

June 29, 2022

Sent Via Email: regionalclerk@york.ca

Chris Raynor, Regional Clerk
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

Dear Mr. Raynor,

**Re: Flato Developments Inc. and Wyview Group
12650 Highway 27 and 13235 10th Concession (the "Lands"),
Lands within Nobleton, Township of King, Regional Municipality of York
York Region Official Plan 2022**

We are counsel for Flato Developments Inc. and Wyview Group (collectively, our "Client") with respect to the above noted matter.

We are providing these comments in advance of the June 30, 2022, Regional Council meeting at which staff are recommending that Council adopt the York Region Official Plan 2022 ("YROP 2022"). Kindly ensure that a copy of this letter is provided to Council in advance of that meeting.

Both the Highway 27 lands and the 10th Concession lands are immediately adjacent to existing development, and are a logical extension to the Nobleton Community. 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. The Highway 27 lands abut existing residential development to the north and south. The 10th Concession Lands abut existing residential development to the south and east.

Our Client's intention continues to be to develop a low density residential community, including purpose built rental suites, with appropriate supporting uses. The Lands are ideally situated to accommodate the growth proposed for King Township. Please see enclosed our letters dated July 18, 2019, June 12, 2020, July 29, 2020, and September 15, 2021 previously submitted to the Region regarding the YROP 2022.

Please do not hesitate to contact me should you have any questions.

Yours truly,

Dentons Canada LLP



Katarzyna Sliwa
Partner

KS/db

Enclosures

Copy: Client

September 15, 2021

File No.: 568098-14

Sent Via E-Mail: regional.clerk@york.ca

Mr. Chris Raynor
Regional Clerk
Regional Municipality of York
17250 Yonge Street, 4th Floor
Newmarket, ON L3Y 6Z1

Dear Mr. Raynor:

**Re: Item F.1 - Alternate 2051 Forecast and Land Needs Assessment
York Regional Council Special Meeting - September 16, 2021
12650 Highway 27 and 13235 10th Concession, Township of King
Flato Developments Inc., 2451004 Ontario Ltd., and Wyview Group**

Kindly ensure that this letter is provided to all members of Regional Council in advance of the September 16, 2021 Special Council Meeting.

We are counsel for Flato Developments Inc., 2541004 Ontario Ltd., and Wyview Group (collectively, our "Client") with respect to the above noted matter. Our Client is the owner of the lands municipally known as 12650 Highway 27 and 13235 10th Concession, in the Village of Nobleton in the Township of King (the "Lands").

Both the Highway 27 lands and the 10th Concession lands are immediately adjacent to existing development, and are a logical extension to the Nobleton Community. Both are within the area designated 'Nobleton Village Reserve' in the King Township Official Plan. 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. The Highway 27 lands abut existing residential development to the north and south. The 10th Concession Lands abut existing residential development to the south and east.

We reviewed the report dated September 3, 2021 from the Commissioner of Corporate Services and the Chief Planner regarding Alternate 2051 Forecast and Land Needs Assessment Scenarios (the "Alternate Forecast Report").

On behalf of our Client, we support Township planning staff's request that the whitebelt growth in King Township be redistributed to the Township's villages. More specifically, significant consideration and analysis is need in regard to growth being accommodated in the Village of Nobleton. Planning for the Village

Sirote ► Adepetun Caxton-Martins Agbor & Segun ► Davis Brown ► East African Law Chambers ► Eric Silwamba, Jalasi and Linyama ► Durham Jones & Pinegar ► LEAD Advogados ► Rattagan Macchiavello Arocena ► Jiménez de Aréchaga, Viana & Brause ► Lee International ► Kensington Swan ► Bingham Greenebaum ► Cohen & Grigsby ► Sayarh & Menjra ► For more information on the firms that have come together to form Dentons, go to dentons.com/legacyfirms

of Nobleton should have a longer-term vision than that restricted by the capacity constraints of existing or planned infrastructure. We agree with Township staff's comments that there may be opportunities to provide increased capacity in Nobleton based on new technologies and/or when other communities that currently contribute to the assimilative capacity of the Humber River are transitioned to lake based systems. Good planning should not be limited by existing servicing availability. These consideration cannot be ignored as part of the Region's growth scenario analysis. The Lands in the Village of Nobleton are an ideal location to accommodate some of the Region's growth.

Servicing challenges are not unique to Nobleton and, as indicated in the Alternate Forecast Report, there is already an environmental assessment underway for servicing the Nobleton community. The Lands could easily be included in this process. Development of the Lands would provide an opportunity to build a complete community and for rounding out/infilling the Nobleton boundary. Importantly, the Lands would provide a servicing solution for the surrounding community, including the existing adjacent residential neighbourhoods by addressing the challenges of the current out of date septic systems.

We respectfully request that Council maintain the intensification and density targets considered at the March 18, 2021 Special Council meeting, and that the Village of Nobleton be considered for accommodating some of that growth.

We welcome the opportunity to meet with staff to discuss this matter. Please do not hesitate to contact the undersigned should you have any questions regarding the above.

Yours truly,
Dentons Canada LLP



Katarzyna Sliwa
Partner
KS/

Copy: Client
Mr. Nick Pileggi, Macaulay Shiomi Howson Ltd.

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: 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

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.

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 request 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.

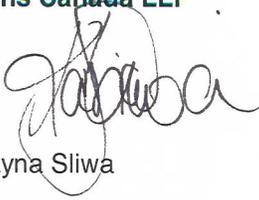
We look forward to actively participating in York Region’s Municipal Comprehensive Review and request that the Lands be considered for inclusion in the Nobleton Community settlement area following that the review. Our clients intend to develop a predominantly low rise residential community with appropriate

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