



The Corporation of The Township of King

By-Law Number 2024-074

**A BY-LAW TO AMEND ZONING BY-LAW NUMBER 74-53, AS AMENDED**

**WHEREAS** Zoning By-law 74-53, being a By-law to regulate the use of land and the character, location and use of buildings and structures in the Township of King, was passed on the 7<sup>th</sup> day of October 1974;

**AND WHEREAS** it is deemed necessary to further amend By-law Number 74-53, as amended, the matters herein set out are in conformity with the Official Plan of the Township of King, as amended, by Official Plan Amendment No. 2 to the Official Plan for the Township of King;

**AND WHEREAS** authority is granted pursuant to Section 34 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;

**AND WHEREAS** authority is granted to the Council of the Corporation of the Township of King under Section 36 of the *Planning Act*, R.S.O. 1990, Chapter P. 13, to make use of the holding symbol "H" in conjunction with any use;

**NOW THEREFORE** the Council of the Corporation of the Township of King **HEREBY ENACTS AS FOLLOWS:**

**THAT** Zoning By-law Number 74-53, as amended, be further amended for the lands subject to this By-law as follows:

1. **THAT** the lands subject to this By-law consist of the lands described as Part Lot 7, Concession 3, Township of King, municipally known as 13236 Dufferin Street, as shown on Schedules "1" and "2" attached hereto, and that Schedules "1" and "2" form part of this By-law.
2. **THAT** for the lands subject to the By-law, the definition of "Dwelling, Apartment" under Section 3.38 shall be removed and replaced with the following:

"3.38 Dwelling, Apartment: means a building with three or more dwelling units which have a common entrance from the street level and the occupants of which have the right to use in common, halls and/or stairs and/or elevators and yards. An apartment dwelling unit shall correspondingly mean a dwelling unit contained in an apartment building or a dwelling unit contained as part of a building used for a mix of residential uses and non-residential uses."

3. **THAT** for the lands subject to the By-law, the definition of "Motor Vehicle Parking Lift" shall be added as Section 3.98 (b) as follows:

"3.98 (b) Motor Vehicle Parking Lift: means a platform or pallet measuring 2.5 metres by 4.0 metres and placed above a parking space which is provided and maintained for the purpose of temporary storage of a motor vehicle and where the platform or pallet utilizes an automated parking system where the vehicles are parked on multiple levels using a vertical lift mechanism."

4. **THAT** Schedule "A" to By-law 74-53, Map No. 3 "King City Area" be amended by changing the zone symbol on the lands described in Section 1 above from Rural General (RU1) to Residential Urban (R1) – Exception Section 7.71 – Holding (H) and Environmental Protection (EP) as shown on Schedules "1" and "2" attached hereto and as described in this By-law:

**"7.71 – Exception Re: Part Lot 7, Concession 3 (13236 Dufferin Street)"**

Notwithstanding Sections 3.38, 6.32, 6.33, and the permitted uses under Section 7.1 and Zone Requirements under Sections 7.2 and 7.3 of this By-law, the lands delineated as Residential Urban (R1) zone and shown as “Exception – Section 7.71” on Schedules “1” and “2” to this By-law may be developed with a residential Apartment Dwelling, Accessory Uses, Buildings and Structures

related to the permitted uses, a Parking Garage and Stormwater Management Facility provided that:

- i. The maximum number of Apartment Dwelling Units shall be 75.
- ii. The minimum lot area shall be 8,900 square metres.
- iii. The minimum lot frontage shall be 100 metres.
- iv. The minimum front yard shall be 3.0 metres.
- v. The minimum rear yard shall be 5.0 metres.
- vi. The minimum north side yard shall be 5.0 metres.
- vii. The minimum south side yard shall be 5.0 metres.
- viii. The maximum lot coverage shall be 35%.
- ix. The maximum height of Building #1 shall be the lesser of 23.0 metres or 5 storeys, exclusive of any mechanical structures which shall not exceed a height of 5 metres.
- x. The maximum height of Building #2 shall be the lesser of 11.0 metres or 3 storeys.
- xi. The minimum number of parking spaces shall be 1.25 spaces per apartment dwelling unit, plus 0.22 spaces per unit designated for visitor parking, and in no case shall the total number of parking spaces be less than 112. Tandem parking spaces and motor vehicle parking lifts shall be included to achieve the required minimum number of parking spaces.
- xii. A parking space shall have a minimum width of 2.5 metres where a motor vehicle parking lift is placed above.
- xiii. A parking aisle shall have a minimum width of 6.0 metres.

5. **THAT** the following Holding (H) Provisions shall apply as follows to the lands subject to this By-law shown on Schedules “1” and “2” attached:

#### **Holding Provisions**

- i. Notwithstanding any other provisions of this By-law, where a Holding Symbol denoted as a “H” to the zone symbol for the Residential – Urban (R1), Exception Section 7.71 – Holding (R1(H)) shall require that no person shall use and land, erect, alter or use any building or structures for any purpose other than legally existing uses(s), building(s), or structure(s) until such time as the Holding Symbol (H) is removed by an amendment to this By-law passed pursuant to Section 36 of the Planning Act, as amended.
- ii. The Council for the Township of King may amend this By-law to remove the Holding Symbol (H) from all or part of the lands subject to this By-law or in stages to permit the development of the lands subject to the Holding Symbol in accordance with the provisions of this By-law and Section 36 of the Planning Act, as amended, at such time as:
  - a. The Council for the Township of King or their designate has assigned water and sanitary sewer servicing allocation to the lands to which the Holding symbol has been applied and that the Holding symbol shall remain for any lands/zone(s) which have not been assigned water and sanitary sewer servicing allocation;
  - b. That written confirmation is obtained by the Township Engineer and/or appointed representatives that an adequate water servicing arrangement

along Dufferin Street has been constructed and operationalized to service domestic and fire flow demands required for the proposed development (per hydrant flow tests or system improvements).

- iii. The Council for the Township of King may amend this By-law to remove the Holding Symbol (H) in part/stages from portions of the lands and/or Zone to which it applies subject to the following:
  - a. The amending By-law shall include a schedule which identifies the lands upon which the Holding Symbol is being removed and/or shall remain in place; and,
  - b. The criteria above shall continue to apply to the lands upon which the Holding Symbol shall remain in place.
6. **THAT** any provisions of By-law 74-53 not in conflict with the provisions contained herein shall continue to apply to the lands subject to this by-law shown on Schedule “1”, attached hereto.
7. **THAT** the development of the lands subject to this amendment shall be in accordance with the zone provisions for the “Residential Urban (R1)” and “Environmental Protection (EP)” zones, as well as all relevant and applicable provisions contained under Section 6 of the Zoning By-law (General Provisions – All Zones).
8. **THAT** By-law shall come into force on the day it was passed where no notice of appeal has been filed with the Township Clerk in accordance with the requirements and with the time prescribed under Section 34(19) of the Planning Act.

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

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

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Steve Pellegrini  
Mayor

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Denny Timm  
Township Clerk

*(Ref. Planning Division Report No.: GMS-PL-2022-35  
C.O.W. SEPT.26/22)*

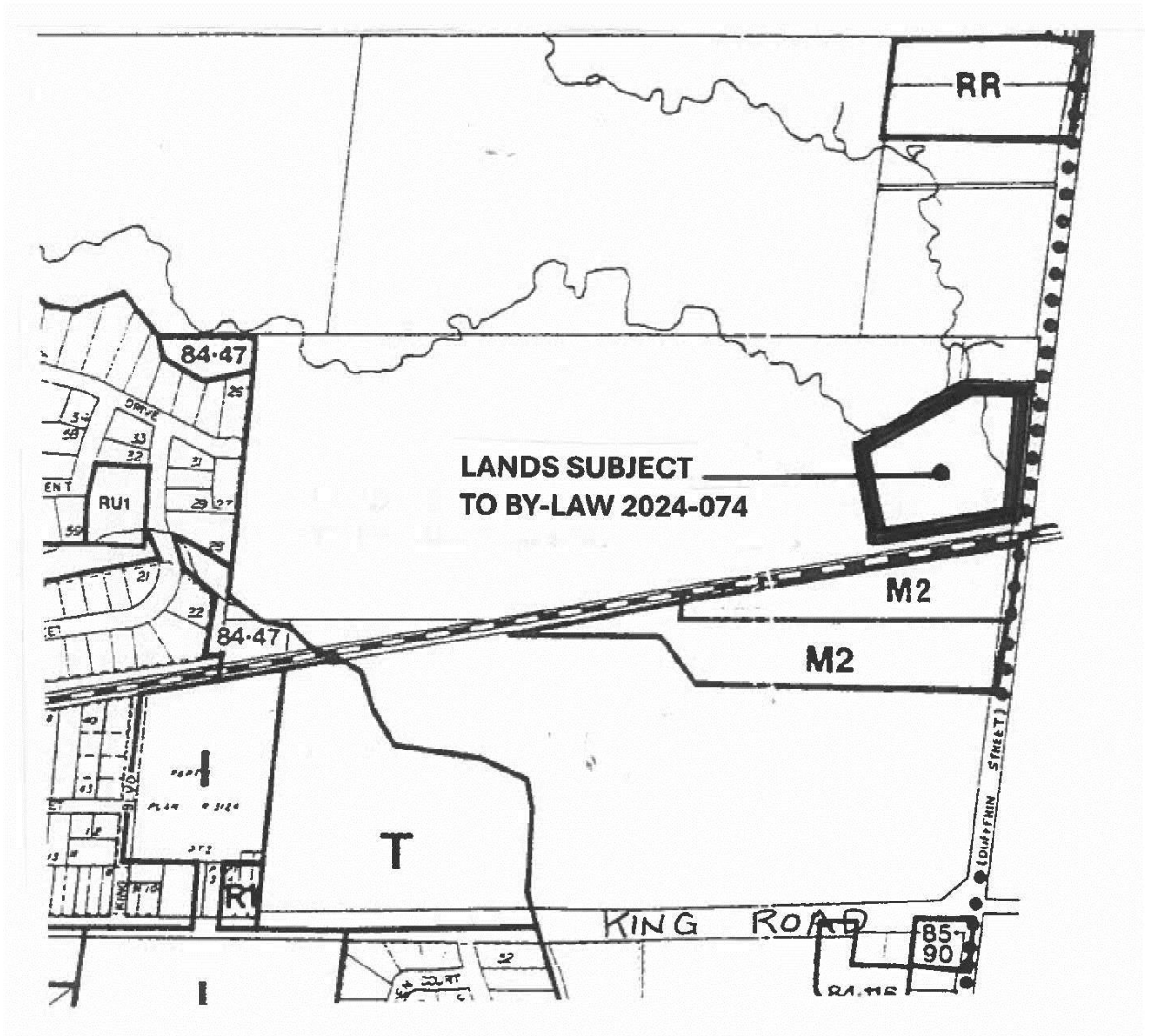


# SCHEDULE "2" TO BY-LAW NO. 2024-074

PASSED ON THIS 23<sup>RD</sup> DAY OF SEPTEMBER, 2024

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Steve Pellegrini  
Mayor

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Denny Timm  
Township Clerk



## ZONE CATEGORIES

- RU1 - RURAL GENERAL
- RR - RURAL RESIDENTIAL
- M2 - GENERAL INDUSTRIAL
- T - TRANSITIONAL
- I - INSTITUTIONAL

### NOTE

THIS SCHEDULE IS PART OF SCHEDULE "A" TO BY-LAW 74-53, AS AMENDED, OF THE TOWNSHIP OF KING, AND WILL BE REFERRED TO AS MAP NUMBER 3-59.