

July 29, 2020

File No.: 568098-14

Sent Via E-mail: regionalclerk@york.ca

Mr. Christopher Raynor
Regional Clerk
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Mr. Raynor:

**Re: Proposed Amendment 1 to the Growth Plan and Updated Land Needs Assessment
12650 Highway 27 and 13235 10th Concession, Nobleton, Township of King
Flato Developments Inc. ("Flato") and Wyview Group ("Wyview")**

We are counsel for Flato and Wyview with respect to the above noted matter. Wyview is the owner of the lands municipally known as 12650 Highway 27 and 13235 10th Concession (the "Lands"), and Flato is the development partner.

Kindly ensure that this letter is provided to Regional Chair Emmerson and all members of Council prior to the July 30, 2020 Special Meeting of Regional Council.

Over the past year, Flato has been actively involved in the Region's Municipal Comprehensive Review ("MCR") process, as well as King Township's Official Plan Review process, including making various written submissions to Council and Staff, as well as oral submissions to Council at the statutory public meeting. The previous written submissions filed on behalf of Flato are attached.

As you are aware, the land use planning landscape in Ontario has changed drastically since the aforementioned submissions were filed. A new Provincial Policy Statement has come into force, and the Province is consulting on Growth Plan Amendment 1, including an updated planning horizon and Schedule 3 growth projections. Flato supports the changes to the Growth Plan proposed by the Province, which would allow the Region and local municipalities to ensure that there is land available for the long term growth, and provide opportunities for better long term planning for significant infrastructure investments. These changes will improve affordability by providing greater certainty in the development process.

While the proposed changes are positive, the updated planning horizon and Schedule 3 growth projections should not be considered in a vacuum. The Region must also consider the planning process more broadly, and think outside of the box to meet the Province's goal of increasing affordability and bringing housing to market faster. The policy context for the Lands are a prime example of a scenario where creative problem solving can be employed to achieve this goal.

Flato intends to develop a low density residential community on the Lands, including purpose built rental suites for seniors, with appropriate supporting uses. The Lands, which are bounded on multiple sides by existing development, are ideally situated for such an expansion of the Urban Area. They are within the study area for the Region's ongoing Nobleton Water and Wastewater Servicing Environmental Assessment, and the development of the Lands could provide a servicing solution for the surrounding community and address the challenges of the existing out of date septic systems, while optimizing the use of existing services. There are also proposed road connections already in place to facilitate the orderly development of the Nobleton Community.


Both parcels are within the Nobleton Settlement Area Boundary in the York Region Official Plan, and abut the existing Urban Boundary of the Nobleton Community. The Lands are designated Nobleton Village Reserve (with some small Natural Heritage System areas) in the new Township of King Official Plan as adopted by Township Council, which is currently with the Region for approval (hereinafter referred to as the "New King OP"). They are designated Rural by the Township of King Official Plan (1970), and Agricultural Area by the Nobleton Secondary Plan. The Transportation schedule in the Nobleton Secondary Plan depicts the Lands, in part, as a future by-pass corridor for Highway 27. These are whitebelt lands, designated for future development in provincial plans. This is reiterated in the policies of the Region's Official Plan, specifically policies 5.1.12 and 5.6.20, which contemplate the expansion of the Urban Area to the Lands at the time of the MCR.

Because the New King OP has proceeded in advance of the Region's MCR, we are left with a situation where realizing the urban uses intended for the Lands will require a local Official Plan Amendment, following the completion of the Region's MCR.

However, we understand that, as part of the Region's consideration of the New King OP, discussions are currently ongoing between the Region and Township to address comments and modifications to the plan. With both the New King OP and MCR currently with the Region, the Region has an opportunity to obviate the need for future redundant development applications by ensuring that the New King OP permits the urban uses that are intended for the Lands. We request, therefore, as part of the Region's MCR and consideration of the New King OP, that the Lands are included within the Nobleton Community Urban Boundary, and that the Nobleton Community Urban Boundary in the New King OP is modified to reflect the Settlement Area Boundary in the Region's Official Plan.

Please do not hesitate to contact the undersigned if you have any questions regarding the above.

Yours truly,
Dentons Canada LLP


per: Katarzyna Sliwa
Partner

Copy: Regional Chair and Council
Mr. Paul Freeman, York Region
Client

June 12, 2020

File No.: 568098-14

Sent Via E-mail: snaylor@king.ca

Mr. Steven Naylor
Director of Planning & Development
Township of King
2585 King Road
King City, ON L7B 1A1

Dear Mr. Naylor:

**Re: Flato Developments Inc. and Wyview Group
12650 Highway 27 and 13235 10th Concession, Nobleton, Township of King
York Region Municipal Comprehensive Review and King Township Official Plan Review**

As you know, we are counsel for Flato Developments Inc. and Wyview Group in relation to the above noted matter. Wyview Group is the owner of the lands municipally known as 12650 Highway 27 and 13235 10th Concession (the "Lands"), and Flato Developments Inc. is the development partner.

The Highway 27 lands are located on the west side of Highway 27, south of King Road, and immediately south of the existing urban boundary of the Nobleton Community. The 10th Concession lands are located on the east side of 10th Concession, north of King Road, and abutting the existing Nobleton Community urban boundary to the south and east. A map of the Lands is below.



The recently adopted "Our King" Official Plan, currently under review by the Region, designates the Lands as Nobleton Village Reserve, with small Natural Heritage System areas. The Lands are designated Rural by the Township of King Official Plan (1970), and Agricultural Area by the Nobleton Secondary Plan. The

Rattagan Macchiavello Arocena ► Jiménez de Aréchaga, Viana & Brause ► Lee International ► Kensington Swan ► Bingham Greenebaum ► Cohen & Grigsby ► Sayarh & Menjra ► Larrain Rencoret ► Hamilton Harrison & Mathews ► Mardemootoo Balgobin ► HPRP ► Zain & Co. ► Delany Law ► Dinner Martin ► For more information on the firms that have come together to form Dentons, go to dentons.com/legacyfirms

Transportation schedule in the Nobleton Secondary Plan depicts the Lands, in part, as a *future by-pass corridor* for Highway 27.

The Lands are designated Towns and Villages in the Region's Official Plan. They are in the whitebelt, and are designated for future development in provincial plans, as Towns and Villages. The Lands are within the existing settlement area, but are outside of the urban area boundary. The policies of the Region's Official Plan require that development is contemplated for these lands at the time of the Municipal Comprehensive Review, which is currently underway.

The Lands are included in the study area for the Region's ongoing Nobleton Water and Wastewater Servicing Environmental Assessment. In this regard, they are opportunely located adjacent to existing development, with proposed road connections to be part of the future development area in the Nobleton Community. The development of the Lands could provide a servicing solution for the surrounding community and address the challenges of the existing out of date septic systems, while optimizing the use of existing services.

With the Township Official Plan under review with the Region, we request that consideration be made to including these lands in the Nobleton Community urban boundary.

Our clients intend to develop a low density residential community on the Lands, including purpose built rental suites for seniors, with appropriate supporting uses. We respectfully request that the Town support our client's request for the Lands' inclusion in the Nobleton Community urban area through the Region's Municipal Comprehensive Review, and the Region's review of the "Our King" Official Plan.

We welcome the opportunity to meet with staff to discuss this proposal, potential servicing benefits, or the Lands in general.

Yours truly,
Dentons Canada LLP



Katarzyna Sliwa
Partner

KS/ak

Copy: Mayor and Council
Mr. Paul Freeman, Chief Planner, York Region
Mr. Fabrizio Filippazzo, Manager – Development Financing, York Region
Ms. Karen Whitney, Director – Community Planning and Development Services, York Region
Mr. Nick Pileggi, Macaulay Shiomi Howson Ltd.
Client

June 12, 2020

File No.: 568098-14

Sent Via E-mail: paul.freeman@york.ca

Mr. Paul Freeman
Chief Planner, Planning and Economic Development
York Region
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Mr. Freeman:

Re: Flato Developments Inc. and Wyview Group
12650 Highway 27 and 13235 10th Concession, Nobleton, Township of King
King Township Official Plan Review and Region Municipal Comprehensive Review

As you know, we are counsel for Flato Developments Inc. and Wyview Group in relation to the above noted matter. Wyview Group is the owner of the lands municipally known as 12650 Highway 27 and 13235 10th Concession (the "Lands"), and Flato Developments Inc. is the development partner.

The Highway 27 lands are located on the west side of Highway 27, south of King Road, and immediately south of the existing urban boundary of the Nobleton Community. The 10th Concession lands are located on the east side of 10th Concession, north of King Road, and abutting the existing Nobleton Community urban boundary to the south and east. A map of the Lands is below.



The Lands are designated Towns and Villages in the Region's Official Plan. They are in the whitebelt, and are designated for future development in provincial plans, as Towns and Villages. The Lands are within the existing settlement area, but are outside of the urban area boundary. The policies of the Region's Official

Rattagan Macchiavello Arocena ► Jiménez de Aréchaga, Viana & Brause ► Lee International ► Kensington Swan ► Bingham Greenebaum ► Cohen & Grigsby ► Sayarh & Menjra ► Larrain Rencoret ► Hamilton Harrison & Mathews ► Mardemootoo Balgobin ► HPRP ► Zain & Co. ► Delany Law ► Dinner Martin ► For more information on the firms that have come together to form Dentons, go to [dentons.com/legacyfirms](https://www.dentons.com/legacyfirms)

Plan require that development is contemplated for these lands at the time of the Municipal Comprehensive Review.

The recently adopted "Our King" Official Plan, currently under review by the Region, designates the Lands as Nobleton Village Reserve, with small Natural Heritage System areas. The Lands are designated Rural by the Township of King Official Plan (1970), and Agricultural Area by the Nobleton Secondary Plan. The Transportation schedule in the Nobleton Secondary Plan depicts the Lands, in part, as a *future by-pass corridor* for Highway 27.

The Lands are included in the study area for the Region's ongoing Nobleton Water and Wastewater Servicing Environmental Assessment. In this regard, they are opportunely located adjacent to existing development, with proposed road connections to be part of the future development area in the Nobleton Community. The development of the Lands could provide a servicing solution for the surrounding community and address the challenges of the existing out of date septic systems, while optimizing the use of existing services.

With the Township Official Plan under review with the Region we request that consideration be made to including these lands in the Nobleton Community urban boundary.

Our clients intend to develop a low density residential community on the Lands, including purpose built rental suites for seniors, with appropriate supporting uses. Our clients look forward to continuing their participation in the Region's Municipal Comprehensive Review, and request that the Lands be considered for inclusion in the Nobleton Community urban area following the review.

We welcome the opportunity to meet with staff to discuss this proposal, potential servicing benefits, or the Lands in general.

Yours truly,
Dentons Canada LLP



Katarzyna Sliwa
Partner

KS/ak

Copy: Regional Chair and Council
Mr. Christopher Raynor, Regional Clerk
Mr. Fabrizio Filippazzo, Manager – Development Financing, York Region
Ms. Karen Whitney, Director – Community Planning and Development Services, York Region
Mr. Nick Pileggi, Macaulay Shiomi Howson Ltd.
Client

September 20, 2019

File No.: 568098-14

SENT VIA E-MAIL: kmoyle@king.ca

Ms. Kathryn Moyle
Director of Clerks
Township of King
2585 King Road
King City ON L7B 1A1

Dear Ms. Moyle:

**RE: Township of King Council Meeting, September 23, 2019
Official Plan Review – *Our King Official Plan*
12650 Highway 27 and 13235 10th Concession in the Township of King
Flato Developments Inc. (“Flato”) and Wyview Group (“Wyview”)**

We are counsel for Flato and Wyview with respect to the above noted matter.

Kindly ensure that this letter is provided to the Mayor and members of council prior to the September 23, 2019 Council Meeting.

As you know, at the September 23, 2019 Council Meeting the final draft *Our King Official Plan* will be presented to Council for consideration for adoption.

We write to outline our clients’ concerns with respect to the *Our King Official Plan*, in its current form. We note, in addition to the specific concerns identified in greater detail below, that the Region of York is currently undertaking a municipal comprehensive review (“MCR”). The adoption of the proposed *Our King Official Plan* prior to the conclusion of the MCR is problematic, and may result in necessary amendments to the *Our King Official Plan* once the MCR is complete.

The Flato and Wyview Lands

Wyview is the owner of lands municipally known as 12650 Highway 27 and 13235 10th Concession, in the Township of King (the “**Lands**”) and Flato is the development partner. The Highway 27 lands are generally located on the west side of Highway 27, just south of King Road and just south of the existing urban boundary within the Nobleton Community. The 10th Concession lands are located on the east side of 10th Concession, just north of King Road and just west of the existing urban boundary within the Nobleton Community.

The Lands are designated Rural by the Township of King Rural Official Plan (1970) and Agricultural Area by the Nobleton Secondary Plan. The Lands are within the Nobleton Community Plan Area boundary, but outside of the Urban Area Boundary. The Transportation schedule in the *Secondary Plan* depicts the Lands, in part, as a *future by-pass corridor* for Highway 27. The Lands are designated Town and Villages in the

Region of York Official Plan. The Lands are in the whitebelt and designated for development in provincial plans, as Towns and Villages. The Region of York Official Plan designation for the Lands does not need to be amended to accommodate development on the Lands, however, the policies do require that development be contemplated at the time of the Region's MCR, which is currently underway.

The Lands are within the existing settlement area but not within the Urban Area Boundary. They are strategically located adjacent to existing development, with proposed road connections to be part of the future development area in the Nobleton Community. Our clients intend to develop a predominantly low rise residential community with appropriate supporting uses on the Lands. The development of the Lands is beneficial to the existing surrounding community as they could be part of a servicing solution for existing challenges to out dated septic systems. Because the Lands are within the settlement area, we requested that the Lands be included in the Environmental Assessment initiated by the Region to review water and wastewater servicing in the Nobleton area.

Comments on *Our King Official Plan*

Understanding that the Region of York is completing both the Environmental Assessment noted above, and at the same time completing their MCR – which may include urban expansion in King/Nobleton – it may be premature to incorporate new policies in the *Our King Official Plan* which may impact future development in Nobleton. We are reviewing the proposed *Our King Official Plan* with our client, and may have additional concerns, however we are specifically concerned with the following policies and schedules:

- Section 2.3.5 Settlement Area Boundary Expansions;
- Section 3.4 Meeting Our Housing Needs;
- Section 5.2 Village Policies;
- Section 5.3 Village Design Policies;
- Section 5.5 Established Neighbourhood Designation;
- Section 5.6 Neighbourhood Designation;
- Section 5.16 Nobleton Village Reserve;
- All Schedules which show the outline of the 'Village Boundary' and 'Nobleton Village Reserve Boundary'; and
- Schedule A – Township Structure, Schedule D2 – Village of Nobleton Land Use Designations and Schedule F2 – Village of Nobleton Transportation Networks.

Should you have any questions regarding the above, please do not hesitate to contact me.

Yours truly,

Dentons Canada LLP


per: Katarzyna Sliwa
Partner

ak

Copy: Mr. Steven Naylor, Director of Planning & Development, Township of King
Mr. Paul Freeman, Chief Planner, Planning and Economic Development, Region of York
Mr. Nick Pileggi, Macaulay Shiomi Howson Ltd.
Client

July 18, 2019

568098-14

SENT VIA E-MAIL

Mr. Steven Naylor
Director of Planning & Development
Township of King
2585 King Road,
King City, ON L7B 1A1

Dear Mr. Naylor:

**RE: Flato Developments Inc. and Wyview Group
12650 Highway 27 and 13235 10th Concession, Nobleton, Township of King
York Region Municipal Comprehensive Review**

We are counsel for Flato Developments Inc. and Wyview Group. Wyview Group is the owner of lands municipally known as 12650 Highway 27 and 13235 10th Concession, in the Township of King (the “**Lands**”) and Flato Developments Inc. is the development partner. The 12650 Highway 27 lands are generally located on the west side of Highway 27, just south of King Road and just south of the existing urban boundary within the Nobleton Community. The 13235 10th Concession lands are located on the east side of 10th Concession, just north of King Road, and just west of the existing urban boundary within the Nobleton Community.

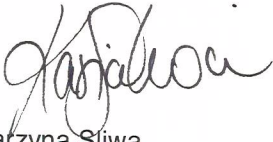
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The Lands are within the existing settlement area but not within the Urban Area Boundary. The Lands are strategically located adjacent to existing development, with proposed road connections to be part of the future development area in the Nobleton Community. The development of the Lands is beneficial to the existing surrounding community as they could be part of a servicing solution for existing challenges to out dated septic systems. Because the Lands are within the settlement area, we requested that the Lands be included in the Environmental Assessment initiated by the Region to review water and wastewater servicing in the Nobleton area. The planning of servicing should look to the servicing and allocation for future development to avoid the challenges that the Region is currently facing in servicing lands.

Our clients intend to develop a predominantly low rise residential community with appropriate supporting uses on the Lands. We welcome the opportunity to meet with staff to discuss the Lands.

Should you have any questions, please do not hesitate to contact me.

Yours truly,
Dentons Canada LLP

A handwritten signature in black ink, appearing to read 'K. Sliwa', written over a faint, larger signature.

Katarzyna Sliwa

Copy Mayor and Council
Mr. Paul Freeman, Chief Planner, York Region
Mr. Nick Pileggi, Macaulay Shiomi Howson Ltd.
Client

July 18, 2019

568098-14

SENT VIA E-MAIL

Mr. Paul Freeman
Chief Planner, Planning and Economic Development
York Region
17250 Yonge Street
Newmarket ON L3Y 6Z1

Dear Mr. Freeman:

**RE: York Region Municipal Comprehensive Review
Flato Developments Inc. and Wyview Group
12650 Highway 27 and 13235 10th Concession, Nobleton, Township of King**

We are counsel for Flato Developments Inc. and Wyview Group. Wyview Group is the owner of lands municipally known as 12650 Highway 27 and 13235 10th Concession, in the Township of King (the “**Lands**”) and Flato Developments Inc. is the development partner. The 12650 Highway 27 lands are generally located on the west side of Highway 27, just south of King Road and just south of the existing urban boundary within the Nobleton Community. The 13235 10th Concession lands are located on the east side of 10th Concession, just north of King Road, and just west of the existing urban boundary within the Nobleton Community.

The Lands are designated Rural by the Township of King Rural Official Plan (1970) and Agricultural Area by the Nobleton Secondary Plan. The Lands are within the Nobleton Community Plan Area boundary but outside of the Urban Area Boundary. The Transportation schedule in the Secondary Plan depicts the Lands, in part, as a *future by-pass corridor* for Highway 27. The Lands are designated Towns and Villages in the Region of York Official Plan. The Lands are in the whitebelt and designated for development in provincial plans, as Towns and Villages. The Region of York Official Plan designation for the Lands does not have to be amended to accommodate development on the Lands, however, the Region of York Official Plan policies do require that development be contemplated at the time of the municipal comprehensive review.

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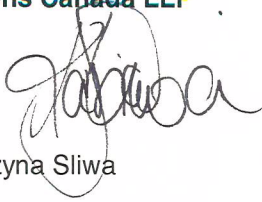
We look forward to actively participating in York Region’s Municipal Comprehensive Review and request that the Lands be considered for inclusion in the Nobleton Community settlement area following that the review. Our clients intend to develop a predominantly low rise residential community with appropriate

supporting uses on the Lands. Accordingly, we request notice of any items, reports, meetings, and/or decisions of the Region regarding the Municipal Comprehensive Review. We welcome the opportunity to meet with staff to discuss the Lands and the Municipal Comprehensive Review.

Should you have any questions, please do not hesitate to contact me.

Yours truly,

Dentons Canada LLP



Katarzyna Sliwa

Copy Mayor and Council
 Mr. Steven Naylor, Township of King
 Mr. Christopher Raynor, Regional Clerk
 Mr. Nick Pileggi, Macaulay Shiomi Howson Ltd.
 Client