

THE REGIONAL MUNICIPALITY OF YORK

Planning and Economic Development Committee

January 10, 2007

Report of the

Commissioner of Planning and Development Services

APPEAL TO OMB BY LAURIER HOMES (27) LTD., TOWNSHIP OF KING

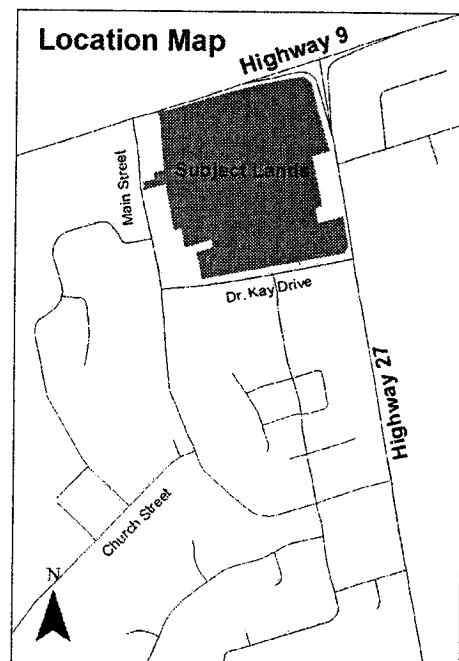
1. RECOMMENDATIONS

It is recommended that:

1. a) The Ontario Municipal Board be advised that York Region supports the approval of the request to amend the Township of King Official Plan by Laurier Homes (27) Ltd.
- b) The related plan of subdivision 19T-04K02 be subject to the pre-conditions and conditions of draft plan approval set out in *Attachment No. 1* to this report.
2. If the Environmental Assessment for the water supply system to serve the community of Schomberg is not complete by May 2007, the Ontario Municipal Board should be requested to withhold its Order for draft approval of plan of subdivision 19T04K02 until the EA is complete.
3. Regional staff be authorized to appear at the OMB in support of the Regional position, if required.

2. PURPOSE

This report provides recommendations to the Ontario Municipal Board on a request to amend the King Township Official Plan and a related plan of subdivision by Laurier Homes (27) Ltd. The amendment was appealed to the OMB for lack of decision by the local municipality within the prescribed timeframe. An Ontario Municipal Board Hearing is set for 9 days commencing May 1, 2007 and the Board has issued an Order requiring issues be identified by February 15, 2007 and conditions of draft approval established by March 20, 2007. This report is prepared in accordance with the Regional by-law, and policy requiring staff to report to Council on Official Plan amendments that impact Regional interests and/or have unresolved issues.



3. BACKGROUND

This section provides a description of the proposal, current Official Plan land use designations, status of water and sewer servicing, and a summary of the Region's protocol for issuing conditions of draft plan approval.

3.1 Proposal

The site consists of approximately 22.6 ha (55.8 acres) of land located at the southwest corner of Highway 9 and Regional Road 27 (formerly Highway 27) in the community of Schomberg (see Location Map). The amendment was initially submitted on September 8, 2004 and has recently been revised to request redesignation of approximately 1.05 ha (2.6 acres) of land from "District Commercial" uses to "Medium Density Residential" uses and redesignation of portions of the "District Commercial" designation to "Low Density Residential" and "Open Space" uses (*See Attachment No. 2*).

The proposed redesignation will facilitate approval of plan of subdivision 19T-04K02, which consists of 56 semi detached residential units, 30 townhouses, 143 detached units, park, open space lands and a storm water management facility (*See Attachment No.3*).

3.2 Land Use Designations

3.2.1 Regional Official Plan

The Regional Official Plan identifies Schomberg as a Local Centre and designates the site "Towns and Villages". A range and mix of residential, commercial, institutional and other employment uses is permitted by this designation.

3.2.2 Provincial Plans

The site is not located on the Oak Ridges Moraine.

The Greenbelt Plan designates the site "Towns and Villages", and defers to the municipal Official Plans for policies to guide development. The Greenbelt Plan encourages municipalities to support long term vitality of these settlement areas through intensification and revitalization approaches.

3.2.3 Local Official Plan

The Schomberg Community Plan (Amendment No. 47 to the Township of King Official Plan) designates the majority of the site for "Low Density Residential" uses, which permits primarily detached dwellings on full municipal services. Lands in the southern portion of the site are designated "Environmental Constraint Area" (Dufferin Marsh), which permits conservation and preservation of the natural environment. Lands on the eastern edge of the site are designated "District Commercial", which permits commercial uses heavily reliant upon vehicular traffic, or retail uses not conducive to the "downtown" area.

3.3 Servicing

There is currently no water or sewage servicing capacity to service any additional growth in the community of Schomberg. York Region has initiated the Environmental Assessment (EA) for additional water supply and completed the EA for additional sewage treatment capacity.

3.3.1 Water Supply

The EA for additional water supply commenced in March 2006 and is expected to be complete in the Spring of 2007. Subject to the final outcome of the EA, the preferred alternative proposed a new well and storage facility to be located on lands mostly owned by the Region, with a smaller portion owned by the Township. This additional water supply is anticipated to be available in April 2008.

3.3.2 Sanitary Sewage Treatment

The EA for sanitary sewage treatment is complete, tendering for the new treatment plant closed in October 2006 and the contract has been awarded. The plant is expected to be operational by June 2008.

3.4 Protocol for Issuing Conditions of Draft Approval

In February 2003 Regional Council adopted a protocol for the allocation of servicing capacity, which is directly linked to when and how the Region issues its conditions of draft approval (*see Attachment No. 4*). The protocol allows the Region to issue its conditions of draft plan approval if the required infrastructure is available within 2 years and the EA is complete, all land acquired and the area municipality employs various tools such as "H- Holding" zones in the related by-law, and no pre-sales agreements.

In June 2006 the protocol was refined to permit the Region to issue its conditions of draft plan approval if the required infrastructure will be available within 4 years. Fulfillment of other criteria, including completion of the EA and all land being acquired remained in effect. Additional criteria were added, including but not limited to: the area municipality having a Section 34 (5) By-law, local servicing protocol and phasing plan in place.

4. ANALYSIS

The proposed medium density townhouse development and related plan of subdivision that incorporates the revised land use pattern constitutes infill development consisting of a mix of uses and housing types within the existing community of Schomberg. The principle of development has regard for the Provincial Policy Statement (1996), meets the general intent of the Provincial Growth Plan and Greenbelt Plan, and conforms to the Regional Official Plan.

The timing of draft plan approval for the related plan of subdivision is dependant upon the completion of the Environmental Assessment for water supply, acquisition of any required land in connection with the preferred alternative for water supply, and the construction of the Schomberg sewage treatment plant.

4.1 Provincial Policy Statement, Growth Plan and Greenbelt Plan

The Official Plan amendment was submitted in September 2004 and is required to have regard for the Provincial Policy Statement (1996). The Provincial Growth Plan and Greenbelt Plan do not apply as the application commenced prior to these Plans coming into effect; however the application is considered to meet the general intent of these plans by providing municipally serviced, infill development within an existing community.

4.1.1 Provincial Policy Statement

Policy 1.1.1 a) of the Provincial Policy Statement states that “Urban areas and rural settlement areas will be the focus of growth”; and Policy 1.3.1.1 a) states that “full municipal sewage and water services are the preferred form of servicing for urban areas and rural settlement areas”. The proposal has full regard for these policies.

4.2 Regional Official Plan

Schomberg is a local centre, as defined by the Regional Official Plan, and as such, development within its boundaries is guided by the Schomberg Community Plan (OPA 47). In accordance with the Regional Official Plan, secondary plans for local centres should provide for a range and mix of uses, provide transit facilities that are easily accessible to pedestrians, protect significant natural features, and encourage efficient land use patterns. The proposed plan of subdivision meets this criteria by providing for commercial, open space, and detached, semi detached and multi attached residential (townhouse) units, protects the Dufferin Marsh by delineating blocks for wetland purposes, and, as required by the conditions of draft approval, the owner is to provide sidewalks, pedestrian access, passenger standing areas and shelter pads to planned transit services along Highway 9 and Regional Road 27. The proposal conforms to the Regional Official Plan.

4.3 Region's Servicing Protocol

The Region's conditions of draft approval for plan of subdivision 19T-04K02, covering road, transit, servicing, financial, land acquisition and planning matters are set out in *Attachment No. 1* to this report. In accordance with the Region's protocol, the approval authority should only issue draft plan approval once the EA's for infrastructure are complete, land is acquired, and the area municipality has confirmed that it has satisfied the Region's criteria for draft approval of development prior to the required infrastructure being in service. These criteria include:

- Growth Management Policies – municipal-wide phasing plan in place
- Local Municipality Servicing Protocol in place
- Secondary Plan Complete
- Phasing Plan Complete
- Housing Supply – within 3-7 year Draft Approved Supply (OP Policy)
- Monitoring in Place
- Section 34(5) By-law
- Holding By-law and Provisions in OP
- Willingness to enter into no-presales agreement

- Conditions Included in Draft Approval
 - Detailed infrastructure requirements
 - Required review/lapsing

King Township staff have confirmed that these criteria have been met or in the case of the local municipal servicing protocol, will be in place by January 2007 (*see Attachment No. 5*). All requirements of the Regional Servicing Protocol criteria have been met to the satisfaction of Regional planning staff, except for the outstanding EA for water supply.

Prior to the approval authority (OMB) issuing draft plan approval, the completion of this EA for the water supply system is required. In this respect the OMB should be requested to withhold its Order to draft approve the plan of subdivision until the Region advises that the EA is complete.

4.4 Relationship to Vision 2026

An action area for Goal 6 - *Managed and Balanced Growth* of Vision 2026, is “*using land, infrastructure and services efficiently in urban areas*”. This application provides efficient use of land by developing various housing types on full municipal services, at the maximum densities permitted, approximately 15 and 30 units per ha for low and medium density residential development, respectively.

5. FINANCIAL IMPLICATIONS

There are no financial implications associated with this report. If the OMB approves the proposed development it will provide additional assessment to the Township and the Region. Regional staff may be required to attend the OMB hearing.

6. LOCAL MUNICIPAL IMPACT

The recommendations of this report are consistent with the staff position of the Township of King set out in their report scheduled for their Council in January 2007.

7. CONCLUSION

The principle of development proposed by this application meets the requirements of the Regional Official Plan, and has regard for the Provincial Policy Statement (1996). The proposal pre-dates the Provincial Greenbelt Plan and Growth Plan, and is not subject to either one; however, it can be considered to be consistent with the intent of both.

In order to comply with the Region's protocol for issuing conditions for draft plan approval prior to servicing infrastructure being complete, the Ontario Municipal Board should be requested to withhold its Order until the EA for water supply is complete. Draft plan approval is subject to the conditions set out in *Attachment No. 1* to this report.

For further information about this report please contact Paul Belton, Manager of Development Review, Community Planning Branch, 905 830-4444 extension 1507, or paul.belton@york.ca.

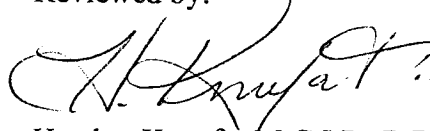
The Senior Management Group has reviewed this report.

Prepared by:



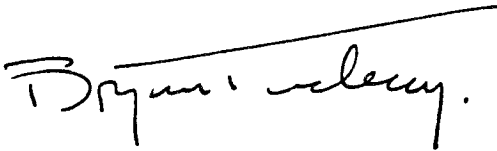
Paul Belton M.C.I.P., R.P.P.
Manager of Development Review

Reviewed by:



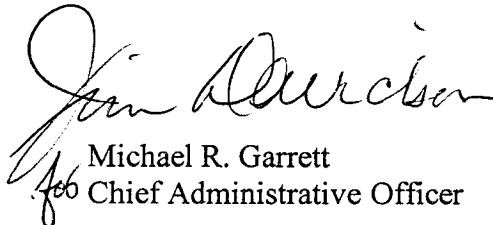
Heather Konefat M.C.I.P., R.P.P.
Director of Community Planning

Recommended by:



Bryan W. Tuckey, M.C.I.P., R.P.P.
Commissioner of Planning and
Development Services

Approved for Submission:



Michael R. Garrett
Chief Administrative Officer

November 30, 2006

- Attachments:
1. Regional conditions of draft plan approval
 2. Proposed Amendment to Schomberg Community Plan
 3. Proposed Plan of Subdivision 19T-04K02
 4. Region's 2003 Servicing Protocol
 5. Letter from King Township Planning staff

pb

Schedule of Pre-Conditions
(To be satisfied prior to draft plan approval being granted)

19T-04K02

Part of Lots 34 and 35, Concession 9

Township of King

Re: Draft Plan of Subdivision prepared by
Evans Planning, Revision 9, dated October 13, 2005.

1. That prior to or concurrent with draft plan approval, the owner shall enter into an agreement with the Township of King, which agreement shall be registered on title, committing the owner not to enter into any agreements of purchase and sale with end users, for the subject lands until such time as:
 - a)
 - i. York Region has advised in writing that it is no earlier than twelve (12) months prior to the expected completion of the Schomberg Sewage Treatment Plant Expansion and the Schomberg Water Supply System Expansion; and,
 - ii. The Council of the Township of King has allocated adequate water supply and sewage servicing capacity to the subject development;
or,
 - b) the Township of King approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; or,
 - c) the Regional Commissioner of Transportation and Works confirms servicing allocation for this development by a suitable alternative method.

Schedule of Conditions
19T-04K02
Part of Lots 34 and 35, Concession 9
Township of King

Re: Draft Plan of Subdivision prepared by
Evans Planning, Revision 9, dated October 13, 2005.

1. The road allowances included within the draft plan of subdivision shall be named to the satisfaction of the area municipality and the Regional Planning and Development Services Department.
2. Prior to registration, York Region shall confirm that adequate water supply and sewage servicing capacity are available and have been allocated by the Township of King for the development proposed within this draft plan of subdivision or any phase thereof. Registration of the plan of subdivision shall occur in phases based on the availability of water supply and sewage servicing allocation.
3. The Owner shall agree in the subdivision agreement to save harmless the area municipality and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
4. Prior to the registration of any residential lands the following shall occur:
 - York Region has advised in writing that it is no earlier than six (6) months prior to the expected completion of the Schomberg Sewage Treatment Plant Expansion and the Schomberg Water Supply System Expansion; or,
 - the Township of King approves a transfer of servicing allocation to this development that is not dependent upon the completion of infrastructure; or,
 - the Regional Commissioner of Transportation and Works confirms servicing allocation for this development by a suitable alternative method.
5. That all residentially zoned lands shall be placed under a holding symbol 'H' pursuant to the provisions of Section 36 of the Ontario Planning Act, which shall prohibit the development of the lands until the 'H' symbol has been lifted. The conditions for lifting the 'H' symbol shall include:
 - York Region advises in writing that it is no earlier than six (6) months prior to the expected completion of the Schomberg Sewage Treatment Plant Expansion and the Schomberg Water Supply System Expansion; or,

- the Township of King approves a transfer of servicing allocation to this development that is not dependent upon the construction of infrastructure; or,
 - the Regional Commissioner of Transportation and Works confirms servicing allocation for this development by a suitable alternative method.
6. The Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required York Region road improvements for this subdivision. The report/plan, to be submitted to the York Region Transportation and Works Department for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
 7. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, to implement the recommendations of the functional transportation report/plan as approved by the York Region Transportation and Works Department.
 8. The Owner shall submit detailed engineering drawings, to the Regional Transportation and Works Department for review and approval, that incorporate the recommendations of the functional transportation report/plan as approved by the Regional Transportation and Works Department. Additionally, the engineering drawings shall include the subdivision storm drainage system, erosion and siltation control plans, site grading and servicing, plan and profile drawings for the proposed intersections, construction access and mud mat design, utility and underground servicing location plans, pavement markings, electrical drawings for intersection signalization and illumination design, traffic control/construction staging plans and landscape plans.
 9. Prior to Final Approval, the Owner shall provide a set of engineering drawings, approved by the area municipality, which indicates the storm drainage system, the overall grading plans and all proposed accesses onto Regional roads, for all lands within this plan of subdivision, to the Regional Transportation and Works Department for verification that all York Region's concerns have been satisfied.
 10. Prior to Final Approval and concurrent with the submission of the subdivision servicing application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the Regional road, to the Roads Branch, Attention: Manager, Development Approvals, that includes the following drawings:
 - a) Plan and Profile for the Regional road and intersections;
 - b) Grading and Servicing;
 - c) Intersection/Road Improvements, including the recommendations of the Traffic Report;
 - d) Construction Access Design;
 - e) Utility and underground services Location Plans;
 - f) Signalization and Illumination Designs;

- g) Line Painting;
 - h) Traffic Control/Management Plans;
 - i) Erosion and Siltation Control Plans;
 - j) Landscaping Plans, including tree preservation, relocation and removals.
11. The Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information, shall be submitted to the York Region Transportation and Works Department, Attention: Mrs. Eva Pulnicki, P.Eng.
12. The following lands shall be conveyed to The Regional Municipality of York for public highway purposes, free of all costs and encumbrances:
- a) a widening across the full frontage of the site where it abuts Highway 27 of sufficient width to provide a minimum of 18 metres from the centreline of construction of Highway 27, and
 - b) a 20 metre by 20 metre daylighting triangle at the southwest corner of Dr. Kay Drive and Highway 27, and
 - c) a 15 metre by 15 metre daylighting triangle at the northwest corner of Dr. Kay Drive and Highway 27, and
 - d) an additional 2.0 metre widening, 40 metres in length, together with a 60 metre taper for the purpose of a southbound right turn lane at the intersection of Dr. Kay Drive and Highway 27, and
 - e) a 0.3 metre reserve across the full frontage of the site where it abuts Highway 27 and the adjacent to the above noted widenings.
13. The location and design of the construction access for the subdivision work shall be completed to the satisfaction of the Regional Transportation and Works Department and illustrated on the engineering drawings.
14. Any existing driveway(s) along the Highway 27 frontage of this subdivision not part of the final subdivision must be removed as part of the subdivision work, at no cost to York Region.
15. Access to Block 178 shall be via Dr. Kay Drive. No direct access shall be permitted to Highway 27.
16. Elevations along the streetline shall be set at 0.3 metres above the centerline elevation of Highway 27.

17. The Owner shall submit drawings depicting the following to the satisfaction of York Region staff:
- a) All existing woody vegetation within the Regional Road right of way,
 - b) Tree protection measures to be implemented on and off the Regional Road right of way to protect right of way vegetation to be preserved,
 - c) Any woody vegetation within the Regional Road right of way that is proposed to be removed or relocated. However, it is to be noted that tree removal within Regional Road right's of way shall be avoided to the extent possible/practical. Financial or other compensation may be sought based on the value of trees proposed for removal.
 - d) A planting plan for all new and relocated vegetation to be planted within the Regional Road right of way, based on the following general guideline:
Tree planting shall be undertaken in accordance with York Region standards as articulated in Streetscaping Policy and using species from the Regional Street Tree Planting List. These documents may be obtained from the Forestry Section. If any landscaping or features other than tree planting (e.g. flower beds, shrubs) are proposed, they will require the approval of the local municipality and be supported by a maintenance agreement between the municipality and York Region for area municipal maintenance of these features. In addition, the agreement should indicate that where the area municipality does not maintain the feature to the Region's satisfaction, the area municipality will be responsible for the cost of maintenance or removal undertaken by the Region.
18. The Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of the Regional Transportation and Works Department recommending noise attenuation features and the Owner shall agree to implement these noise attenuation features to the satisfaction of the Regional Transportation and Works Department.
19. The Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, that prior to the release of any security held by York Region in relation to this plan of subdivision, and where noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved Noise Study and in conformance with the Ministry of Environment guidelines.
20. The following warning clause shall be included in a registered portion of the subdivision agreement with respect to the lots or blocks affected:

"Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants".

21. Where noise attenuation features will abut a Regional right-of-way, the Owner shall agree in the subdivision agreement, in wording satisfactory to the Regional Transportation and Works Department, as follows:
 - a) that no part of any noise attenuation feature shall be constructed on or within the Regional right-of-way;
 - b) that noise fences adjacent to Regional roads shall be constructed on the private side of the 0.3 metre reserve and may be maximum 2.5 metres in height, subject to the area municipality's concurrence;
 - c) that maintenance of the noise barriers and fences bordering on York Region right-of-ways shall not be the responsibility of The Regional Municipality of York; and
 - d) that any landscaping provided on York Region right-of-way by the Owner or the area municipality for aesthetic purposes must be approved by the Regional Transportation and Works Department and shall be maintained by the area municipality with the exception of the usual grass maintenance.
22. Subject to approval by the Township of King and York Region, the owner shall agree in the subdivision agreement to construct sidewalks along the subject lands' frontage adjacent to Highway 9, Highway 27 and Dr. Kay Drive. Such sidewalks shall be constructed on both sides of those roadways unless only one side of the street lies within the limits of the subject lands.
23. The Owner shall agree in the subdivision agreement to provide concrete pedestrian walkways at the following locations:
 - a) the eastern limit of Street 'B' to link with Highway 9,
 - b) the western limit of Street 'B' to link with Highway 9, and
 - c) the eastern limit of Street 'G' to link with Highway 27.
24. These above noted pedestrian walkways will be subject to design approval by the local municipality and York Region, to facilitate pedestrians' access to/from transit services. In addition, the pedestrian walkways are to be provided at no cost to York Region concurrent with construction of necessary sidewalks.
25. Sidewalks and concrete pedestrian access shall be provided in accordance with OPSD 310.010, 310.020, 310.030 and should be provided "at grade" (i.e. without stairs, inclines, etc).

26. Prior to Final Approval, the Owner shall submit drawings showing the sidewalk location(s), concrete pedestrian access, passenger standing area(s) and shelter pad(s) for review by The Regional Transportation and Works Department.
27. The Owner shall agree in the subdivision agreement to advise all potential purchasers of the planned introduction of transit service in/around the subject lands, and that the placement of any necessary bus-stops and/or passenger amenities will be placed accordingly to the satisfaction of York Region Transit and the Township of King, as applicable. This would include potential transit routes, bus stops and shelter locations, as necessary. Notification should be achieved through sales offices, marketing materials, and appropriate notification clauses in purchase agreements.
28. Prior to final approval the Owner shall provide a copy of the subdivision agreement to the Regional Transportation and Works Department.
29. The Owner shall provide a solicitor's certificate of title to the Region's Corporate and Legal Services Department, to the satisfaction of the Regional Solicitor, at no cost to the Region, with respect to the conveyance of lands to York Region.
30. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable prior to final approval in accordance with By-laws DC-0005-2003-050 and DC-0005(a)-2005-060.
31. The York Region Planning and Development Services Department shall advise that Conditions 1 to 30 inclusive, have been satisfied.

Note:

York Region supports the Township of King applying a lapsing provision to the draft plan, pursuant to Section 51(32) of the Ontario Planning Act, and that York Region be provided an opportunity to comment on any proposed extensions of draft approval.

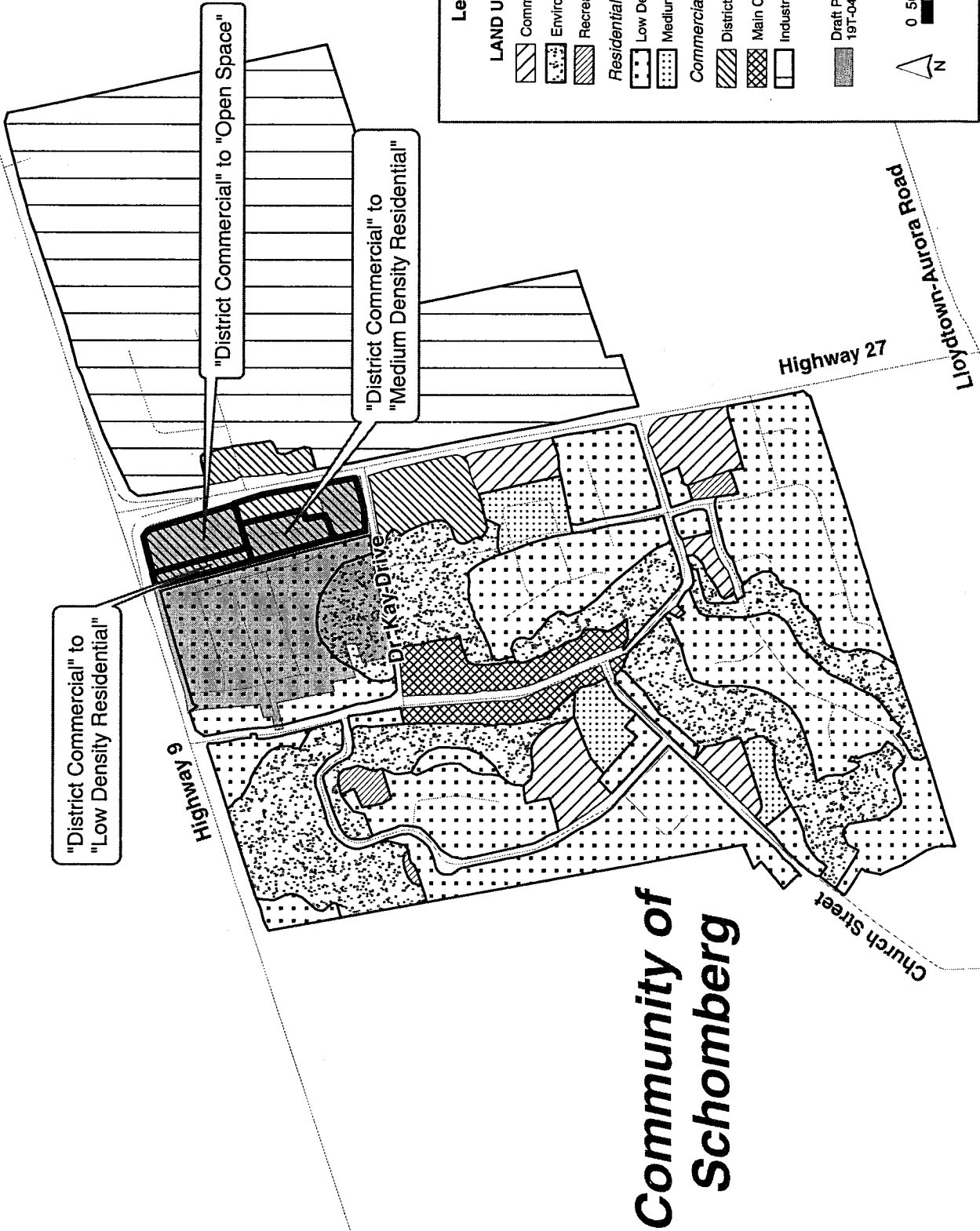
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LAND USE SCHEDULE

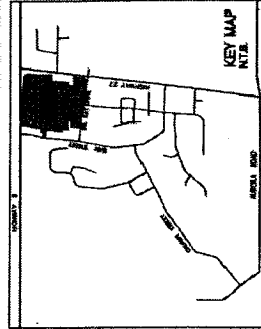
	Community Facility / Industrial
	Environmental Constraint Area
	Recreational / Open Space
Residential	
	Low Density Residential
	Medium Density Residential
Commercial	
	District Commercial
	Main Central Area
	Industrial
	Draft Plan of Subdivision 19T-04K02

0 50 100 200 300 m

N



**Community of
Schomberg**



CONCRETE AUTHORIZATION

I, **Paul R. R. R.** authorize Essex Planning to prepare and submit this plan for their approval.

Paul R. R. R. Date **Oct 11/05**
 1000 Lakeshore Blvd. E.
 Unit 100
 Essex, Ontario N8W 4L1

SUBMITTER CERTIFICATE

I hereby certify that the boundaries of the lots being subdivided and their relationship to the adjacent lots are accurately and correctly shown on this plan.

D. D. R. Date **Oct 11/05**
 A.D. R. R. R. Limited
 100 Lakeshore Blvd. E.
 Unit 100
 Essex, Ontario N8W 4L1

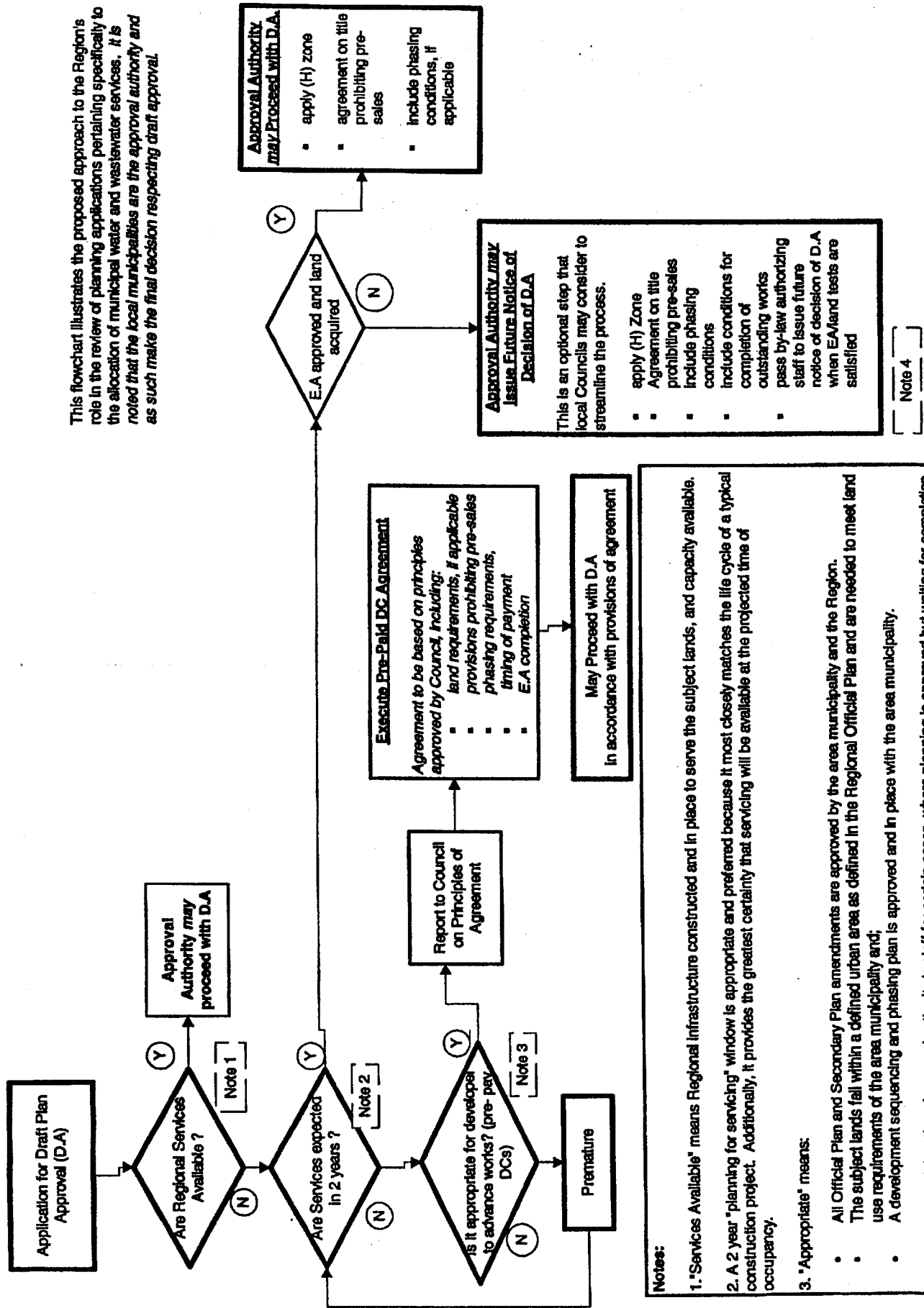
ADDITIONAL INFORMATION

- (Section 51(2) of the Planning Act, 1990)
- a) - on key plan
 - b) - see site plan
 - c) - see site plan
 - d) - see site plan
 - e) - see site plan
 - f) - see site plan
 - g) - see site plan
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 - w) - see site plan
 - x) - see site plan
 - y) - see site plan
 - z) - see site plan

DEVELOPMENT STATISTICS

PROPOSED LAND USE	Lot/Block No.	Area
1. Single Detached	1-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-1229-1230-1231-1232-1233-1234-1235-1236-1237-1238-1239-1240-1241-1242-1243-1244-1245-1246-1247-1248-1249-1250-1251-1252-1253-1254-1255-1256-1257-1258-1259-1260-1261-1262-1263-1264-1265-1266-1267-1268-1269-1270-1271-1272-1273-1274-1275-1276-1277-1278-1279-1280-1281-1282-1283-1284-1285-1286-1287-1288-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Figure 1
REFINED APPROACH FOR THE
REVIEW AND APPROVAL OF PLANNING APPLICATIONS
(REFINEMENTS SHOWN IN ITALICS)





INCORPORATED 1850

TOWNSHIP OF KING

Municipal Offices
2075 King Road
King City, Ontario
L7B 1A1

Council Attachment 5

Telephone: (905) 833-5321
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December 8, 2006

Paul Belton, Manager, Development Review
York Region
17250 Yonge Street
Newmarket, Ontario
L3Y 6Z1

**Re: Regional Criteria for the Provision of Regional Conditions
Schomberg Development Applications**

Further to our ongoing discussions with respect to the Regional Criteria for provision of Regional conditions of draft plan approval, we offer the following comments with respect to the same:

Regional Services Expected in 4 Years (in accordance with capital plan)

- Both the Schomberg WPCP expansion and the Water Supply expansion are in the Regional 10 Year Capital Plan.
- The Schomberg WPCP expansion has been tendered and we understand is projected to be completed and operational by December 2007.
- The Schomberg Water Supply EA is underway and we understand that the system expansion is projected to be operational by June 2008.

Growth Management Policies – municipal-wide phasing plan in place

- The current population within the Township of King is split roughly 50/50 between the three villages (King City, Nobleton, and Schomberg) and the rural area. The current Community Plans (King City, Nobleton, and Schomberg) provide direction on how and where the municipality wants to grow. Upon the implementation of the Official Plan and the three Community Plans and the associated introduction or expansion of the existing water and sewage treatment systems, the population split will result in a 70/30 split between the three villages and the rural area.

Local Municipal Servicing Policy in place

- Township staff is in the process of preparing a servicing protocol for the village of Schomberg for presentation to Council. We anticipate that Council will be adopting the servicing protocol for Schomberg in January of 2007.
- Notwithstanding the Township does not have a formal policy to claw back servicing allocation, the Township has utilized a “use it or lose” it provision on

several occasions within the Schomberg Community. It is our intent to include such a provision in the proposed protocol for future development applications in Schomberg.

Secondary Plan Complete

- The Schomberg Community Plan was approved by the Ministry of Municipal Affairs and Housing in 1994 and provides policy detail on how development will occur in a comprehensive manner.
- The purpose of this Community Plan is to provide an overall framework for the future orderly development and growth of Schomberg in accordance with sound and reasonable land use planning policies and urban design principles.

Phasing Plan Complete

- The Schomberg Community principally contains the same lands which were identified for development in the 1970 Township Official Plan. The community has grown at a relatively slow pace over the years and the remaining designated lands tend to be isolated parcels which are independent of the other remaining undeveloped lands.
- The Community Plan establishes a framework for the future orderly development and use of lands by defining areas for specific forms of development. The timing of development is dependant to a large extent, on the rate of population growth and related commercial and industrial development, and, the ability of the Municipality to sustain the necessary financial expenditures.
- Given the size and nature of Schomberg, it is not considered practical to prioritize the staging of development on an area basis. The staging of new development has been encouraged to proceed in an orderly manner which provides for the progressive and economic extension of municipal services, utilities, and other municipal facilities.

Master Environmental Servicing Plan Complete

- Due to the size and nature of the Schomberg Community, and the fractured nature of the remaining undeveloped lands, the need for a Master Environmental Servicing Plan is not necessary. The work that was undertaken to prepare the Community Plan together with the material to be submitted with each development application will ensure that all infrastructure needs and environmental features are appropriately identified and planned for.

Block Plan/Community Design Plan Complete

- Once again the size, nature, and location of the remaining designated undeveloped lands in Schomberg do not necessitate a Block Plan or similar process. The Community Plan includes a series of design policies and the Township has recently supplemented the design policies with design guidelines for the village core, and is finalizing a set of design guidelines for employment and institutional lands.

Housing Supply – within 3-7 year Draft Approved Supply (OP Policy)

- Due largely to servicing constraints, the Township of King has less than a 3 year supply of draft approved or registered lots.
- The Township's 2006 Vacant Land Inventory Report identified that as of January 1st, 2006 there were only 3 vacant lots which were either registered or draft approved in the Schomberg community.

With respect to the planning tools identified in the Region's protocol we offer the following:

Monitoring in Place

- The Township of King has implemented and utilized monitoring by-laws for the Schomberg Community since the introduction of sanitary sewers. The Schomberg Allocation By-law Monitoring system is in place and operational for both sewer and water.

Section 34(5) By-law in Force

- The Township of King has passed a Section 34(5) by-law, being By-law 2006-89.

Holding By-law and Provisions in Official Plan

- The Schomberg Community Plan includes provisions of Section 36 of the Planning Act to zone lands for their intended purpose and further impose a holding provision by use of the Holding Symbol "H" where lands are:
 - designated Commercial but may be readily serviced by municipal water supply and sewage services.
 - designated industrial but may be readily serviced by municipal water supply and sewage services
 - designated industrial and development is to occur by registered plan of subdivision
 - designated Residential and a plan of subdivision has received draft plan approval.
 - designated Medium Density Residential and a plan of condominium has received draft plan approval or proceeds by Site Plan.
 - provided all provisions of the Community Plan must be met.

Willingness to enter into no-presales agreement

- The Township will require and the various development applications which are ready to proceed to draft plan approval are agreeable to restrict the sale of individual lots until such time as servicing is available. This would be achieved via separate agreement or subdivision agreement.

Conditions Included in Draft Plan Approval

- The necessary draft plan conditions related to detailed infrastructure triggers will be incorporated as needed.

- Upon adoption of the Township policy on servicing allocation the provision of a review / lapsing clause(s) to ensure DA remains relevant to existing policies and infrastructure expectations will be included.

We trust the above addresses your needs. We will forward to you early in the new year our servicing allocation policy for the Schomberg community. If you have any questions or concerns with the above, please do not hesitate to contact the undersigned or Mr. Ritacca here at the Township offices.

Yours truly,

A handwritten signature in black ink, appearing to read 'Stephen Kitchen', with a long horizontal flourish extending to the right.

Stephen Kitchen
Director of Planning