



The Corporation of the Township of King Report to Council

From: Planning Division – Growth Management Services Department

Report Number: GMS-PL-2024-022

Date: Monday, September 23, 2024

Title: **Extensions to Draft Plan of Subdivision Approval – King City East**

Recommendation

1. That Council receive Report GMS-PL-2024-022; and
2. That the draft plan approval lapsing provisions, and water and sanitary servicing capacity reservation/allocation, for Draft Plans of Subdivision 19T-18K01 (Acorn); 19T-18K02 (Remcor & Bracor); 19T-18K03 (Supco); 19T-18K04 (Kingsfield Estates); and 19T-06K03 (King Rocks) (Phase 2) be extended to June 17, 2025.

1. Report Highlights

- The landowners have submitted individual requests to extend the duration of draft plan approval for four (4) draft approved plans of subdivision and a portion of a fifth draft approved plan of subdivision (King Rocks – Phase 2), located within the King City East developments, as well as the associated water and sanitary servicing capacity.
- The subject draft plans of subdivision have been advancing through detailed engineering design and towards the execution of Subdivision Agreements with the Township.
- Two (2) plans and a portion of a third plan (King Rocks – Phase 1) have been registered since the last request for extension to draft approval in 2023 ([GMS-PL-2023-36](#)) was approved. At least two (2) plans are nearing final approval, with the possible registration of these plans (or a portion thereof) by early 2025. The remaining two (2) plans, and portion of a third plan (King Rocks – Phase 2), are in the process of completing additional land acquisitions/exchanges and/or awaiting improvements to conditions in the housing market to commence marketing efforts, which has affected timelines for registration. Once those items are finalized, it is anticipated that the proponents for those plans will also begin the process of clearing necessary conditions of approval toward final plan approval and registration.
- These matters were previously considered by Council on September 25, 2023. Report [GMS-PL-2023-36](#) was received, and approval of extensions to draft plans 19T-06K02, 19T-06K03, 19T-06K08, 19T-18K01, 19T-18K02, 19T-18K03, 19T-

18K04 were granted. All of the extensions contemplated a draft plan approval lapsing date of September 30, 2024 for each of the plans.

- The Planning Division has circulated the request for extensions to draft approval to the relevant Departments and agencies. Based on comments received, no changes to the Draft Plan Conditions are requested as a result of the extension requests.
- The Planning Division is supportive of the requests for extension to draft plan approval for a period not to exceed nine (9) months, with a lapsing date of June 17, 2025.

2. Purpose

The purpose of this Report is to provide Council with an overview of progress on each of the draft plans outlined within the Recommendation to consider requested extensions to Draft Plan Approval (“DPA”) for four (4) draft approved plans of subdivision and a portion of a fifth draft approved plan of subdivision (King Rocks – Phase 2) in the King City East development area.

The purpose of this report is also to provide an update on prior discussions with the landowners, Finance and Planning Staff, and the Township Solicitor, regarding the Municipal Capital Facility Agreement (MCFA) between the Township and the King City East landowners. **Attachment No. 1** illustrates the extent and location of the subject lands.

3. Background

Draft Plan Approval was granted by the Township to the King City East developments (including Remcor-Bracor, Scouli, Supco, Kingsfield Estates, King Green, King Rocks and Acorn), subject to the conditions of Draft Plan Approval. The conditions include requirements such as the submission and approval of detailed engineering plans and the execution of a Subdivision Agreement between the developers and the Township. These and other conditions are required to be fulfilled prior to the granting of final approval and plan registration. **Attachment Nos. 2-6** include the draft plans which are the subject of the extension requests.

4. Analysis

Section 51(32) of the Planning Act provides the authority for municipalities to issue draft approval subject to a lapsing provision (being not less than three (3) years). A lapsing provision was also included as a standard condition of draft approval in the Consolidated Draft Plan Conditions (September 2019) issued at the time of initial draft approval of the plans.

The lapsing provisions provide a period of up to three (3) years from the date of initial draft plan approval for the owner/developer to fulfill the conditions of draft plan approval and complete the final approval and registration process. Draft Plan Approval for the subject lands was granted in September 2019 ([P-2019-30](#)). As the registration process was not completed within the three (3) year time period, the draft approval of these plans was extended by Council in September 2022 until September 2023 with a further one (1) year

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extension approved by Council at that time ([GMS-PL-2022-19](#)). This is the third extension request to be considered by Council with respect to these plans.

Lapsing provisions are intended to mitigate against delay in the development of subdivisions and ensure draft plans advance expeditiously toward final approval and registration. The lapsing provisions also provide a timeframe for Township and/or other agencies to request revisions to conditions of approval that may have been superseded by changes in policy and/or standards, or where circumstances have changed since the original draft approval.

Section 51(33) of the Planning Act states that draft approval may be extended for a time period specified by the municipality prior to the lapsing date of draft approval. The request for an extension to draft approval provides Council and Staff with an opportunity to review and approve extensions, where requested by an applicant, and where deemed appropriate by the Township.

The Conditions of Draft Plan Approval (and lapsing provisions, thereof) also provide that the Township may reconsider the sanitary and water servicing capacity reservation/allocation to the draft plans and assign it to another development if the draft approved plan is not registered within three (3) years from the date of draft approval. Recommendations contained within this Report pertain to the extension of the water and sanitary servicing capacity reservation/allocation, for the draft plans of subdivision, with a lapsing date of June 17, 2025.

The extension requests have cited market conditions, construction timing and delays in external servicing, as well as the sequencing of other landowners' final design and land conveyances, as reasons for the extensions. The requests for extension to Draft Plan Approval have been reviewed with the understanding that progress toward final plan approval and registration will continue. The individual landowners comprising the King City East development lands are at various stages of finalizing this process, with some more advanced toward final plan approval and registration.

Two (2) plans and a portion of a third plan (King Rocks – Phase 1) have been registered since the approval of the previous extension request in 2023. The Planning Division anticipates an additional plan of subdivision and the first phase of another plan of subdivision may register in the early part of 2025. Based on the current status and work plan for these plans, the Planning Division is of the opinion that these time frames are realistic and reasonable.

The remaining landowners are active in their clearance of conditions, toward the preparation of a draft Subdivision Agreement in advance of final plan approval and registration. Planning and Development Engineering Divisions will continue to communicate with applicants on next steps toward final approval and registration and to process these applications, accordingly.

As such, it is recommended that the lapsing provisions and servicing reservation/allocation be extended for a period of nine (9) months to June 17, 2025.

5. Financial Considerations

Development Charges (DC) to the Township have been paid as part of the Spine Servicing Agreement, however DC's for the Region, School Boards, and Go Transit are payable at registration for hard services and at building permit issuance for the remaining services.

Due to the extended timeline for the registration of the draft plans of subdivision, the timing of payment of the MCFA Contribution will be delayed. However, the Township can require additional securities for the MCFA Contributions, minus securities posted under the Spine Services Agreement, which may be drawn on to satisfy the first half of the per-unit payment after each plan is registered. Even if three (3) years have not passed since the registration of the individual development plan, the Township may draw on the remaining security with respect to the development plan to satisfy the balance of the owners' obligations, because the tender for the Township-Wide Recreational Facility has been awarded.

6. Alignment to Strategic Plan

The 2023-2026 Corporate Strategic Plan (CSP) was adopted by Council on June 12, 2023. The CSP reflects the priorities of upmost importance to the community and defines the obligations and commitments of the Township of King to its citizens and to the public. The CSP is aligned with the Township's long-term vision defined in the "Our King" Official Plan. The CSP also aims to ensure that Staff initiatives focus on and work towards supporting King's Vision, Mission and Values.

This report is in alignment with the CSP's Priority Area(s), and/or associated Objective(s) and/or Key Results(s):

Priority Area: Complete Communities

Objective: Enrich community well-being and make King the ideal place to live, work and play.

The requests for extension to draft plan approval have been reviewed in the context of the Township's Corporate Strategic Plan; particularly, where related to the management of growth and major development.

7. Conclusion

The subject draft plans have made progress towards a Subdivision Agreement and final approval and registration. Additional time to complete the process is required and is considered to be appropriate by Planning Division Staff. Staff has also reviewed the terms of the MCFA and are satisfied that the provisions of the Agreement will provide the necessary assurances to the Township with respect to the effective date of payment of Securities. Extensions of draft plan approval for each of these plans (or portions thereof, where applicable) to June 17, 2025 is recommended.

8. Attachments

Attachment No. 1. Location Map

Attachment No. 2. Draft Plan of Subdivision 19T-18K01 (Acorn)

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- Attachment No. 3. Draft Plan of Subdivision 19T-18K02 (Remcor & Bracor)
- Attachment No. 4. Draft Plan of Subdivision 19T-18K03 (Supco)
- Attachment No. 5. Draft Plan of Subdivision 19T-18K04 (Kingsfield Estates)
- Attachment No. 6. Draft Plan of Subdivision 19T-06K03 (King Rocks) (Phase 2)

Prepared by:

Gordon Dickson, MCIP, RPP

Supervisor, Planning and Development

Recommended by:

Stephen Naylor, MCIP, RPP

Director of Growth Management Services

Approved for submission by:

Daniel Kostopoulos

Chief Administrative Officer