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October 7, 2024

Delivered by email

[REDACTED]

Ms. Isabella Baldesarra, Planner - Policy
Township of King
2585 King Road
King City, Ontario
L7B 1A1

Attention: His Worship Mayor Pellegrini and Members of Council

Dear Ms. Baldesarra:

Re: Draft Official Plan Amendment and Zoning By-law Amendment for the Highway 11 Corridor Study Area - Submission on behalf of 84 Charing Cross International Inc. (20520 and 20550 Highway 11) and 1000124547 Ontario Inc. (20590 Highway 11)

We are counsel to 84 Charing Cross International Inc., 1000124547 Ontario Inc., and Zoey and Alvin Wang (collectively referred to as “Charing Cross”), the owner(s) of two sites in Ward 6:

- [REDACTED]
- [REDACTED]

The purpose of this letter is to provide a submission to Council in respect of the Township’s draft proposed Official Plan Amendment (“OPA”) and Zoning By-law Amendment (“ZBLA”) regarding the Highway 11 Corridor Study Area. We would respectfully request that this letter be provided to the Committee of the Whole and Council for consideration in advance of the public meeting scheduled for October 7, 2024.

Background

As the Township of King (“Township”) is aware, Charing Cross was an Appellant in the recent appeals to the Ontario Land Tribunal in respect of Zoning By-law No. 2022-053 (“Countryside Zoning By-law”). Pursuant to Minutes of Settlement dated November 10, 2023, our clients’ appeal was resolved on the following basis:

- For the Restaurant Site, site-specific exception 100 was approved, which provided for additional permitted uses, including specific enumerated uses on the RC zoned portion of the Site, and different additional uses on the GNH zoned portion of the Site. I note that the proposed uses were consistent with an anticipated application for site plan approval, which continues to undergo extensive review and consultation with Township staff.
- For the Motel Site, the appeal was deferred pending the outcome of the Highway 11 Corridor Area Study and any implementing OPA and ZBLA, or the submission of a site-specific redevelopment application. I confirm that Charing Cross has not submitted a redevelopment application.

As a result of the foregoing, Charing Cross has an interest in the Highway 11 Corridor Study Area and the implementing OPA and ZBLA.

As a preliminary comment, Charing Cross is supportive of the overall thrust of the proposed OPA and ZBLA. As set out in the Final Discussion Paper, the proposed OPA and ZBLA appear to appropriately recognize the historically established commercial and other uses along the Highway 11 Corridor, and will facilitate its revitalization in accordance with the Corridor's strategic locational significance and historical function.

In particular, Charing Cross supports the recognition of legally existing uses throughout the Corridor, and the addition of a wide range of new permitted uses on lands currently zoned Rural Commercial. Charing Cross also supports the principle that the implementing framework should apply consistently throughout the Corridor, so that all lands have the same equitable opportunity to benefit from its planned regeneration. Charing Cross supports the notion that lands located within the GNH zone be permitted the opportunity to redevelop with enumerated uses, subject to the submission of studies and other items that are prerequisite to an application to lift the holding provision placed on those lands.

To the extent that Charing Cross has concerns with the proposed OPA and ZBLA, we anticipate that these concerns arise primarily from inadvertent omissions in drafting the proposed ZBLA. In particular, we note the following:

- Some confusion arises from the Exception being numbered 250, and certain portions of the Corridor being zoned RC-250 or EP-250, as detailed below. It may be preferable to assign a different number to these lands.
- In section 10.250.2, additional permissions are granted to lands zoned RC-250 (which includes the Motel Site) and RMG-250 on Figure 2024-01. Charing Cross is supportive of these additional land use permissions. However, the portion of the Restaurant Site that is adjacent to Highway 11 is zoned RC-252; as such, it appears that these additional permissions do

not apply to the Restaurant Site. We believe that this is an oversight, particularly since the settlement reached in the Countryside Zoning By-law appeal expressly permitted a number of these uses in Exception 100 (including, for example, Clinic, Office, and Retail). We believe that a simple modification to s. 10.250.2 would correct this oversight, through the addition of the underlined text:

“In the areas zoned RC-250, RC-252, and RMG-250 on Figure 2024-01...”

- Similarly, section 10.250.3 provides additional permissions for lands zoned GNH-250. This includes the GNH portion of the Motel Site, but excludes the GNH portion of the Restaurant Site, which is zoned GNH-253 on Figure 2024-01. This oversight can also be corrected through a modification to s. 10.250.3, by adding the underlined text:

“In the area shown as GNH-250, GNH-253, on Figure 2024-01...”

- It appears that infrastructure is not identified as a permitted use within the GNH zoned portions of the Highway 11 corridor. However, policy 4.2.1.2(e) permits infrastructure to be located within the Natural Heritage System, subject to section 4.2.1.17 and any other applicable policies. We suggest that section 10.250.2 should be modified to add infrastructure as a permitted use, which would ensure that infrastructure may be located on lands zoned GNH through section 10.250.3 (i.e., subject to an application to lift a Holding symbol). With respect to the Restaurant Site, infrastructure (specifically, private services) is proposed to be located on lands zoned GNH-253. Given that extensive pre-consultation has already occurred through the site plan process for that site, it would also be appropriate to amend the provisions that apply to the GNH-253(H) zone to specifically identify infrastructure as a permitted use.
- Charing Cross supports the preconditions to lifting a Holding symbol in section 10.250.3(b). These are reasonable prerequisites to lifting an H, and will ensure that new uses are consistent with the objectives of the Greenbelt Plan and the Township’s Official Plan, including the proposed OPA.
- Charing Cross also supports the performance standards set out in 10.250.4, at least insofar as the Restaurant Site is concerned. We reserve the right to request additional or different site-specific exceptions to the performance standards as they apply to the Motel Site at the appropriate time.
- Finally, we note that the mapping in Schedule 1 (the proposed Schedule A8) may be unclear as it applies to the front portion of the Restaurant Site. The

map should clearly identify that both former properties (which have now merged in title) are subject to the RC-252 zone.

We believe that the above minor amendments are consistent with the spirit and intent of the proposed amendments, as reflected in the Final Discussion Paper, and consistent with the settlement reached with Charing Cross in the Countryside By-law appeals. We may be in attendance to address these requests at the public meeting, but would be pleased to have discussions with staff in advance.

Thank you for your consideration of this submission.

Respectfully,



Amber Stewart

