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TOWNSHIP OF KING OFFICIAL PLAN AMENDMENT NO. 65

The Planning and Economic Development Committee recommends the following:

- 1. The deputation and communication by Debbie Schaefer, Chair, Concerned Citizens of King Township and the communication from Fiona Cowles, CCKT, September 1, 2008, be received;**
- 2. The communication from Jane Underhill, King City, September 1, 2008, be received; and**
- 3. The recommendation contained in the following report dated July 18, 2008, from the Commissioner of Planning and Development Services, be adopted:**

1. RECOMMENDATION

It is recommended that:

1. The Commissioner of Planning and Development Services be authorized to give notice to modify and approve Amendment No. 65 to the Official Plan of the King Township Planning Area, as set out in *Attachment No. 1* to this report.

2. PURPOSE

This report recommends the modification and approval of the Township of King's Official Plan Amendment 65 (OPA 65). The proposed modification to the Amendment includes sustainable community objectives. This report also informs Regional Council of the issues raised by the local residents and ratepayers group.

3. BACKGROUND

The purpose of Official Plan Amendment 65

The application for Official Plan Amendment (OPA) 65 was received by Township staff in February 2006. The application applies to the “Special Study Area” (SSA) lands located east of Keele Street and immediately north of the King-Vaughan line, in the community of King City (Figure 1).

Figure 1 – Study Area

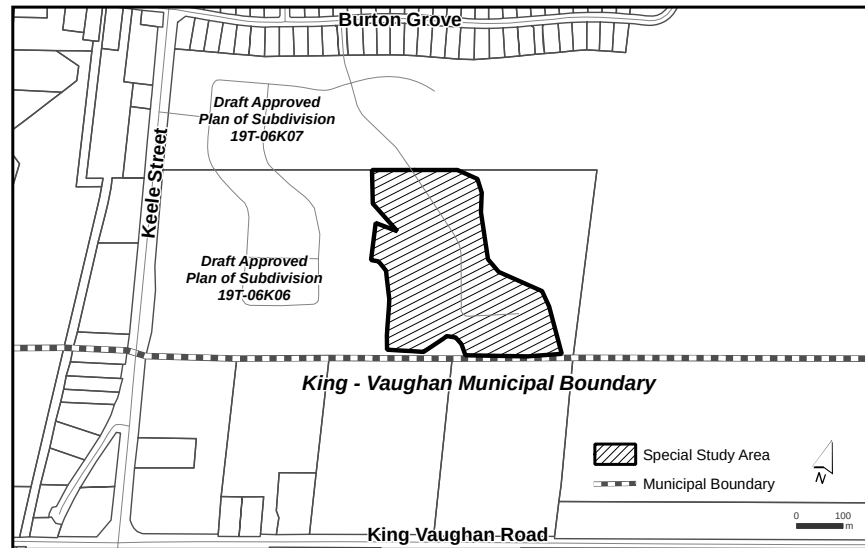
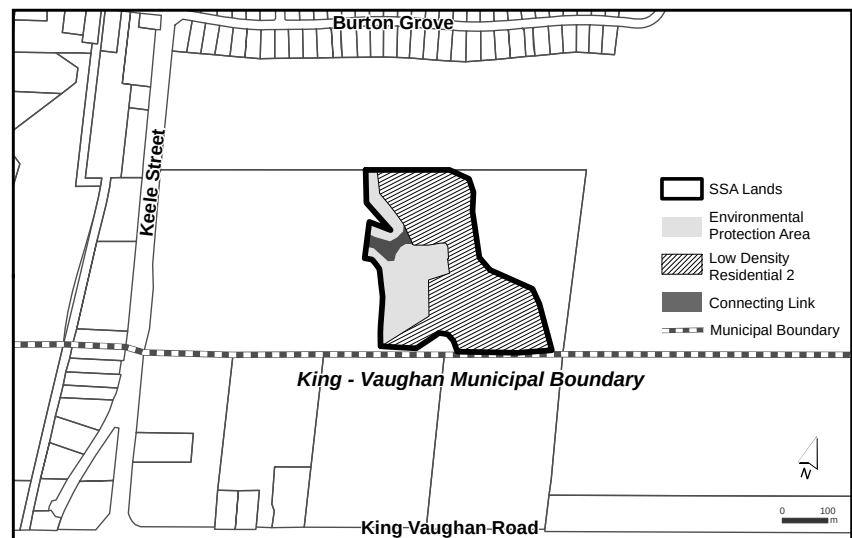


Figure 2 – Land Use Designations

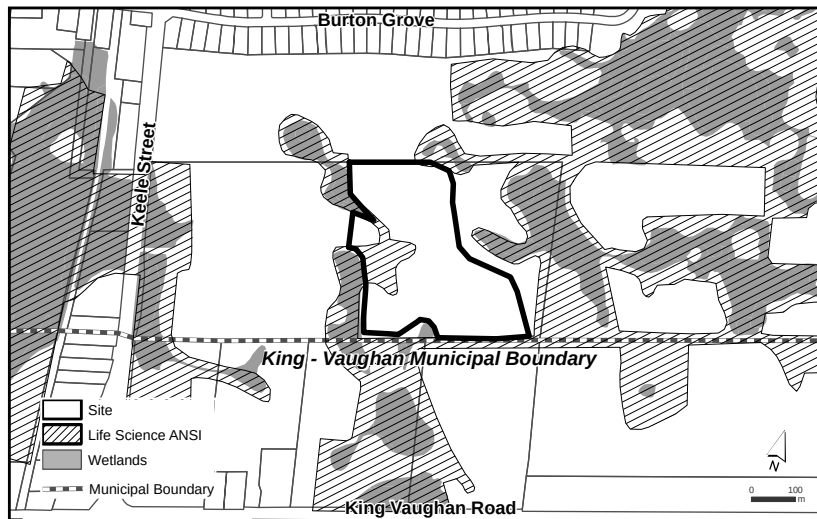
The purpose of the Amendment is to redesignate approximately 10.6 hectares located in the southeast quadrant of the King City community from “Special Study Area” (SSA) to “Low Density Residential 2 Area” and “Environmental Protection Area”, and add specific policies with regard to protection of the “Environmental Protection Area” (Figure 2).



Surrounding land uses and environmental features

Figure 3 – Provincially Significant Wetlands & Areas of Natural or Scientific Interest

The subject lands are largely agricultural lands with some broken hedgerow development along fence lines. Environmental features surrounding the subject lands include the provincially significant wetlands and areas of natural or scientific interest (*Figure 3*), and “Natural Core Area” to the east (as shown on *Figure 4*, on page 4). A pair of Great Blue Herons was identified nesting east of the subject lands, within a wetland unit.



Special Study Area

The subject lands are located within the King City Community Plan, which was approved by the Ontario Municipal Board (OMB) in January 2000. The King City Community Plan (KCCP) delineates the subject lands as a “Special Study Area” (SSA), due to the surrounding natural environment. The SSA designation and related policies required additional detailed study prior to assigning any land use designation. The designation of the SSA lands was to be determined through an Official Plan Amendment and “established after a detailed review of the functions of the SSA with respect to the adjacent lands in the Environmental Protection Area.”

King City East Functional Servicing and Development Area Study (FSDAS)

On January 31, 2006 Malone Given Parsons Ltd submitted a Functional Servicing and Development Area Study (FSDAS), for the King City East lands which include the subject lands. The Study consists of land use concept analysis, environmental analysis, servicing analysis, transportation management, design strategy, noise and vibration analysis, and heritage and archaeological resource inventory and analysis.

The FSDAS states that “the main functions of the Special Study Area are to provide a wildlife movement connection between the wetlands to the west and the larger natural

area to the east as well as a buffering function between the proposed new development and the functions of the natural system (including the heronry).” The FSDAS proposes portions of the “Special Study Area” be re-designated for development and includes appropriate environmental buffers, minimum vegetation protection zones, open space corridors, and linkages.

Several public open house meetings were held in 2006 and 2007 to hear public comment of the FSDAS. The FSDAS received conditional approval by King Township in October 2007, subject to various conditions being satisfied, such as a phasing plan, additional environmental information, and specific to this application “any related Official Plan Amendments required in relation to the development concept proposed by the FSDAS”. Approval of OPA 65 would satisfy this condition.

4. ANALYSIS

Official Plan Amendment 65 is consistent with the Provincial Policy Statement (2005), Places to Grow, and the Regional Official Plan. The Amendment has gone through a full public process at the local level. The Toronto and Region Conservation Authority has reviewed the Amendment and advised it has no objection to its approval, and on this basis Regional staff are satisfied that OPA 65 complies with the policies of the Oak Ridges Moraine Conservation Plan.

Noted below is a brief summary of Provincial and Regional policies and their application to this Amendment along with staff’s proposed modification to OPA 65.

Provincial Policy Statement, 2005 (PPS)

The PPS (2005) provides policy direction on matters of provincial interest related to land use planning and development. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural environment.

Section 2.1.2 of the PPS states that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas surface water features and groundwater features.

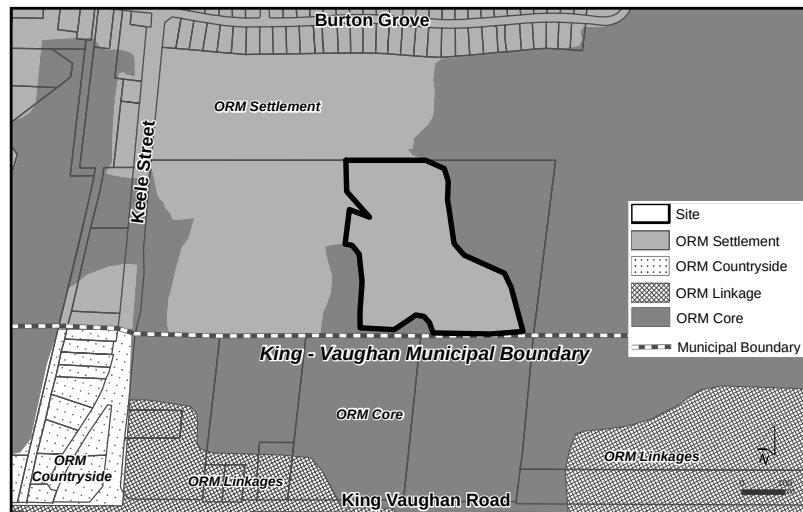
OPA 65 policies protect environmental features and functions by providing buffers, and open space corridors and provisions to minimize displacement and disruption of vegetation and wildlife. Official Plan Amendment 65 is consistent with the Provincial Policy Statement specifically outlined in Section 2.1.2.

Oak Ridges Moraine Conservation Plan

The subject property is located on the Oak Ridges Moraine; the Oak Ridges Moraine Conservation Plan (ORMCP) provides land use and resource management planning direction on protecting the Moraine's ecological and hydrological features and functions.

Figure 4 – Oak Ridges Moraine Designations

The ORMCP designates the subject lands “Settlement Area” (*Figure 4*). “Settlement Areas” are designated for urban-type development and permit a range of residential, commercial, industrial and institutional uses. Development in the “Settlement Area” is to be concentrated such that impacts on the ecological and hydrological features and functions of the Plan area are minimized.



Through the Functional Servicing and Development Area Study and the resulting OPA 65, these objectives have been maintained.

Places to Grow

Official Plan Amendment 65 is subject to the requirements of the Province's Places to Grow (Growth Plan), which came into effect on June 16, 2006. The purpose of the Growth Plan is to manage growth in the Greater Golden Horseshoe until 2031.

One of the guiding principles of the Growth Plan is to provide for different approaches to manage growth that recognizes the diverse nature of communities within the Greater Golden Horseshoe. The subject lands are designated “Greenfield Areas” in the Growth Plan. Section 2.2.7 provides density targets for “Greenfield Areas”, being no less than 50 residents and jobs combined per hectare which are to be calculated across the entire designated “Greenfield Area” of the upper-tier municipality.

Official Plan Amendment 65 has been undertaken as an Amendment to specifically implement the “Special Study Area” provisions of the King City Community Plan and reflects the density schedule of the approved Community Plan, in particular the approximate 5 units/ha (15 persons/ha).

Regional Official Plan

The subject lands are designated “Towns and Villages” on Map 5 of the Regional Official Plan. OPA 65 is consistent with policies in the Regional Official Plan and the King City Community Plan.

Review of environmental features by the Conservation Authorities

In the late 1990’s, the Province delegated Plan Review to the upper-tier and local municipalities. In 2000, the Regional Municipality of York and the Conservation Authorities executed a Memorandum of Understanding (MOU) to respond to the transfer of Provincial Plan Review responsibilities. Based upon the MOU, Regional staff has relied upon the environmental expertise of the Conservation Authorities to evaluate the environmental background studies submitted in association with Official Plan Amendments and plans of subdivision.

Official Plan Amendment 65 includes mitigation measures, to the satisfaction of the Toronto and Region Conservation Authority

The Toronto and Region Conservation Authority (TRCA) has indicated that, with the submission and their review of the Functional Servicing and Development Area Study, the requirements for a detailed study of the function of the Special Study Area within the context of the adjacent Environmental Protection Area lands has been met. TRCA staff is satisfied with the environmental buffers and proposed development configuration within the Special Study Area.

The following provisions are included in OPA 65:

- A 30 metre wide buffer is provided from the staked natural features limit on the subject property.
- A 130 metre buffer is established between the heronry to the east and the proposed development. Provisions, such as timing and proximity of construction, are included to avoid disruption during the Great Blue Heron breeding season.
- An open space corridor is provided along the southern edge of the development which links the larger natural features block in the east with the wetland complex to the west along Keele Street.
- All of the wetlands around the subject lands have a 30 metres Minimum Vegetation Protection Zones (MVPZ).

Further enhancements of the natural heritage system are proposed through the Tree Conservation and Planting Plan, in keeping with the intent of the King City Community Plan

Community design considerations and proposed modification

The Region has recently completed a “Best Practices for New Communities” report dealing with sustainable practices in communities across Canada, and elsewhere in the world. Given its unique location and attributes, the proposed development provides an important opportunity to implement sustainable community objectives. Therefore the following modification is proposed to be included in OPA 65:

“Sustainable community objectives shall be implemented, through the plans of subdivision, zoning by-laws and site plan control (as appropriate). This will include a neighbourhood design that supports cycling and walking; ensures neighbourhood connectivity to the broader community; transit opportunities; water/energy efficiencies, and energy alternatives; and “green” building design and site development.”

Issues raised by ratepayers groups

On June 20, 2008, the Region received a letter from “Concerned Citizens of King Township Inc.” (CCKT), (*Attachment 2*). On June 30, 2008, the Region received a letter from Ms. Virginia Atkins (*Attachment 4*). The issues raised and the responses to these issues are set out in Attachment No. 5. Although a variety of issues are identified, the primary issue deals with the environmental conditions and, in this respect, Regional staff relies upon the environmental expertise of the Conservation Authorities. The Toronto and Region Conservation Authority has reviewed the King City East Functional Servicing and Development Area Study and the Amendment and have no objection to its approval.

5. FINANCIAL IMPLICATIONS

No financial implications

Approving Official Plan Amendment 65 will have no direct financial implications affecting Regional budgets.

6. LOCAL MUNICIPAL IMPACT

Official Plan Amendment 65 was adopted by the Township of King on June 2, 2008. The recommendation of this report is consistent with the position of the Township.

The landowner has entered into a Municipal Capital Facilities Agreement with the Township to secure portions of the currently available interim sanitary servicing capacity and pro-rata shares of the currently available water servicing capacity. The Agreement also includes commitments by both the Township and participating landowners in regard

to the timing for the processing of the applications and the provisions of the services, funds, etc. to the Township.

7. CONCLUSION

The subject lands are located within the King City Community Plan (OPA 54) and on the Oak Ridges Moraine. The Oak Ridges Moraine Conservation Plan designates the subject lands “Settlement Area” and the Regional Official Plan further designates the lands “Towns and Villages.”

Official Plan Amendment 65 proposes to redesignate approximately 10.6 hectares located in the southeast quadrant of the King City community from “Special Study Area” to “Low Density Residential 2 Area” and “Environmental Protection Area”, and adds specific policies with regard to protection of the “Environmental Protection Area”.

The OPA is consistent with Provincial and Regional policies, and the Toronto and Region Conservation Authority has reviewed the environmental studies submitted by the applicant and is satisfied the proposal complies with applicable Provincial Plans.

For more information on this report, please contact Maria Leonis, Planner, at (905) 830-4444, Ext. 1568 or Heather Konefat, Director, Community Planning, at Ext. 1502.

The Senior Management Group has reviewed this report.

(The five attachments referred to in this clause are included with this report.)