

**WESTON
CONSULTING**

planning + urban design

Regional Municipality of York
17250 Yonge Street, 4th Floor
Newmarket, Ontario
L3Y 6Z1

September 9, 2020
File 9549

Attn: Chris Raynor, Regional Clerk

**RE: York Region Committee of the Whole Report H.2.3
Draft Township of King Official Plan – Our King (2019)
13065 & 13075 Highway 27, Township of King**

Weston Consulting is the planning consultant for Kindome Investments Ltd., the owners of 13065 and 13075 Highway 27 in the Township of King (herein referred to as the “subject lands”). The purpose of this letter is to provide comments and feedback on the proposed York Region Modification to the Our King Official Plan (File no. OP-2013-03). Specifically, this letter reiterates our opinion that the proposed heritage policies outlined in Section 3.7.4.4 of the Draft OP is unduly restrictive and contradicts the important role and function of a Heritage Impact Assessment (HIA).

On February 4, 2020, Weston Consulting submitted a letter to Paul Freeman, Chief Planner at the Regional Municipality of York, to provide feedback on the Township of King’s Council Approved Draft Official Plan – Our King (Draft OP) dated September 2019. This letter identified our support for a number of changes affecting the *Village Core* policies including intensification, building height, land use compatibility, and public realm provisions. At the same time, our letter expressed concern related to the wording of Section 3.7.4.4. As written, Section 3.7.4.4 requires listed heritage buildings to be incorporated when development or redevelopment occurs, which assumes all listed heritage buildings have sufficient cultural value to warrant retention. However, an HIA is the primary tool used to determine the cultural value of a building and this policy undermines function of a HIA. Our letter requested modification to the policy to give greater weight to the function of a HIA when considering on-site retention.

On August 10, 2020 we submitted further correspondence to the Township of King in response to the Growth Management Services Department Staff Report to Committee of the Whole on the August 10, 2020. Once again, we reiterated our opinion that the proposed wording in Section 3.7.4.4 is unduly restrictive and contradicts the purpose of a HIA and requested the wording be amended to give greater weight to HIAs when considering appropriate conservation approaches.

Further to the above noted communication, we continue to be of the opinion that the assumptions under Section 3.7.4.4 - that all listed and designated heritage buildings have sufficient cultural value to prioritize on-site retention - will negatively impact the Town’s objectives of intensification within the *Village Core*. This evaluation of cultural value is premature and should ultimately be

determined by an HIA. As such, we respectfully request the Region recognize the important role and function of the HIA and that Section 3.7.4.4 be amended to provide greater emphasis on the HIA as an evaluation tool of cultural value and importance.

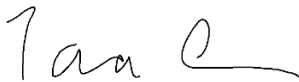
Weston Consulting and Kindome Investments Ltd. appreciate the opportunity to provide comments on the Township of King Draft Official Plan (Our King) as it related to the future development of the subject lands. We have attached both letters noted above which provide further detail on our opinion.

Should you have any questions or require additional information, please contact the undersigned at extension 320.

Yours truly,

Weston Consulting

Per:



Tara Connor, MCIP, RPP
Senior Planner

- c. Kindome Investments Ltd.
Ryan Guetter, Weston Consulting

Attachments:

- Weston Consulting Letter to Regional Municipality of York re: Draft Township of King Official Plan dated February 4, 2020
- Weston Consulting Letter to Township of King re: Draft Township of King Official Plan dated August 10, 2020



WESTON CONSULTING

planning + urban design

Regional Municipality of York
Community Planning and Development Services
York Region Administrative Centre
17250 Yonge Street, 1st Floor
Newmarket, ON L3Y 6Z1

February 4, 2020
File 9549

Attn: Paul Freeman, Chief Planner

**RE: Draft Township of King Official Plan (2019)
13065 & 13075 Highway 27, Township of King**

Weston Consulting is the planning consultant for Kindome Investments Ltd, the owners of 13065 Highway 27 (Parcel 2) and 13075 Highway 27 (Parcel 1) in the Township of King (herein referred to as the “subject lands”).

The subject lands are located on the east side of Highway 27, south of Norman Avenue in King Township. Parcel 1 has an approximate area of 2,018 m² (21,721 ft²), an approximate lot depth of 101 m (330 ft), and an approximate lot frontage of 21.4 m (70.3 ft) along Highway 27. Parcel 2 has an approximate area of 3071 m² (33,056 ft²), an approximate lot depth of 101 m (330 ft), and an approximate lot frontage of 40.3 m (132 ft) along Highway 27. The subject lands are currently occupied by a 1-storey detached dwelling (Parcel 1) and a 1-storey commercial plaza (Parcel 2) which maintain frontage along Highway 27.

The subject lands are currently bounded by single-detached dwellings to the east; a mix of 1 to 3-storey residential and commercial buildings to the south; a 2-storey commercial plaza to the north; and Highway 27 to the west.



Air photo of the “subject lands”

The purpose of this letter is to provide feedback on the Township of King's Council Approved Draft Official Plan – Our King (“Draft OP”) dated September 2019, which will be considered by Regional Council in April 2020. It is our understanding that the Township has initiated this Official Plan Review process to update the current Township of King Official Plan (1970) in order to more accurately reflect the Township's Schomberg (OPA 47), Nobleton (OPA 57), and King City (OPA 54) Community Plans. The Draft OP has been prepared to guide land use planning decisions in the Township of King to the 2031 planning horizon.

The subject lands are designated as *Village Core* per Schedule A (Land Use) of the 2005 Official Plan, and will remain designated as *Village Core* per Schedule D2 (Village of Nobleton Land Use Designations) of the Draft OP.

Our review of the Draft Official Plan has identified a number of policy changes affecting the *Village Core* land use designation and heritage preservation (Section 3.7.4.3), which will impact future development on the subject lands:

5.4 Village Core Designation

The village cores of King City, Nobleton and Schomberg are the focal points of commercial and mixed-use activity within the three village, and reflect the overall vitality of the surrounding communities.

5.4.1 Objectives

It is the objective of the Village Core to:

- 1. Provide for a wide range of commercial, residential, institutional, and complementary uses in a compact form, contributing to a vibrant “main street” feel.*
- 2. Ensure that development complements and supports the historic character of the Village Cores.*
- 3. Encourage the conservation of historic built form and cultural heritage resources, which are concentrated in our Village Cores.*
- 4. Encourage intensification in the Village Cores, in a manner that ensures intensification is compatible with the small-scale Village character and is compatible with adjacent land uses.*
- 5. Continually support the ongoing revitalization of the Village Cores and reinforce their role as the social, economic and cultural focal points of each of the Villages.*
- 6. Ensure that the individual and unique character of each Village Core area is maintained and enhanced*
- 7. Recognize that development and intensification in the Schomberg Village Core will be limited due to the Special Policy Area.*
- 8. Facilitate a creative economy and tourism through the permission of a wide range of complementary uses.*

9. Provide for an enhanced, predominately pedestrian-oriented public realm with high quality streetscapes, pedestrian amenities, amenities for cyclists and suitable public parking facilities that minimize the need for off-street private parking.

Section 5.4.1 facilitates intensification that is compatible with adjacent land uses and respects the historic, mainstreet character of the *Village Core*. Based on our analysis of Section 5.4.1, the policies contained therein provide sufficient flexibility to facilitate development and intensification on the subject lands. We are supportive of these policies which directly express an intent to revitalize and intensify the *Village Core* according to the principles of transit-oriented development.

5.4.3 Village Core Policies

It is the policy of Council:

1. *That the minimum height for new buildings shall be two functional storeys and the maximum height for new buildings is generally three storeys.*
2. *That development up to six storeys may be permitted, provided:*
 - a) *The building is located or tiered in height to minimize visual and shadowing impact on streets and public areas, and provides for appropriate transition with adjacent buildings;*
 - b) *The compatibility of the building with respect to adjacent low-rise residential areas and sensitive uses is addressed through the use of setbacks, buffers, angular plane requirements as well as the sensitive location of windows and balconies to minimize privacy impacts, as detailed in the implementing zoning by-law, detailed design guidelines, and through site plan control; and*
 - c) *The development does not exceed a floor space index of approximately 2.5, to ensure the density and scale of the development is suitable in the Village context.*

The intention of Section 5.4.3 is to provide details in how intensification shall be achieved in Nobleton, including establishing a *general* maximum building height of 3-storeys with the potential of up to 6-storeys in height, provided that negative impacts on surrounding areas are minimized. We are supportive of the policies in this section which provide for flexibility in building height within the *Village Core*.

5.4.3.6 Village Core Policies

6. *That the following factors shall be considered by the Township in determining whether a proposed development is compatible with existing adjacent low-density residential uses:*
 - a) *The depth of the lot under consideration;*
 - b) *The orientation of the abutting lots;*
 - c) *The height of the proposed building;*
 - d) *The location and orientation of parking areas and aisles;*
 - e) *The location and orientation of the dwellings on the abutting lots;*
 - f) *The height of the existing dwellings on the abutting lots;*
 - g) *The location and size of the windows in the proposed development;*

- h) *The nature of the uses of the yards on the abutting properties;*
- i) *The nature and health of the existing trees and the nature and location of proposed trees and vegetation that separate the proposed development from abutting land uses; and,*
- j) *The nature and location of existing and proposed fencing.*

Section 5.4.3.6 addresses how compatibility with adjacent low-density residential uses will be determined within the context of intensification in the *Village Core*. The policies provide sufficient clarity in determining land use compatibility, and allow for higher-density development and intensification on the subject lands. We are supportive of the omission of language specifically referring to a “predominant building type” in evaluating compatibility with adjacent low-rise residential uses, which will allow for a broader range of building types within the *Village Core*.

5.4.3.9 – 5.4.3.9.11 Village Core Policies

- 9. *That the provision of adequate and convenient off-street parking is recognized as a necessity in the promotion and enhancement of the Village Cores. To this end, Council shall encourage the coordination of existing parking facilities including the linkage of driveways and lanes for parking purposes. To the extent possible, new parking facilities should be coordinated and linked with existing parking facilities.*
- 10. *That the Township may consider reducing vehicular parking requirements in the Village Cores where shared parking is possible (on multiple properties and/or via on-street parking).*
- 11. *That the Township may consider updating the parking provisions of the Zoning By-law to not require additional on-site parking in circumstances where there is a change from one use to another within an existing building or to provide for reduced parking requirements in recognition of transit availability and/or public parking opportunities.*

The intention of Policies 5.4.3.9 to 5.4.3.11 is to facilitate a transit-oriented and pedestrian-friendly public realm by introducing the potential for a reduction the number of parking spaces within the *Village Core*. It is our opinion that Policies 5.4.3.9 to 5.4.3.11 may help facilitate intensification and higher-density development within the *Village Core*. We are supportive of these policies that contemplate a potential reduction in parking requirements, which may increase the developable area of lands within the *Village Core* while decreasing development costs, particularly as the narrow lot fabric within the *Village Core* is already a limiting factor on its development potential.

3.7.4.3 Heritage Impact Assessments

It is the policy of Council:

3. *To require developers, through subdivision and/or site plan agreements, to incorporate listed heritage buildings or sites where development or redevelopment occurs. All options for on-site retention of designated heritage properties shall be exhausted prior to consideration being given to relocation, in consideration of the Heritage Impact Assessment. The following alternatives shall be given due consideration in order of priority:*
 - a. *On-site retention in the original use and integration with the surrounding or new development;*
 - b. *On-site retention in an adaptive re-use;*
 - c. *Relocation to another site within the same development; and*
 - d. *Relocation to another appropriate site within the Township.*

The purposes of a Heritage Impact Assessment (HIA) is to determine the cultural and historical significance of a heritage resource, identify the impacts of a proposed development or alteration on the heritage resource, and recommend a conservation approach to best conserve the heritage resource while avoiding/mitigating any negative impacts to the resource that may result from the proposed development. We are of the opinion that the proposed heritage preservation policies are unduly restrictive while contradicting the purposes of the Heritage Impact Assessment.

A HIA recommends the conservation approach and/or mitigation measures to be taken, and does not prioritize any one approach over the other. Furthermore, on-site retention is required and prioritized as a conservation approach in the proposed heritage policies, which may become redundant in the event that an HIA deems a heritage resource to have no cultural or historical significance. We are of the opinion that cumulatively, the requirement and prioritization of on-site retention is an unrealistic expectation from the Township.

In addition, greater clarity is needed with regards to the wording in this section, as it is unclear in its distinction between listed vs. designated heritage properties. Section 3.7.4.3 switches between the two terms and is thus unclear whether listed heritage properties also have to be retained prior to consideration being given to relocation.

Weston Consulting and Kindome Investments Ltd. would like to reserve the right to provide further comments on the the final Township of King Draft Official Plan (Our King) as it relates to the future development of the subject lands, and request to be notified of any future reports, public meetings and decisions in relation to this matter.

Should you have any questions or require any additional information, please contact the undersigned at extension 320.

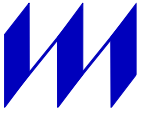
Yours truly,
Weston Consulting

Per:



Tara Connor, MCIP, RPP
Senior Planner

c. Kindome Investments Ltd.



**WESTON
CONSULTING**

planning + urban design

Township of King
Planning Department
King Township Municipal Office
2075 King Road
King City, ON L7B 1A1

August 10, 2020
File 9549

Attn: Kristen Harrison, Policy Planner

**RE: Draft Township of King Official Plan (2019)
13065 & 13075 Highway 27, Township of King**

Weston Consulting is the planning consultant for Kindome investment Ltd, the owners of 13065 and 13075 Highway 27 in the Township of King (herein referred to as the “subject lands”).

The purpose of this letter is to provide additional feedback on the Township of King’s Council Approved Draft Official Plan – Our King (“Draft OP”) dated September 2019. Specifically, this letter responds to Town comments related to a letter from Weston Consulting dated February 4th, 2020 and further requests clarification on the proposed policy change regarding the applicability of Heritage Impact Statements (HIA) in the Draft OP.

The subject lands are designated as *Village Core* per Schedule A (Land Use) of the 2005 Official Plan and will remain designated as *Village Core* per Schedule D2 (Village of Nobleton Land Use Designation) of the Draft OP. Our review of the Draft Official Plan identified a number of policy changes affecting the land use designation of the subject lands. In our letter, we expressed support for changes pertaining to maximum building height (5.4.3), land-use compatibility (5.4.3.6), and requirements for transit- and pedestrian-oriented public realm policies (5.4.3.9 to 5.4.3.11).

That said, our letter also expressed concern regarding Section 3.7.4.4 in the Draft OP:

3. *To require developers, through subdivision and/or site plan agreements, to incorporate listed heritage buildings or sites where development or redevelopment occurs. All options for on-site retention of designated heritage properties shall be exhausted prior to consideration being given to relocation, in consideration of the Heritage Impact Assessment. The following alternatives shall be given due consideration in order of priority:*
 - a. *On-site retention in the original use and integration with the surrounding or new development;*
 - b. *On-site retention in an adaptive re-use;*
 - c. *Relocation to another site within the same development; and*

d. Relocation to another appropriate site within the Township.

Our original letter expressed concern that the proposed heritage preservation policies are unduly restrictive while contradicting the purposes of the Heritage Impact Statement (HIA). Furthermore, we expressed concern that the requirement and prioritization of on-site retention is an unrealistic expectation from the Township and we requested greater clarity with regard to the wording in this section as it is unclear in its distinction between listed vs. designated heritage properties. In consideration of the response from the Township below, we have further elaborated on our concerns in the following sections.

The response from the Township is as follows:

Prioritizing the conservation and re-use of heritage buildings, sites, and landscapes is an important goal of the Township's adopted Official Plan.

The Township's Heritage Register is comprised of properties and areas that are: 1) designated heritage resources and 2) listed as being of significant cultural heritage value or interest including built heritage resources, cultural heritage landscapes, heritage conservation districts, areas with cultural heritage character and heritage cemeteries.

Policy 3.7.4.4 identifies alternatives that shall be given due consideration for listed properties, in order of priority when considering development or redevelopment. This policy also clearly articulates that on-site retention of designated heritage properties shall be exhausted prior to consideration being given to relocation.

It is recommended that the proponents speak to the Township's Heritage Planner regarding the site-specific proposal and the requirements of a Heritage Impact Assessment. The Pringle House in Nobleton is successful example of adaptive reuse and integration of heritage property into a residential redevelopment.

No modification proposed.

We would like to reiterate our concern regarding the implied importance and role of Heritage Impact Assessments under Section 3.7.4.4. As written, Section 3.7.4.4 requires listed heritage buildings to be incorporated¹ when development or redevelopment occurs, which assumes all listed heritage buildings have sufficient cultural value to warrant retention. However, a listed building is only confirmed to have cultural value through a HIA, let alone sufficient cultural value warranting retention. It is for this reason that we are of the opinion that Section 3.7.4.4 be modified to recognize the important function of an HIA and be given greater weight when considering the appropriate conservation approach.

With specific regard to designated buildings as referenced in Section 3.7.4.4, it remains our opinion that the emphasis on on-site retention is unduly restrictive and contradictory to the purpose of a HIA. Section 3.7.4.4 requires that alternatives be considered prior to consideration being given to relocation with regard for the HIA. However, this logic operates under the assumption that all designated heritage buildings have sufficient cultural value to warrant on-site retention. Whether

¹The use of "incorporated" in this context implies retention in our interpretation.

a designated heritage building should be retained is ultimately evaluated and determined by the HIA on a site-by-site basis. Furthermore, Section 3.7.4.4 only considers on-site retention and relocation as the only options of designated heritage buildings, and does not consider the possibility of demolition, which may be recommended by an HIA as a result of structural integrity issues. As a result, we are of the opinion that the function of the HIA be recognized and be given greater weight when considering appropriate conservation approaches in Section 3.7.4.4.

With respect to implications for potential impacts on development within the Town, we note that there is conflict between the intensification policies of the *Village Core* land use designation and the heritage conservation policies under Section 3.7.4.4. The *Village Core* designation is described as concentrating historic buildings and cultural heritage resources under Section 5.4.1.3. We are of the opinion that the assumptions under Section 3.7.4.4 that all listed and designated heritage buildings have sufficient cultural value to prioritize on-site retention will negatively impact the Town's objectives of intensification within the *Village Core*. This evaluation of cultural value is premature and should ultimately be determined by a HIA. In accordance with this, we respectfully request that the function of the HIA be given its full recognition, and that Section 3.7.4.4 be modified to reflect its importance by introducing wording which places greater emphasis on the HIA as an evaluative tool of cultural value and importance.


Weston Consulting and Kindome Investments Ltd. Appreciate the opportunity to provide further comments on the final Township of King Draft Official Plan (Our King) as it relates to the future development of the subject lands, and request to be notified of any future reports, public meetings and decision in relation to this matter.

Should you have any questions or require any additional information, please contact the undersigned at extension 320.

Yours truly,

Weston Consulting

Per:



Tara Connor, MCIP, RPP
Senior Planner

- c. Kindome Investments Ltd.
Ryan Guetter, Weston Consulting