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AMENDMENT NO. 57, TOWNSHIP OF KING NOBLETON COMMUNITY PLAN

The Planning and Economic Development Committee recommends the following:

- 1. The presentation by Paul Belton, Principal Planner, be received;**
- 2. The following communication be received:**
 - a) Paul E. Johnston, Kentridge Johnston Limited, on behalf of Arne Fors, property owner in the Township of King;**
- 3. The following deputations be received:**
 - a) Nancy Hopkinson, President, Nobleton Alert Residents Association, Inc.; and communication dated January 7, 2004;**
 - b) R.J. Martin, Township of King, resident;**
- 4. The recommendations contained in the following report, December 16, 2003, from the Commissioner of Planning and Development Services, be adopted:**

1. RECOMMENDATIONS

It is recommended that:

1. Regional staff issue the Notice to approve Amendment No. 57 to the Township of King Official Plan, as adopted by the Township on May 12, 2003, subject to the modifications set out in *Attachment No. 1* to this report.
2. The Regional Finance Department be directed to prepare a further report outlining the options for payment of road, water, sewer, transit and general services development charges comparing uniform and site specific rates.
3. The Regional Commissioner of Planning issue the Notice of Decision only once the issue of area specific versus uniform rate is resolved by Regional Council resolution.

2. PURPOSE

The purpose of this report is to:

- Provide the historical context of the Nobleton community and rationale for a new Community Plan.
- Evaluate the Community Plan policies against Regional Official Plan criteria.
- Assess the financial implications of the proposed municipal servicing scheme for Nobleton.

3. BACKGROUND

3.1 History of the Community

Nobleton is a community whose history can be traced back nearly 200 years to the four corners at the intersection of Highway 27 and King Road. The settlement is named after Joseph Noble, who opened a general store to become one of the first shopkeepers in the area. Growth in Nobleton during the 1800's and early 1900's was concentrated at its core, with some development occurring north and south along Highway 27.

A period of growth starting in the 1960s began to change the community by introducing large-lot subdivisions characterized by wide lots and large homes. Subdivision development occurred adjacent to Highway 27, northward from King Road.

In 1970 the King Township Official Plan was approved establishing the Nobleton Community boundary and planning area which now comprises approximately 1,450 hectares (3,583 acres) of land bounded on the east and west by the 8th Concession Road and the 10th Concession Road, respectively, on the north by the 15th Sideroad, and on the south by the King-Vaughan municipal boundary.

The area can be described as three concentric bands of development: 1) the historic village core centred at Highway 27 and King Road; 2) a ring of subdivisions, and limited commercial and industrial uses forming the outer edge of the community's urban area, and; 3) the surrounding rural and agricultural area extending to the planning area boundaries.

The planning area has an approximate population of 3,490 residents and 930 jobs, based on 2001 census and employment survey data. Development is serviced by municipal water supply and private sewage treatment systems.

3.2 History of the Community Plan

In 1990 King Township initiated a background study for the Nobleton planning area to build a framework for a new updated community plan with the possibility of providing for some additional growth.

In 1993 a Settlement Capability Study commenced to determine a range of suitable sanitary servicing schemes to address, in part, problems with existing septic systems in the community. Significant problems were found with the septic systems; soils and drainage conditions were problematic for maintenance and installation, and therefore a Class Environmental Assessment process for servicing was recommended.

In 1997 King Township completed a growth management study that projected a 20-year population and employment target of 6,000 to 6,500 residents and 1,605 jobs for Nobleton.

In October 1997 King Township adopted the new Community Plan (OPA 57) to guide development to 2016.

In May 1998 the Township and Region engaged Gartner Lee and RV Anderson Associates Limited to seek local swage treatment options that included the prospect of a stand-alone sewage treatment plant to serve the projected growth in Nobleton. On October 19, 1999 King Township endorsed a stand-alone sewage treatment plant as the preferred sanitary servicing scheme and it was subsequently adopted by Regional Council on December 9, 1999.

In September 2001 Regional Planning staff forwarded to King Township a suggested list of modifications to OPA 57 regarding land uses located outside of the urban area boundary, incorporation of a trail system, enhanced environmental policies and phasing of development.

In July 2003 King Township endorsed Regional Planning's September 2001 suggested modifications and put forward some additional modifications that included:

- a reduction in the average low density residential density from 12 uph to 5 uph.
- criteria to provide for an increase in residential density up to 12 uph on a site-specific basis.
- deferral of land use designations and policies impacted by the Oak Ridges Moraine Conservation Plan, pending completion of the Township's conformity exercise.

3.3 The Community Plan

The intent of the Community Plan is to support and enhance the ability of Nobleton to function and continue to grow as a local centre to 2016. Maintaining the existing character of the community as it grows is a key principle, and is an important theme of the Community Plan.

Key elements of the Community Plan are:

- provision for full municipal servicing
- a 2016 urban serviced population of approximately 6,500 persons
- additional employment lands totalling 21.5 hectares (53 acres)
- development form and design that is compatible with existing built-up areas, and introduction of housing mix and new types
- approximately 160 hectares (395 acres) for new residential development.

3.3.1 Structure of the Community Plan

The Community Plan establishes an "Urban Area" boundary that permits the existing built up area to expand in the four quadrants centred around King Road and Highway 27. Lands located outside of the "Urban Area" boundary are to remain designated for agricultural or rural purposes. The land use plan is attached as "*Schedule A- Attachment No. 2*" to this report.

Outlined in the Community Plan is a set of policies for residential neighbourhoods, commercial activity, industrial and employment lands, natural environment and the surrounding countryside. A brief description of each follows.

Residential

The residential policies of the plan are designed to accommodate a doubling in population from approximately 3,000 to 6,500 (100⁺ % increase) on a 50 % increase in land area, and to reflect the character of Nobleton's existing neighbourhoods. The plan establishes a target of 10 per cent multi-unit dwellings including triplexes and low-rise apartments.

Commercial

Commercial development is directed primarily to the Highway 27 corridor and the eastern stretch of King Road. The plan distinguishes three types of commercial land uses in these locations. These are: 1) "Village Core," located at and near the Highway 27 and King Road intersection; 2) "Commercial," located on the Highway 27 frontage north and south of the core, and; 3) "Highway Service Commercial," located on the south side of King Road at the eastern approach to Nobleton.

Employment

Approximately 21.5 hectares (53 acres) of land have been designated "Business Area" in the southeast quadrant of Nobleton. Permitted uses within this designation include light manufacturing, warehousing, service shops, and business and professional offices.

Natural Environment

Lands in the north and northeastern reaches of the Nobleton planning area are located on the Oak Ridges Moraine, and are designated "Settlement Area" under the Provincial *Oak Ridges Moraine Conservation Plan* (ORMCP). The "Settlement Area" designation permits a complete range of residential and employment uses. The Community Plan defers the land use designations and policies for the lands within the Moraine until the Town completes its conformity exercise. Any and all development located within the boundaries of the Oak Ridges Moraine must comply with the provisions of the Oak Ridges Moraine legislation and Conservation Plan. An appeal has been filed for the land use designations and policies located on the Moraine.

Rural and Agricultural

The "Rural Area" and "Agriculture Area" designations of the Community Plan comprise the majority of the lands located outside Nobleton's urban boundary. Permitted land uses within these designations mirror the rural and agriculture area policies of the Regional Official Plan, are intended to maintain the rural character of Nobleton, and preserve and enhance the viability of farm operations.

Transportation

King Road, Highway 27, Township roads, local roads and extensions to local roads will serve proposed development within the "Urban Area". Connections of local roads to arterial Township roads would only be permitted if need is demonstrated by a transportation analysis submitted at the block plan approval stage. If a transportation analysis concludes a road connection is needed, policies of the Community Plan require design of the road to protect environmental areas including any valleylands and woodlots.

The Township of King has deferred an original policy that contemplates a road crossing of the Humber River and connection to the 8th Concession Road.

3.4 Comments from Circulated Agencies

Modifications proposed by the Ministry of Municipal Affairs and Housing have been included in the Community Plan. The Ministry had advised that a decision on the Plan should await resolution of the servicing scheme.

The York Region Public School Board, York Region Roman Catholic School Board, and the Toronto Region Conservation Authority have each indicated no objection to the approval of the amendment.

Modifications requested by the Regional Transportation and Works Department have been included in the Transportation section of the Community Plan. Any road improvements required along King Road and Regional Road 27 will be implemented at the plan of subdivision stage.

4. ANALYSIS

The Nobleton Community Plan was formulated after a clearly defined planning process that included extensive public and agency consultation and is consistent with the regional structure and growth management policies of the Regional Official Plan. The Plan achieves:

- Provision for full municipal services to the entire urban area.
- Introduction of housing mix and new housing types.
- A linked open space system that connects parks, schools, valleylands and other natural areas.
- Urban design policies for the core area.
- Land use policies that replace existing policies dating back to 1970.

Section 5 of the Regional Official Plan, Regional Structure and Growth Management, contains a series of policies establishing where and how growth will occur in the Region. It provides, among other things, policies to guide growth for a hierarchy of built up areas including hamlets, towns and villages that include local centres, urban areas and Regional centres. It provides policies for community building, provision for servicing, and growth management on an area municipal basis.

The majority of growth within York Region occurs within the “Urban Area” that is depicted as an “inverted T” on Map 5 of the Regional Official Plan. Outside of the inverted “T” development is encouraged within hamlets, towns, and villages.

Map 5 of the Regional Official Plan shows the community of Nobleton as a “Town and Village” and the community is identified as a local centre by policy 5.3.8 that states:

- 5.3.8 “That area municipalities be supported in their planning for local centres of the communities of Sutton, Pefferlaw, Mount Albert, Holland Landing, Sharon, Stouffville, Nobleton, Schomberg, Kleinburg, Ballantrae/Musselman Lake and King City.”

Planning for the Nobleton community has followed a similar process to many of the communities noted above. The Township has completed a community visioning exercise, apprised the community of various growth options through public meetings and open houses, completed a growth management study, an environmental assessment, and adopted the Plan at a formal Public meeting. Regional staff have worked with local staff on the servicing options and on the policies of the Community Plan.

The Community Plan provides a rounding out of the community, full municipal services, and a moderate amount of growth that is consistent with the Township’s Growth Management Study. The Plan provides for a doubling of the population on less than half the amount of land used to accommodate the 3,000 residents within the existing built up area.

4.1 Community Building Policies

In planning for “Towns and Villages”, policy 5.2.8 of the Community Building policies of the Regional Official Plan requires that growth be governed by secondary plans based on the following criteria:

1. *sewer and water services are available to accommodate the proposed growth*
Since the inception of the Region in the early 1970’s, community plans providing for municipal services by either a stand alone treatment plant or connection to the YDSS have been approved for the communities of Stouffville, Kleinburg, King City, Ballantrae-Musselman Lake, Mt. Albert, and Sutton. Similar to these communities, the Nobleton Community Plan provides for full municipal services. Servicing infrastructure will be designed and constructed to serve a 2016 population of approximately 6,500 residents and related employment uses.

Wastewater Servicing

The 30-day public review period for the Environmental Assessment ended on July 26, 2003 with no “bump-up” requests. The preferred design concept is a sewage collection, sewage pumping station and wastewater treatment plant discharging into the main branch of the Humber River. Regional infrastructure includes the wastewater treatment plant and outfall, pumping station, forcemain and trunk sewer. The Township of King is responsible for the local collection system.

Water Supply

The existing municipal water supply for Nobleton is provided from large-capacity production wells that draw groundwater from a regionally extensive aquifer, and has the capacity to serve approximately 5,000 residents. A population beyond 5,000 will require infrastructure improvements including additional wells, a new elevated tank and connecting watermain, and improvements to the existing wells.

Ongoing studies of the Regional aquifer system suggest that adequate water resources can be made available to service the long term needs of the community subject to completion of detailed studies to develop and assess the sources. Plans are in place to begin the process of developing the new wells in 2007 with the intent of providing service by 2011.

The required capital works, timing and financing for these facilities is discussed in Section 5 of this report.

2. *the planning area is sufficiently large to take a long-term view of the community*
The planning area comprises 1,459 hectares (3,583 acres). This includes the existing built-up area of Nobleton, approximately 160 hectares (395 acres) for new residential development, 21.5 hectares (53 acres) of employment lands, and the surrounding rural and agricultural area.

The amount of land designated for new development is sufficient to accommodate the 2016 targets for population and employment growth in Nobleton.

3. *the plan considers the entire town or village and integrates the new development into the existing community*
The Community Plan provides land uses designations and policies for the village core, the balance of the urban envelope, and the surrounding rural and agricultural areas. New development areas are immediately adjacent to existing built-up areas, representing a logical progression of development within the community.
4. *the development provides for a range of housing types in the community at overall transit-supportive densities*
The proposed density, 5 to 12 units per hectare, will be reviewed to determine if intensification can occur within the urban serviced area 5 years from the approval of the Plan. The proposed density is at the low end of the scale due to the need to provide lots that are compatible with large lot development on private services. As development shifts from private services to full municipal services there is an opportunity to introduce higher densities, over time.

The residential policies of the community plan are designed to increase the range of housing types by providing 10 per cent of the housing stock as townhouses and/or low-rise apartments.

Modifications to the Plan, set out in *Attachment No. 1*, require review in 5 years to determine consistency with Township and Regional Official Plan policies. This includes provision for a mix of housing types at various densities.

The existing and planned development patterns of Nobleton do not preclude the possibility of specialized transit services for the elderly or those with disabilities. Currently, GO transit and the Bolton GO Bus Service, service the community of

Nobleton. It is anticipated that GO Transit will continue to serve the Nobleton community until such time as it becomes feasible for York Region Transit to assume the service.

5. *community design to support the system of centres and corridors as identified in this Plan*

Nobleton functions as a local centre for King Township. Local centres provide a focal point for residential, employment, commercial, institutional and community uses but are not expected to develop as intensely as urban centres. The Nobleton Community Plan provides policies that maintain the community's role of a local centre and provide opportunity for additional growth at higher densities.

Regional policies direct more intense development with higher densities to the four Regional Centres, the Highway 7 and Yonge Street corridors and the urban centres that are dispersed throughout the "Urban Area" designation.

The Nobleton Community Plan is consistent with the community building policies of the Regional Official Plan.

4.2 Modifications

The community of Nobleton will evolve, over time, as a balanced community that provides a mix of land use designations and a range of housing types at various densities. To ensure that the community grows in a manner that is consistent with Township and Regional Official Plan policy, the Community Plan shall be reviewed 5 years from its approval date, to determine consistency with policies that promote a mix and range of housing. Should additional servicing capacity become available any new development shall be directed to the "Urban Area" and, if feasible, used for the purpose of intensification. These requirements are set out in modifications 1 and 3 in *Attachment No. 1* to this report.

The proposed modifications listed in Attachment No. 1 are designed to:

- Provide a mechanism through a 5 year review to permit increases in density.
- Permit a range in density for low density development.
- Ensure the servicing infrastructure is built at the cost of the developers.
- Establish need prior to local roads being extended and connected to arterial roads.

4.3 Appeal

In a letter dated October 22, 2003 Davies Howe Partners appealed portions of OPA 57 that are located on the Oak Ridges Moraine. The appeal was filed because of the Region's failure to issue notice of decision within 90 days from the date it was received. The Region received the adopted amendment in 1997 and staff were awaiting finalization of the Environmental Assessment prior to issuing a Notice of decision.

In November 2003 the appeal was forwarded to the Ontario Municipal Board by Regional staff. The land use designations and policies that affect lands located on the

Moraine are now before the OMB. The letter of appeal is attached as *Attachment No. 3* to this report.

4.4 Relationship to Vision 2026

The Nobleton Community Plan contains policies that advance two key Vision 2026 goal areas: 1) “*Managed and Balanced Growth*”, and; 2) “*Infrastructure for a Growing Region*.”

In keeping with “*Managed and Balanced Growth*,” the Community Plan provides for additional development in a manner that respects the existing character of the community and enhances business and housing opportunities.

Growth is based on full municipal servicing which facilitates the goal of “*Infrastructure for a Growing Region*.” The construction of a stand-alone municipal sanitary sewage treatment facility will improve the community’s existing servicing situation that is now on individual private sewage treatment systems.

5. FINANCIAL IMPLICATIONS

The following is a summary of the fiscal impact analysis, which is attached in its entirety as *Attachment No. 4* to this report.

The proposed development within the Nobleton Community Plan will not adversely impact the Regional tax rate (tax levy). The development proposed should generate road development charge revenues of approximately \$4.4 million, transit development charge revenues of approximately \$1.7 million and water development charge revenues of approximately \$3.6 million.

Future development within the Nobleton Community plan is dependent on the availability of municipal sanitary sewers and a treatment facility. The Regional requirements include the construction of the wastewater treatment plant and outfall, pumping station, forcemain and trunk sewer. The cost of Regional works is approximately \$11.7 million. The proposed development should generate wastewater development charge revenues of approximately \$3.6 million. A provision has been included in the current DC By-law to incorporate the cost of the sewage infrastructure upon approval of the Nobleton Community Plan. This would result in an increase in the uniform Region-wide rate of \$34 per single family dwelling.

An analysis was undertaken by C.N. Watson and Associates Limited regarding the development costs associated with the community. Based on this analysis, preliminary discussions with a landowner in the Nobleton Community have been held to discuss financial arrangements, to pay for the required infrastructure. One option is to implement an area specific charge for the Nobleton Community. The area specific development charge would include the growth related cost of the regional infrastructure required. The developer would absorb the non-growth cost for the provision of the sewage infrastructure and recover growth costs through the area specific development charge

applied to the development in the community. An amendment to the DC By-law would be required to eliminate the Region-wide rate increase. Staff is currently reviewing this alternative and will seek Council authorization to proceed with this option if staff determines that this option is beneficial to all stakeholders.

As the developer has agreed to pay the costs of the servicing infrastructure for growth and non-growth, a decision on a site specific development charge or a region wide charge can be addressed in a subsequent report from the Finance department.

Modification No. 4 set out in *Attachment No. 1* requires that prior to major development occurring a Pre-paid Development Charge Credit Agreement shall be executed between the Region and the Nobleton landowners/developers. The agreement will address all costs for sewer, water, and road infrastructure improvements.

It is recommended that because approval of the Plan triggers the rate increase, issuance of a Notice to approve the Plan be held until a further report on area specific versus uniform charge is resolved. Finance is intending to report to Committee in February 2004. Notice of approval should proceed by February 28, 2004 at the latest.

5.1 Next Steps

Consensus between the Region, Township, landowners/developers and residents is essential to ensure that the vision for Nobleton takes place and the community is developed in accordance with the policies of the Plan. The following points establish a framework to implement the Plan:

- i. Approval of the Community Plan and/or resolution of any appeals to the OMB.
- ii. Identification of Nobleton land owners/developers who express an interest in pre-paying development charges to finance and accelerate the timing of infrastructure necessary to service existing and proposed development.
- iii. Establishing principles for a Pre-paid Development Charge Credit Agreement between the land owners/developers, Region and Township and endorsement by Regional Council of the principles.
- iv. Identifying benefits and costs (if applicable) to the existing Nobleton homeowners regarding servicing infrastructure.
- v. Execution of the Pre-paid Development Charge Credit Agreement and/or any other necessary agreements.

6. LOCAL MUNICIPAL IMPACT

The Nobleton Community Plan represents additional residential and employment growth for King Township. The recommendations of this report are consistent with the position of King Township, which adopted the Community Plan in 1997, and provided further modifications in 2003.

Staff from the Township agree with the proposed modifications outlined in *Attachment No. 1* to this report.

7. CONCLUSION

Nobleton is a community of approximately 3,500 residents that has evolved slowly from its historic four corners at the intersection of King Road and Highway 27. The Nobleton Community Plan, OPA 57, will provide for more housing choices on full municipal services for a projected population of approximately 6,500 residents by 2016.

It is recommended that Notice be issued to approve OPA 57 to the Township of King Official Plan, subject to the modifications set out in Attachment No. 1 to this report. The Regional Finance Department should bring forward at the earliest opportunity a report that outlines the principles of a Pre-paid Development Charge Credit Agreement.

The Senior Management Group has reviewed this report.

(A copy of the attachments referred to in the foregoing are included with this report and are also on file in the Office of the Regional Clerk.)