



The Corporation of the Township of King Report to Council

From: Growth Management Services - Planning Division

Report Number: GMS-PL-2025-035

Date: **Tuesday, June 17, 2025**

Title: **15 Charles Street Severance Application**
Official Plan Amendment Application, File No. OP-2024-03
Zoning By-law Amendment Application, File No. Z-2024-07
15 Charles Street, King City
Owner: Bijan Mirzaagha
Agent: JKO Planning Services Inc.

Recommendation

1. That Growth Management Services - Planning Division Report Number GMS-PL-2025-035, be received.
2. That Official Plan Amendment Application, File No. OP-2024-03, and Zoning By-law Amendment Application, File No. Z-2024-07, for the subject lands described as 15 Charles St., in the Village of King City, for the purpose of facilitating a severance to create one additional lot for infill residential development (totaling 2 residential lots) **be approved.**
3. That Council enact the Official Plan Amendment By-law (#2025-056) and Zoning By-law Amendment By-law (#2025-044) at this meeting of Council in accordance with Appendices A and B.

1. Report Highlights

- The Owner has submitted Official Plan Amendment and Zoning By-law Amendment Applications for Lot 9 of Registered Plan 366, municipally known as 15 Charles Street, in the Village of King City, which is located west of Keele Street, on the east side of Charles Street, and north of King Road. An aerial image of the subject property is attached as Appendix C.
- The purpose of the Applications is to introduce site specific provisions to the land use designation, and zoning, for the subject lands to facilitate the severance of the property to create one additional lot (for a total of two lots) with a new single detached dwelling proposed for each lot.
- The proposal will also require a future Consent Application for consideration by the Committee of Adjustment. Through the Consent Application, conditions are to be placed for the purposes of ensuring that the additional lot is assigned municipal servicing capacity.

2. Purpose

The purpose of this Report is to provide a detailed review and recommendation for the approval of the Official Plan Amendment and Zoning By-law Amendment Applications. The proposed development, lot boundaries, and conceptual elevations are all shown in Appendix D.

3. Background

The Owner has proposed site-specific amendments to the Township of King's Official Plan and the Zoning By-law for the purposes of severing the existing lot which is located at 15 Charles into two lots that are to measure 630 m² and 700 m² in lot area, respectively. The retained and severed lots would each accommodate, one (1), single detached dwelling that will measure 234 m² and 259 m² in size respectively. A Statutory Public Meeting was held on January 6th, 2025, to present the Applications to and seek comments from Council and the public. No comments were received from the Public. At the conclusion of the Public Meeting, Council directed Planning Staff to continue to review the subject Applications, and report back to Council with a further recommendation Report.

4. Analysis

4.1 Provincial Policies

The 2024 Provincial Planning Statement (PPS 2024) provides policy direction on matters of provincial interest related to land use planning and development. The subject property is located within a settlement area. The PPS 2024 identifies settlement areas as the focus of growth, and it encourages intensification within these areas. The PPS 2024 promotes efficient use of municipal services, land and resources, and both active transportation and transit-supportive development. As noted within the PPS 2024, municipal official plans are identified as the primary vehicle for implementation of the Provincial Planning Statement and for achieving comprehensive, integrated, and long-term planning.

The Oak Ridges Moraine Conservation Plan, 2017 (ORMCP) is an ecologically based plan that provides land use and resource management direction for land and water within the Moraine. The subject property is located within a settlement area. These areas reflect a range of existing communities planned by municipalities to reflect community needs and values. Urban uses and development, as set out in municipal official plans, are permitted.

The proposal is consistent with both the Provincial Planning Statement (2024) and conforms to the ORMCP (2017).

4.2 Region of York Official Plan (2022)

The subject property is located within an area identified as part of the 'Town and Village' designation and is designated as part of the 'Community Area' within the 'Urban System'. A 'Built-Up Area' overlay applies to the subject property. Community Areas are defined as significant portions of the Urban System where the majority of housing, personal services, retail, institutional, cultural and recreational services are to be located. Community Areas are to contain a wide range of housing types, sizes, and tenures. It is the objective of the Region

of York Official Plan to direct growth to existing 'Built Up Areas' to promote complete and vibrant communities. The Region of York Official Plan defers to the policies of local Official Plans for requirements related to lot creation (consent) applications. As of July 1st, 2024, local municipalities are responsible for administering the Region of York Official Plan. The subject application is consistent with the Region of York's Official Plan as it seeks to promote intensification within a settlement area.

4.3 Township of King Official Plan, "Our King" (2019)

The subject property is designated "Established Neighborhood" by the Township's Official Plan, "Our King" (2019). The Established Neighbourhood designation applies to existing residential neighbourhoods which were previously developed in the Villages of the Township. The intent of the designation is to recognize, maintain, and protect the character of existing low density residential neighbourhoods including new development and redevelopment. Permitted uses on lands designated as Established Neighbourhood are predominantly low-density residential uses such as single detached dwellings.

Our King provides guidance on infill development and replacement dwellings, as well as lot creation within Established Neighbourhoods. The infill, lot creation, and consent policies of the Official Plan require consideration of the following matters: neighbourhood lotting pattern, development character, traffic, privacy, vegetation preservation and enhancement, natural heritage features, servicing, stormwater management, and drainage, as well as various other matters.

The Applicant is seeking to amend "Our King" as it applies to their lands to include site-specific policies that provide a more specific and detailed definition of the "neighbourhood" in the context of the "*Lot Creation in the Established Neighbourhood Designation*" policies of the Plan. The existing policies state:

h. For the purposes of interpreting the policies of this section, 'neighbourhood' shall generally be inclusive of lots fronting into the same local street, as well as any lots backing onto the subject property and the immediate neighbours of the subject property. 'Adjacent lots' shall refer to any lots abutting the subject property (sharing all or any portion of a lot line) as well as lots that are located directly across the street from the subject property.

Through the Official Plan Amendment application, the Applicant has proposed to include the following site-specific policy:

"For the purposes of interpreting the policies of this section, 'neighbourhood' shall generally be inclusive of the broader lot fabric of a subdivision and may include lots on streets adjacent to the same local street. The neighbourhood shall be defined as the area that is confined by Melrose Avenue, John Street, Robert Berry Crescent, and Burns Boulevard."

The effect of expanding and more specifically defining the boundaries of the neighbourhood will be to provide clarity and delineation of the area which is to be considered to better identify the "character" of the surrounding area. The character comprises of single detached

dwelling on a variety of lot sizes, and residential densities, including medium-density residential within the vicinity (i.e. Residences of Springhill condominium). The lots directly across from the proposed development on the south side of King Road, form part of the same neighbourhood because of their relative proximity and continuity in land use, and the overall functional integration between the areas in terms of road and pedestrian connections, shared community amenities such as parkland, walking trails, and natural heritage corridors, and other similar integrated elements.

The existing policies of the Official Plan state that:

“The creation of new lots for residential purposes is not encouraged, and is not permitted in the Established Neighbourhood designation except by way of a Zoning By-law Amendment to demonstrate:

- a. That the lot area, lot frontage, and lot depth of the new and retained lots are equal to or greater than the average areas, frontages, and depths of lots existing on the date of application in the neighbourhood to maintain and preserve the existing neighbourhood lotting pattern. For corner lots, recognizing that the lot frontage may have a unique characteristic and is typically larger than interior lots, emphasis shall be placed on having a lot area and depth that is consistent with that of existing corner lots in the neighbourhood.*

The proposed lot frontage of the severed and retained lots would be equal to or greater than the average frontages within the neighbourhood as it is proposed to be defined and would meet the required minimum lot frontage of the applicable zoning which currently applies to the subject property. The proposed lot depth of the new and retained lots would not change from the existing lot depth. The lot area of the nearest corner lots directly north of the subject property, and across the street, all measure approximately 1300-1400 m² (15,000 ft²). The resulting lots which are proposed by the Applications would measure approximately 637 m² and 700 m², respectively. When considered within the context of the proposed definition of the applicable neighbourhood area, including the lots on the south side of King Road (which measure 350-400 m² in lot area) the proposed lots are, on average, of a similar size to the lots within the neighbourhood.

The subject property is located within the Village Site Specific Policy Area 9 (V-SSPA 9) which recognizes that lands located along King Road between Charles Street and John Street merit further study for low-rise residential or mixed-use redevelopment. These policies direct the Township to conduct a study to determine the appropriate long-term use for those lands fronting onto King Road. The Township is currently undertaking a review of the Our King Official Plan. As part of the Official Plan Review, the Phase 2 Growth Management Strategy that was presented to Council in [February 2025](#), identified the lands as a potential future intensification area. The Application has been submitted in advance of the completion of the Official Plan Review and its findings. The subject application will not influence the outcome of the Official Plan Review and/or the further study contemplated for the area of the subject lands. It is Planning Staff's opinion that it is appropriate for the Applications to be advanced prior to the completion of the further study of the surrounding area which is contemplated by the Official Plan. To defer applications of this type and scale in order to

await the outcome of broader studies which may require substantial time to complete is not reasonable. As such, the Applications are being advanced at this time while the Official Plan review will continue separately.

In accordance with “Our King”, the creation of new lots for residential purposes within the Established Neighborhood designation is not encouraged and is not permitted except by way of a Zoning By-law Amendment. Therefore, a Zoning By-law Amendment Application has been submitted in conjunction with the Official Plan Amendment application to support the proposed severance for the subject property.

The policies of the Official Plan encourage the Villages to include a greater mix of land uses, including a balance of diverse housing, employment opportunities, community services, parks and open spaces, and a thriving natural heritage system. Within Established Neighbourhoods, the Official Plan provides for limited new development/redevelopment in a manner that maintains and protects the existing neighbourhood character, where minimal change is anticipated. The proposal maintains the character of the neighbourhood, as proposed to be defined by the site-specific policies, which is predominantly characterized by residential developments that are two storeys in height. In addition, the proposed severance would maintain sufficient area within the lots for amenity areas, driveway widths which would be consistent with the width of driveways in the neighbourhood, and there are no anticipated impacts to natural heritage features, grading, drainage, vehicular access and traffic, and privacy of neighbouring properties. The proposal provides for an efficient use of land, while also respecting the intent of the Official Plan with respect to ensuring compatibility with the neighbourhood.

4.4 Zoning By-law # 2017-66

The subject property is zoned R1‘D’ – Residential Single Detached ‘D’ by the Township of King’s Zoning By-law for the Schomberg and King City Urban Areas, Zoning By-law #2017-66. The proposed zoning by-law amendment would implement site-specific zoning provisions to the Minimum Lot Area, Minimum Interior Side Yard, Minimum Rear Yard, and Maximum Lot Coverage of the ‘R1D’ zone. The table noted below displays the requirements of the ‘R1D’ Zone of Zoning By-law #2017-66, as well as the proposed site-specific amendments.

Zoning Provision	By-law 2017-66 – ‘R1D’ Zone Requirement	Parcel A Proposed (Severed Lot) *refer to Schedule 1 of By-law 2025-044 R1D-8	Parcel B Proposed (Retained Lot) *refer to Schedule 1 of By-law 2025-044 R1D-8
Minimum <i>Lot Area</i>	As legally existing	630.00 m ²	700.00 m ²
Minimum <i>Lot Frontage</i>	21.0 m	21.0 m	24.0 m

Zoning Provision	By-law 2017-66 – 'R1D' Zone Requirement	Parcel A Proposed (Severed Lot) *refer to Schedule 1 of By-law 2025-044 R1D-8	Parcel B Proposed (Retained Lot) *refer to Schedule 1 of By-law 2025-044 R1D-8
Minimum <i>Front Yard</i>	7.5 m	7.50 m	7.50 m
Minimum <i>Rear Yard</i>	7.5 m	7.0 m	6.40 m
Minimum <i>Interior Side Yard</i>	- Where building height is less than or equal to 6.0 m: 1.8 m - Where building height is greater than 6.0 m: 3.6 m	2.0 m & 3.6 m	2.0 m
Minimum <i>Exterior Side Yard</i>	4.5 m	N/A	4.5 m
Maximum <i>Lot Coverage</i>	30%	36.75%	37.25%
Maximum <i>Height</i>	9.0 m	8.6 m	8.8 m
<i>Yard and Setback Encroachments Permitted</i>	1.5 m into the rear yard	2 m into the rear yard	1.5 m into the rear yard

It is Planning Staff's opinion that the proposed amendments to the Zoning By-law are appropriate, as discussed further in Section 5 of this report.

5. Planning Analysis

5.1 Neighbourhood Character, Development Compatibility and Street Aesthetics

Charles Street is an urban local road connected to a Regional arterial road, King Road, that leads to and from established residential areas within the Village of King City. The area was initially developed in the 1950s with one-storey single detached dwellings on large urban lots on private sewage/septic systems. Redevelopment within the area has predominantly consisted of two-storey single detached dwellings. The area of Robert Berry Crescent and Burns Boulevard was developed in the late 2000s and early 2010s and predominantly consists of two-storey single detached and townhouse dwellings.

The existing lots within the neighbourhood, as proposed to be defined, provide for a range of lot sizes, setbacks and rear yard amenity areas. Generally, driveway widths are limited to the width of the attached garages, and many of the lots contain mature vegetation and are serviced with municipal water and sanitary sewer infrastructure.

The proposal seeks to facilitate the severance of the existing lot measuring 1330 m² to create a total of two lots that would measure 630 m² and 700 m² respectively. The proposed development contemplates the replacement of the existing single detached dwelling with two single detached dwellings, that would measure approximately 234 m² and 259 m² in size, and 8.6 m and 8.7 m in height. The required exterior side yard setback of 4.5 m to King Road would continue to be maintained, and the interior side yard setback of 3.6 m from the neighbouring lot would also be maintained. The required front yard setback of 7.5 m is also proposed to be maintained. The size and scale of the proposed dwellings would be similar to the size and scale of dwellings within the neighbourhood as the maximum height of the proposed structures would not exceed the maximum permitted height of 9.0 m required by the Zoning By-law. The proposed increase in lot coverage from 30% to 36.75% and 37.25%, respectively, is appropriate. The proposal maintains the required separation from the existing neighbouring structure to the north as required by the R1D Zone. Each lot will be able to accommodate elements such as parking, drainage, utilities, infrastructure and amenity area in a manner that is similar to the surrounding properties.

The Application proposes a minimum interior side yard setback of 2 m to be provided between the new proposed dwellings, and their respective interior lot lines of both the retained and severed parcels. A minimum interior side yard setback of 3.6 m would be otherwise required by the R1D Zone. The proposed side yards would provide appropriate separation between the proposed dwellings for the purposes of property access, drainage, and maintenance, maintaining the intent of the Zoning By-law. The proposed dwellings would also require a reduction in the minimum rear yard from 7.5 m to 7.0 m and 6.4 m respectively. The intent of the rear yard setback is to provide for amenity area and separation between amenity areas of neighbouring dwellings to provide for privacy. Overall, the majority of the proposed rear yard achieves the existing standard of the Zoning By-law or greater. The proposed reduction is required to accommodate a retaining wall associated with the walk-out basement. Otherwise, the rear yard setback would be 7.5 m and 9.1 m respectively when measured to the main rear wall of the dwellings. The Zoning By-law notes that decks with a height greater than 0.6 m, but less than 3.0 m, from grade are permitted to encroach into the rear yard by 1.5 metres. The proposed encroachment of 2 metres for the deck of Lot "A" is appropriate as there is adequate separation to maintain privacy, and drainage. Furthermore, the proposed deck would further contribute to the amenity area of the lot by providing more functional space.

Overall, the proposal provides sufficient rear yard for amenity space. The proposed development will maintain the majority of the mature vegetation, and additional trees are proposed to be planted around the perimeter of the proposed development. The proposed landscaping will result in an increase in vegetation, screening, and privacy. The proposed soft landscaping would assist with on-site drainage, preserves the natural landscape and provides sufficient area for the location of utilities and snow storage.

Garages and driveways within the neighbourhood generally range in size from one to three vehicles in width. The existing driveway is proposed to be removed, and a new driveway would be constructed for each dwelling. The driveways are proposed to measure 9 m and 6 m in width to accommodate the proposed three-car garage and proposed two-car garage respectively. The width of the driveways would be similarly sized to other driveways in the neighbourhood, and they can be accommodated with minimal tree removal. A 10 m x 10 m sight triangle is required to be conveyed to York Region for the purposes of safe visibility at the intersection of King Road and Charles Street. The Township's Development Engineering Division has advised that no traffic impacts are anticipated. Overall, the proposed lots will be compatible with the character of the neighbourhood, as proposed to be defined.

5.2 Functional Servicing and Stormwater Management

The proposed development would be serviced by municipal water and sanitary services. No concerns have been identified by the Region or the Township's Development Engineering Division with the proposal in this regard. New lateral servicing connections are required to be installed, and servicing capacity is required to be assigned to the additional lot.

A Stormwater Management Brief has been submitted in support of the proposal, as well as a grading and drainage plan, which demonstrates that there would be no adverse impacts to the subject and adjacent properties. To accommodate the additional impervious surface proposed by the development and improve water infiltration on the site, three soakaway pits are proposed to be installed, roof leaders would be directed to infiltration galleries, and drains are proposed to be installed to maximize water capture.

To ensure stormwater runoff during the construction phase does not transport sediment to the existing road ditches and any Regional and Township infrastructure, siltation fencing is being proposed along the perimeter of the site, as well as temporary catch basin sediment traps at nearby catch basin structures, and a temporary construction access (mud mat) at the construction entrance.

5.3 Vegetation

An Arborist Report and Tree Inventory Plan have been submitted as part of the Applications. The findings of the study identify a total of 29 trees located on and within 6 m of the subject property. The removal of two trees is required to accommodate the proposed development, and an additional four trees are recommended to be removed due to their poor condition. The remaining trees are to be retained, and appropriate tree protection measures are proposed to be installed prior to the development commencing. To provide compensation for the loss of the trees, an additional 10 trees are proposed to be planted on the subject lands.

5.4 Green Development Standards

Although the proposed development is not subject to the Township of King's Green Development Standards Program, the applicant has advised that have voluntarily committed to the following as part of a Development Agreement: implementing high-efficiency water flow fixtures, removal of 85% Total Suspended Solids, and installing a cool roof.

5.5 Agency Review

The subject Applications have been circulated for review to various internal Township departments and external agencies. All agencies and departments have indicated no concerns with the Applications, and any detailed development matters can be addressed at the Consent Application and Building Permit stage.

6. Financial Considerations

The property at 15 Charles Street is currently assessed at \$726,000 as of June 3, 2025. The property account is current. If the proposed development were to proceed as planned, the property's taxable assessment value would change to reflect the developments that occur.

Any future redevelopment will be subject to Development Charges (DC) at the prevailing rate for a single detached dwelling as per bylaw 2021-002. Any estimates provided will be updated based on the Development Charges By-law and rates in effect at the time of the building permit, and actual information related to the construction as provided in the application. Parkland dedication is applicable and will be collected by the Township as a condition of Consent.

Any external costs incurred by the Township through the registration of the Agreement will be an additional charge.

All associated fees have been submitted, and in addition, any external costs incurred by the Township through the processing and review of this application will be recovered by the applicant in accordance with the Township's standard practice with the acknowledgement through the application form.

7. Alignment to Strategic Plan

The 2023-2026 Corporate Strategic Plan (CSP) was adopted by Council on June 12, 2023. The CSP reflects the priorities of upmost importance to the community and defines the obligations and commitments of the Township of King to its citizens and to the public. The CSP is aligned with the Townships long-term vision defined in the "Our King" Official Plan. The CSP also aims to ensure that staff initiatives focus on and work towards supporting King's Vision, Mission and Values.

This report is in alignment with the CSP's Priority Area(s), and/or associated Objective(s) and/or Key Results(s):

Priority Area: Complete Communities

Objective: Enrich community well-being and make King the ideal place to live, work and play.

Key Result: Represent King's interest in major developments within the Township.

8. Conclusion

The purpose of this Report is to provide recommendations to Council with respect to the Official Plan and Zoning By-law Amendment Applications which propose to establish site-

specific permissions to facilitate a future Consent Application to sever the existing property into a total of two residential lots. The Application is consistent with the objectives of the Provincial Planning Statement, the Oak Ridges Moraine Conservation Plan, and the Region of York's Official Plan. The proposal also meets the objectives of the Township's Official Plan. As such, Planning Staff respectfully recommends that Council support the Official Plan Amendment and Zoning By-law Amendment Applications.

9. Attachments

Appendix A: Official Plan Amendment

Appendix B: Zoning By-law Amendment

Appendix C: Location Map

Appendix D: Site Plan & Elevations

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