inquired if the wood trim on the exterior of the building, gingerbread trim and other elements of the heritage building as it exists presently would be retained, restored, repaired and conserved the relocated heritage building.

R. Humphries informed the HAC that it is the intention of the application to retain, restore, repair and conserve the relocated heritage building.

The HAC inquired if areas of deterioration would be fixed as part of the development proposal for the heritage building.

R. Humphries informed the HAC that the areas of deterioration would need to be fixed for the building to be successfully incorporated into the development.

The HAC inquired if there would be access to the building from the front door once relocated (i.e. door facing Wellington Street).

R. Humphries informed the HAC that the door may be a functional access point but will have to verify as details have not been finalized. The intention of the heritage building is for it to be used by the condo as an amenity area for the future residents.

The HAC indicated that moving and repurposing the building to make it usable is a good example of adaptive re-use.

The HAC inquired if there was a way to integrate it with the rest of the community such as a commercial use (i.e. Coffee space) and giving back to the neighbourhood instead of purely using it internally.

R. Humphries indicated that the original proposal was to keep the building at the original location facing the Highway 27 frontage. Commercial uses have never been considered for the heritage building. The proposed driveway access and building is designed to support commercial use at the front. There were also resident concerns expressed at the public meeting with commercial uses proposed, so the current proposal shows reduced commercial uses and reduced infiltration into existing residential areas.

The HAC discussed and noted that thought should be given to what kind of brick and materials will be used for the new development so that it will have good contrast between the new and the old building. The HAC indicated that it

would be ideal to put a spotlight on the older building to allow it to stand out from the rest of the development.

The HAC noted that the three different studies and plans were identified to be in the HIA:

- 1) A Stabilization Plan prior the relocation of the house and undertaken by a Heritage Structure Engineer and a member of the Canadian Association of Heritage Professionals.
- 2) A Moving Plan undertaken by a mover with heritage experience
- 3) A Conservation Plan undertaken by a member of the Canadian Association of Heritage Professionals in order to ensure the continued stewardship of the heritage house.

As such, Staff indicate to the HAC that the following was recommended:

- The requirement to provide the studies and plans be included as an item to be satisfied in the Holding Provision in the Zoning By-law to be addressed prior to the Lifting of the Hold on the lands.
- The inclusion of conditions in the site plan agreement for the collection of securities associated with the stabilization, implementation, relocation and conservation works for the heritage building;

The HAC discussed and also made note for the need for protection measures to be implemented (i.e. maintenance) and asked Staff to discuss with the applicant about ways to ensure that the building is maintained while awaiting commencement of the development on the lands. The applicant should enter into an agreement with the Township to ensure that the building will be maintained throughout the course of the development application to ensure it will survive and be in a good condition leading up to the eventual relocation of the building.

A motion to support the relocation of the heritage building fronting onto Wellington Street subject to the completion and implementation of the three items as recommended in Section 8 of the Heritage Impact Assessment prepared by SBA Consultants was made by M. Asselstine and seconded by C. Flear.

All members were in favour of the motion.

5.2 Review of Nominations for Heritage Award 2024

The HAC reviewed the nominations received for the heritage award. The HAC discussed and evaluated each property based on a series of heritage criteria established and scored the properties to select a winner. A property was selected for the heritage award.

The HAC will contact the award recipient and arrange for the artist to visit the property for further action.

6. ADOPTION OF MINUTES

-

6.1 Heritage Advisory Committee Minutes

June 6th, 2024 Heritage Minutes

A motion was made by C. Flear and seconded by T. Coles to approve the minutes of June 6th, 2024.

All members were in favour of the motion.

7. CORRESPONDENCE/INFORMATION ITEMS

7.1 Correspondence received for information

No correspondence was received for the July 4th, 2024.

8. NEW BUSINESS

8.1 **66 Main Street – Update**

Staff informed the HAC of the site visit with the Developer and the Developer's heritage consultant, ERA Architects on July 4th, 2024.

The Developer was made aware of the need to stabilize and clean up the area surrounding the heritage dwelling. ERA Architects provided recommendations as per the Stabilization Plan which has been approved by Staff.

Heritage Conference 2024

The HAC discussed about the HAC Conference 2024 and the educational sessions and site tours that took place in Gravenhurst, Ontario.

Recruitment for Missing Member

Staff informed the HAC that recruitment paused and will be reignited. Staff will follow up with the HAC on the updates.

Departure and HAC's Next Steps

C. Pang informed the HAC that he has resigned from the Township of King as the Planner II/Heritage Coordinator position to pursue other opportunities.

The Manager of Planning and Development will reach out to the HAC to advise of next steps.

ArcGIS Story Maps – work on it and let the future person deal with it.

Staff shared with the HAC of the new GIS software in the works.

9. NEXT MEETING

9.1 Thursday, September 5th, 2024

10. MOTION TO ADJOURN MEETING

A Motion to adjourn the meeting of July 4th, 2024 at 8:30 pm by M. Hubert and seconded by M. Asselstine was made.

All members were in favour of the motion.



THE CORPORATION OF THE TOWNSHIP OF KING
BY-LAW NUMBER – 2024-069

A BY-LAW TO AMEND ZONING BY-LAW NUMBER
2016-71, AS AMENDED

WHEREAS Zoning By-law Number 2016-71, being a By-law to regulate the use of land and the character, location and use of buildings and structures in the Nobleton Urban Area, within the Township of King, adopted on the 11th day of July, 2016;

AND WHEREAS it is deemed necessary to further amend By-law Number 2016-71, as amended, where such amendment conforms to the Official Plan of the Township of King (“Our King”) (2019);

AND WHEREAS authority is granted pursuant to Sections 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:**

1. **THAT** the lands subject to this By-law consist of lands legally described as Part of the North Half of Lot 5, Concession 9 (as in A45937A); Part of the North Half of Lot 5, Concession 9 (as in R684976); Part of North Half of Lot 5, Concession 9 (as in R435216 together with R435216); Part of North Half of Lot 5, Concession 9 (as in R700127); and, Lot 27, Plan 420; Part of North Half of Lot 5, Concession 9 (as in A63493A), Township of King, Regional Municipality of York and municipally known as 12958, 12966, 12972, 12978 Highway 27 and 15 Wellington Street, Village of Nobleton, Township of King, Regional Municipality of York, and more particularly, as shown on Schedule “1” attached hereto, and that Schedule “1” forms part of this By-law.
2. **THAT** Schedule “A” of By-law Number 2016-71, as amended, is hereby further amended by changing the zone symbol on the lands from Residential Single Detached “A” (‘R1A’) Zone and Core Area (‘CA’) Zone to Core Area Exception Section 7.5.1.12 Holding (‘CA-12(‘H’)) Zone for those lands shown in hatching on Schedule “1” attached hereto.
3. **THAT** Section 7.5.1 (CA Zone Exceptions) of By-law Number 2016-71, as amended be further amended by adding the following subsection:

“7.5.1.12 Exception Re: 12958, 12966, 12972, 12978 Highway 27 and 15 Wellington Street, Village of Nobleton, Township of King:

1. Notwithstanding the permitted uses identified under Section 7.2 (Table 7.2 – Uses Permitted in the Commercial Zones), in addition to apartment dwelling units, uses permitted only on the ground floor of the proposed mixed-use building, pursuant to this By-law shall be limited to:
 - i) Art gallery;
Clinic;
Convenience Retail Store;

Day Spa;
 Financial Establishment;
 Office;
 Personal Service Shop;
 Retail Store;
 Studio.

2. Notwithstanding the provisions of Section 6.3 (Table 6.3(a)), Section 7.2 (Table 7.2 – Special Provision No. 1), Section 7.3 (Table 7.3), Section 4.1 (Table 4.1), Section 3.41 (Table 3.41.1), Section 3.26 (b)(i), the lands delineated as “Core Area Exception Section 7.5.1.12 Holding (‘CA-12(‘H’)) Zone” and as shown in hatching on Schedule ‘1’ to this By-law may be used in accordance with the following provisions:
 - i) For the purpose of this By-law, the lands shown in hatching on Schedule “1” attached hereto shall be deemed to be one lot;
 - ii) That the minimum required interior side (south) yard setback shall be 1.4 metres;
 - iii) That the minimum required interior side (north) yard setback shall be 3.3 metres;
 - iv) That the minimum front yard setback (east) shall be 0.0 metres;
 - v) That the minimum required rear yard setback shall be 4.6 metres;
 - vi) That the minimum permitted building height shall be 4.7 metres;
 - vii) That the maximum permitted building height shall be 21.30 metres (to the roof top); 21.70 metres (to the top of the parapet); 26.70 metres (to the top of mechanical penthouse).
 - (viii) For the purpose of this By-law, the mechanical penthouse level does not constitute as a storey.
 - (ix) That the maximum permitted residential density shall be 270.5 units per net hectare of the total landholding.
 - (x) That the maximum permitted floor space index shall be 2.3 times the gross lot area of the total landholding.
 - (xi) That the maximum permitted floor space index shall be 2.55 times the net lot area of the total landholding.
 - (xii) For the purposes of this by-law ‘gross lot area’ is to mean the total lot area, inclusive of any road widening area.

 3. Notwithstanding Section 3.41 (Yard and Setback Encroachments Permitted) of Zoning By-law 2016-71, the following shall apply:
 - i) 0.0 metres for architectural elements, risers, canopies and planters, in the front yard.

 4. Notwithstanding Section 7.2 (Table 7.2 – Uses Permitted in the Commercial Zones) of Zoning By-law 2016-71 to the contrary, apartment dwelling units shall be permitted on the first storey (ground floor) of a building as part of a mixed-use building. Commercial uses shall be permitted on the first storey (ground floor) of the proposed building facing Highway 27, south of the proposed driveway.
 - i) Notwithstanding Section 4.1 (Table 4.1 – Parking Space Requirements) of Zoning By-law 2016-71 to the contrary, commercial parking for permitted uses shall be provided at a rate of one (1) parking space per 11.79 m² of gross commercial floor area.
 - ii) A minimum planting strip width of 2.2 metres shall be maintained along the interior side (south) lot line abutting the property to the south of the subject lands.
4. **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:

- a) Notwithstanding any other provisions of this By-law, where a Holding Symbol denoted as an "H" is shown as a suffix to the Core Area Exception Section 7.5.1.12 Holding ('CA-12('H')) Zone, no person shall use any land, erect or 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.
- b) Council for the Municipality may amend this By-law to remove the Holding Symbol (H) to permit the development of these lands in accordance with the provisions of this By-law and Section 36 of the Planning Act, as amended, at such time:
- i. That a Stabilization Plan, Moving Plan and Conservation Plan, as identified as 'additional required studies' to Section 8 of the Heritage Impact Assessment, as prepared by Stevens Burgess Architects Ltd. and dated June 13, 2024, be completed in accordance with the recommendations of the HIA and the Heritage Advisory Committee on July 4, 2024 and that conditions of Site Plan Approval contained within an executed Site Plan Agreement include the calculation and collection of securities associated with the stabilization, implementation, relocation and conservation works for the heritage building, and as required or at the sole and absolute discretion of the Township of King's Director of Growth Management Services;
 - ii. That a Memo of Understanding and/or Agreement be executed between the owner/applicant/developer and the Township of King that ensures the ongoing heritage protection and maintenance of the heritage dwelling to a good condition standard to accommodate the relocation and adaptive re-use of the existing dwelling as part of the development, as proposed, and as required or at the sole and absolute discretion of the Township of King's Director of Growth Management Services;
 - iii. A Site Plan has been approved by the Municipality and a Site Plan Development Agreement respecting the development of the use of the lands has been executed between the owner and encumbrancer(s), if any, of the lands and the Municipality;
 - iv. That adequate downstream sanitary capacity and adequate municipal water capacity is available as confirmed by the Township's wastewater and water modelling consultant, and that allocation of servicing capacity to the proposed development is confirmed by Council.

5. THAT this By-law shall come into force and effect on the day it was passed by the Council of the Township of King where no notice of appeal has been filed with the Township Clerk in accordance with the requirements and within the time prescribed under Sections 34 and 36 of the Planning Act.

READ a FIRST and SECOND time this 23rd day of September, 2024.

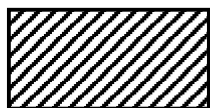
READ a THIRD time and **FINALLY PASSED** this 23rd day of September, 2024.

Steve Pellegrini, Mayor

Denny Timm, Township Clerk

SCHEDULE "1" TO BY-LAW 2024-069

PART OF THE NORTH HALF OF LOT 5, CONCESSION 9 (AS IN A45937A) (12958 HIGHWAY 27); PART OF THE NORTH HALF OF LOT 5, CONCESSION 9 (AS IN R684976) (12966 HIGHWAY 27); PART OF NORTH HALF OF LOT 5, CONCESSION 9 (AS IN R435216 TOGETHER WITH R435216) (12972 HIGHWAY 27); PART OF NORTH HALF OF LOT 5, CONCESSION 9 (AS IN R700127) (12978 HIGHWAY 27); AND, LOT 27, PLAN 420; PART OF NORTH HALF OF LOT 5, CONCESSION 9 (AS IN A63493A) (15 WELLINGTON STREET) TOWNSHIP OF KING, REGIONAL MUNICIPALITY OF YORK



“Residential Single Detached “A” (‘R1A’) Zone and Core Area (‘CA’) Zone TO Core Area Exception Section 7.5.1.12 Holding (‘CA-12(‘H’)’) Zone”

PASSED ON THIS 23RD DAY OF SEPTEMBER, 2024

Steve Pellegrini
Mayor

Denny Timm
Township Clerk

Amending Zoning By-law 2024-069 – Summary & Analysis

Applicable Zone Provisions of Core Area ('CA') Zone (Section 7.3 – Table 7.3 of Zoning By-law 2016-71) and Residential – Single Detached 'A' ('R1A') Zone (Section 6.3 – Table 6.3 of Zoning By-law 2016-71)	Required	Proposed by Site-Specific Core Area Exception ('CA-12') Zone	Amendment Required (Y/N)
Minimum Lot Area	700.0 m ² ('CA' Zone)	5,914.50 m ² (net lot area)	N
	As legally existing ('R1A' Zone)		N
Minimum Lot Frontage	18.0 metres ('CA' Zone)	77.35 metres	N
	18.0 metres		N
Minimum Front Yard	2.0 metres ('CA' Zone)	0.0 metres	Y
	7.5 metres ('R1A' Zone)		N
Maximum Front Yard	4.5 metres ('CA' Zone)	4.5 metres	N
	N/A ('R1A' Zone)	N/A	N
Minimum Rear Yard	7.5 metres ('CA' Zone)	4.6 metres	Y
	7.5 metres ('R1A' Zone)		Y
Minimum Side Yard on one side (north) ('CA' Zone)	4.5 metres ('CA' Zone)	3.3 metres	Y
Minimum Interior Side Yard ('R1A' Zone) (north)	Where building height is less than or equal to 6.0 metres: 2.0 metres; Where		Y

	the building height is greater than 6.0 metres: 3.6 metres ('R1A' Zone)		
Minimum Interior Side Yard on the other side (south) ('CA' Zone)	1.0 metres ('CA' Zone)	1.4 metres	Y
Minimum Interior Side Yard ('R1A' Zone) (south)	Where building height is less than or equal to 6.0 metres: 2.0 metres ('R1A' Zone); Where the building height is greater than 6.0 metres: 3.6 metres ('R1A' Zone)	N/A	N
Minimum Exterior Side Yard ('R1A' Zone)	N/A	N/A	N
Maximum Lot Coverage	70% ('CA' Zone)	53% (based on net lot area of 3,152.60 m ²)	N
	30% ('R1A' Zone)		Y
Minimum Height	7.5 metres ('CA' Zone)	4.7 metres	Y
	N/A ('R1A' Zone)		N
Maximum Height	11.0 metres ('CA' Zone)	26.7 metres (including mechanical penthouse)	Y
	9.0 metres ('R1A' Zone)		Y
Additional Zoning Relief Needed			

Minimum Required Commercial Parking (Section 4.1)	12 parking spaces	17 parking spaces (1 parking space/11.79 m ² of gross commercial floor area)	Y
Minimum Planting Strip (Section 3.26)	3.0 metres	2.20 metres (where abutting property to south (19 Wellington Street))	Y
Permitted Yard and Setback Encroachments (Section 3.41)	0.6 metres into any yard for architectural elements, including sills, belt, courses, cornices, gutters, chimneys, pilasters, eaves, parapets, canopies or fireplaces.	0.0 metres for architectural elements, risers, canopies and planters in the front yard	Y
Maximum Density	N/A	270.5 units per hectare	Y
Maximum Floor Space Index	N/A	2.30 (area of gross landholdings) 2.55 (area of net landholdings)	Y
Special Provisions (Core Area ('CA') Zone)	Apartment dwelling units in the Core Area ('CA') Zone shall only be permitted above the first storey of a building as part of a mixed-use building	Apartment dwelling units proposed on ground floor of proposed mixed-use building within the Core Area Exception Holding ('CA-12('H')) Zone	Y

A Planning Analysis detailing a review of the principal proposed amendments is included below:

Increase to Maximum Permitted Building Height

The proposed amendment to the zoning by-law with respect to maximum permitted building height implements the applicable policies of the Township of King Official Plan as it relates to the development of a mixed-use building within the 'Village Core' designation with a maximum height of six (6) storeys.

Increase to Minimum Permitted Building Height

The proposed reduction in the minimum required building height from 7.5 metres to 4.7 metres is to recognize the existing height of the heritage building proposed for relocation to the rear of the property. The applicant has proposed the adaptive re-use of the heritage structure and to incorporate it into the proposed development concept and intends to retain its existing size and height.

Reduction to Minimum Required Interior Side Yard Setbacks

Due to the dual zoning of the property, amendments to both the 'R1A' and 'CA' Zones are needed with respect to minimum required interior side yard setbacks located along the north and south elevations of the proposed building.

Interior Side Yard (North) Setback

While much of the north (side) wall of the proposed development complies with the 'CA' Zone provision related to the minimum required interior side yard setback of 4.5 metres, a portion of the northwest side wall and northeast side wall (where abutting existing commercial development to the north) are located at a setback of approximately 3.3 metres which is deficient to the minimum required interior side yard setback of 3.6 metres for the 'R1A' Zone and 4.5 metres for the 'CA' Zone, and necessitates the amendment, accordingly.

The proposed building design has incorporated a tiering effect with the reduced setback being most pronounced where abutting the rear yards of commercially zoned lands with frontage onto King Road.

Interior Side Yard (South) Setback

The applicant has proposed establishing a minimum interior side yard (south) setback of 1.4 metres from the side lot line to the closest extent of a portion of the proposed building; notably, a four (4) storey elevation (south) of the building comprising the ground floor commercial area and residential units on upper storeys. The roof height of this portion of the building is approximately 14.7 metres.

The location of the reduced interior side yard setback is situated within the limits of the 'CA' Zone. The remaining portions of the building exceed the minimum interior side yard setback provisions of the 'R1A' Zone (for a building greater than 6.0 metres in height) (3.6 metres) and the 'CA' Zone (1.0 metre).

Reduction to Minimum Required Front Yard Setback & Apartment Dwelling Units on the Ground Floor

The applicant has requested a reduction to the minimum required front yard setback from 2.0 metres to 0.0 metres (along the Highway 27 frontage). The proposed amendment would accord with the design of the building; particularly, its interface with the public realm and would generally align with the principles of the applicable design guidelines with respect to animating the ground floor uses with separate entrances from the municipal sidewalk and orientation of the building to the lot frontage, thereby establishing a defined edge condition along the street wall.

A related amendment to the zoning by-law would permit apartment dwelling units on the ground floor where the existing zoning would only permit them above the first storey of a mixed-use building. These uses would further increase the accessibility of the building and enhance the pedestrian experience at the street level. The applicant has also proposed corresponding amendments which would limit the permitted encroachments into the required front yard.

Reduction to Minimum Required Rear Yard Setback

The portion of the property abutting Wellington Street is deemed to be the rear yard. For the purposes of building setbacks, the applicant has proposed the reduction to the minimum required rear yard setback from 7.5 metres to 4.6 metres. It should be noted that the portion of the proposed building to be situated at that reduced setback is the 1.5 storey heritage building. Remaining portions of the building (at greater building heights) are to be located in excess of the minimum required rear yard setback and oriented toward the centre of the site and abutting Highway 27. With the exception of the proposed reduced setback to the rear lot line comprising the heritage dwelling, the minimum setback of the building (4 storey portion) is in excess of 17.0 metres from the rear lot line. The portion of the reduced rear yard not proposed for building area is to include a 'garden' and outdoor amenity area.

Establish a Maximum Permitted Residential Density

A maximum residential density of 270.5 units per net hectare (160 units) is contemplated for the development based on a net lot area of 0.591 hectares. The total number of residential units which can be accommodated on the property is primarily a function of such factors as maximum permitted building height, required setbacks, parking and floor space index (FSI).

There is currently no maximum permitted residential density prescribed in the zoning by-law for these lands. This amendment proposes a cap in the number of units permitted on the property within the proposed development.

Establish a Maximum Permitted Floor Space Index (FSI)

The proposed Floor Space Index (the ratio of a building's gross floor area to the lot area) of 2.55 of net lot area is intended to implement the Official Plan policy (Section 5.4.3.2) of the Village Core designation that prescribes that FSI be limited to approximately 2.5. It should be noted that where calculated on a gross lot area basis, the proposed floor space index is 2.3.

The intent of this provision is, in part, to mitigate potential impacts resulting from density and scale of a building that is not suitable for the site or context. The proposed FSI is consistent with the maximum permitted FSI allowable within the Village Core in accordance with the Official Plan.

Establish a Site-Specific Commercial Parking Rate

The amending zoning by-law proposes a site-specific commercial parking rate of one (1) parking space per 11.79 m² of gross commercial floor area. Based on the total proposed ground floor commercial area (200.5 m²), the total number of parking spaces required and provided is 17 parking spaces.

Permitted uses will be limited on the property on a site-specific basis to ensure compliance with the parking requirements. The amendment to the zoning by-law to establish a site-specific commercial parking rate meets and exceeds the current requirements of the zoning by-law.

Architectural and Urban Design – Summary & Assessment

Site Design & Interfaces

The proposed setbacks and step-backs from the north property line are acceptable. The addition of the step-back feature at the northwest corner of the proposed building (on the fifth and sixth floors) has provided additional building separation from low-rise development to the west. Enhancements to the north building elevation have also contributed to additional building articulation and mitigate potential visual impacts from height and massing.

Design revisions to the east building elevation with frontage along Highway 27 have been balanced with design revisions at the south elevation; notably, the proposed relocation of the existing heritage building to the rear (west) portion of the site and the replacement with a four (4) storey portion (with residential uses above ground floor commercial space) where abutting existing low-rise development to the south. The reorientation of the ground floor commercial space has created opportunities for the integration of some outdoor space within the public realm (i.e. sidewalk) by way of outdoor patio area, a public art installation or a heritage commemorative element.

The heritage building will maintain the low-rise character of the immediate vicinity as viewed along Wellington Street, while concentrating the height and density of the proposed mixed-use building to the interior of the site. The revised design of that building includes step-backs from the rear (west) property line to mitigate visual impacts of the building height and massing and to address some of the comments initially raised with respect to privacy, noise and overlook.

Site Access & Circulation

Pedestrian and Vehicle Access & Accessibility and Parking

The proposed widening of the sidewalk along the Highway 27 frontage creates an improved public realm with the proposed on-site walkways and open space providing efficient pedestrian access and safety.

The Accessibility Advisory Committee has provided comments with respect to the functionality and materiality of the proposed design to ensure compliance with provincial legislation. These comments will need to be addressed at the Site Plan Control Approval stage with the submission of an Accessibility Evaluation Checklist as will the comments provided by Community Services with respect to the programming and maintenance of the proposed public realm enhancements.

Features such as curb cuts within pedestrian walkways and a concrete island at the Highway 27 access have been included to enhance pedestrian safety.

Bicycle Access & Parking

Proposed locations for short-term bicycle parking have been provided in locations which are well lit and which are visible from public areas, including commercial and common spaces within the development. The minimum required number of bicycle parking spaces in accordance with the zoning by-law is 42 spaces.

Building Massing and Transitions

The revised building design has increased building massing along the Highway 27 frontage while offering gradients in the building massing by incorporating a stepping element on the upper floors of the building. These transitions have provided some additional separation between the established residential neighbourhood to the south and west and abutting lands to the north, while creating an active street edge along Highway 27.

Building Façade Design & Materials

Building articulation and balance of the façade design (including a distinct building base, middle and top) has been achieved by incorporating varied building materials and textures. The architectural and urban design peer reviewer has recommended the submission of a material sample board as part of Site Plan Control Approval for verification.

Shadow Impacts

The Township's peer review consultant has evaluated the findings of a revised Sun-Shadow Study. The revised building elevations illustrate changes to the exterior design, including the stepping back of upper levels of the development and relocating additional massing to the proposed elevation abutting Highway 27. The proposed relocation of the heritage dwelling to the rear of the lot has replaced the previous taller built form where interfacing with the established neighbourhood to the west, north and south.

These changes result in decreased shadow impacts to the northwest and north portions of the site as well as to the area comprised of public realm along Highway 27 and adjacent childcare centre (6045 King Road). The peer review comments have also concluded that shadow impacts of the proposed development to the south are not substantial due to the orientation of the site.

It should be noted that the findings of the Sun-Shadow Study are seasonally adjusted and impacts of shadowing will change throughout the year as the angle of sun traverses the site.

Amenity Space & Landscaped Open Space and Parkland

The incorporation of both indoor and outdoor amenity areas (i.e. balconies); particularly, the location of at-grade amenity space adjacent to indoor common areas (i.e. kitchen) and rooftop outdoor amenity space meets the intent of the zoning by-law for the inclusion of adequate common areas for resident enjoyment.

A recommendation for the inclusion of a green roof system (where feasible) has been provided to increase the overall stormwater absorption on-site and to increase permeable surface area. As the proposed development contemplates below grade parking, the surface area which can also be used for infiltration of groundwater has been limited as a result.

The Township of King Community Services Division has also provided comments with respect to the ongoing maintenance program contemplated for the existing sidewalk (and enhanced streetscaping) and how it may be expanded as part of the proposed development. Additional clarity will be needed on items such as the types of street furniture or how other features (i.e. banner poles as part of the frontage along Highway 27) will be incorporated into the development concept, noting that there is an existing streetscaping standard in place.

Community Services has confirmed that parkland cash-in-lieu will be required pursuant to the Township of King Parkland Dedication By-law No. 2022-038 and the Planning Act as no on-site parkland is proposed as part of the development.

A total of 1,923 m² of amenity area (including private and public amenity areas) has been proposed whereas 887 m² of amenity area is required pursuant to the by-law, including a total of 407 m² of contiguous amenity area located at the rear (northwest) and interior side (north) extent of the property and does not require an amendment to the zoning by-law as part of the proposed development.

Planning staff have recommended that a Holding (H) Symbol be applied to the subject lands through the amending zoning by-law. A pre-condition of the removal of the Holding Symbol will include, among other pre-conditions, the approval of a Site Plan Control Application and execution of a Site Plan Agreement. These items (notably, the inclusion of sustainable building design and construction technology) can be administered through that process and may be incorporated into a future Site Plan Agreement.