



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, was 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.
5. **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.

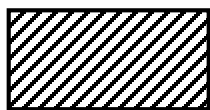
READ a THIRD time and **FINALLY PASSED** this 23rd day of September, 2024.

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