



Planning and Development Committee Meeting Agenda

Tuesday, May 21, 2019

7:00 p.m.

Council Chamber, Town Hall

1. **CALL TO ORDER**

2. **DISCLOSURE OF PECUNIARY INTEREST**

3. **CONSENT AGENDA**

- 3.1 Staff Report 2019-69: Renaming of portion of Cross Country Boulevard as Roy Clarkson Way

4. **PUBLIC MEETING**

- 4.1 RZ19-02

Application for Proposed Zoning By-law Amendment RZ 19-02 13471 Heart Lake Road Part of Lot 25, Concession 3 (Chinguacousy) (Ward 2)

5. **DELEGATIONS**

- 5.1 Pete Schut and Matthew Cory regarding Staff Report 2019-66: Proposed Zoning By-law Amendment; Brookfield Residential (Ontario) Bolton Limited, 50 Ann Street

Pete Schut, Senior Vice President, Acquisitions and Development, Brookfield Residential (Ontario) Bolton Limited and Matthew Cory, Planner, MGP concerning Staff Report 2019-66: Proposed Zoning By-law Amendment; Brookfield Residential (Ontario) Bolton Limited, 50 Ann Street

6. **STAFF REPORTS**

- 6.1 Staff Report 2019-70: Landscape Security Review, Industrial and Commercial Site Plan Applications

- 6.2 Staff Report 2019-66: Proposed Zoning By-law Amendment; Brookfield Residential (Ontario) Bolton Limited, 50 Ann Street

7. RECOMMENDATIONS OF ADVISORY COMMITTEES

7.1 Heritage Caledon Committee Report

Heritage Caledon Committee Report dated May 13, 2019

8. NOTICES OF MOTION

8.1 Councillor N. deBoer regarding Review of Zoning By-Law Special Vehicles/Tourism Vehicles

Whereas Zoning By-law 2006-50 prohibits the storage of special vehicles and tourist trailers unless within a private garage, carport or other building in residential zones; and,

Whereas Zoning By-law 2006-50 restricts the use of tourist trailers on lands where a tourist camp is not permitted;

Now therefore be it resolved that staff be directed to review provisions of Zoning By-law 2006-50 as amended for the storage of tourist trailers and special vehicles

And that staff provide an update to Council by the end of 2019.

9. CORRESPONDENCE

9.1 General Correspondence

9.1.1 More Homes, More Choice: Ontario's Housing Supply Action Plan

Letter from Minister Steve Clark, Ministry of Municipal Affairs and Housing dated May 2, 2019 regarding More Homes, More Choice: Ontario's Housing Supply Action Plan

9.2 Memorandums

9.2.1 Bolton Queen Street Corridor Study

Memorandum from Kyle Munro, Community Policy Planner, Community Services dated Tuesday, May 21, 2019 regarding Bolton Queen Street Corridor Study

9.2.2 Overview of the New "A Place to Grow: The Growth Plan for the Greater Golden Horseshoe"

Memorandum from Sylvia Kirkwood, Manager, Policy & Sustainability, Community Services dated Tuesday, May 21, 2019 regarding Overview of the New "A Place to Grow: The Growth Plan for the Greater Golden Horseshoe"

9.2.3 Current Provincial Initiatives & Proposed Amendments

Memorandum from Sylvia Kirkwood, Manager, Policy & Sustainability, Community Services dated Tuesday, May 21, 2019 regarding Current Provincial Initiatives & Proposed Amendments

9.2.4 Modernizing Ontario's Environmental Assessment Program

Memorandum from Kant Chawla, Senior Policy Planner, Community Services dated Tuesday, May 21, 2019 regarding Modernizing Ontario's Environmental Assessment Program

10. **CONFIDENTIAL SESSION**

11. **ADJOURNMENT**

12. **Accessibility Accommodations**

Assistive listening devices for use in the Council Chamber are available upon request from the Staff in the Town's Legislative Services Section. American Sign Language (ASL) Interpreters are also available upon request.

Please provide advance notice if you require an accessibility accommodation to attend or participate in Council Meetings or to access information in an alternate format please contact Legislative Services by phone at 905-584-2272 x. 2366 or via email to legislative.services@caledon.ca.

Staff Report 2019-69

Meeting Date: Tuesday, May 21, 2019

Subject: Renaming a portion of Cross Country Boulevard as Roy Clarkson Way

Submitted By: Kyle Munro, Community Policy Planner, Community Services

RECOMMENDATION

That a by-law to rename an identified portion of Cross Country Boulevard as Roy Clarkson Way be enacted; and

That Schedule F of Traffic By-law 2015-058 be amended to rename Cross Country Boulevard from Highway 50 (RR 50) to a point 100m west of Highway 50 (RR 50) as Roy Clarkson Way.

REPORT HIGHLIGHTS

- Staff recommend that a portion of Cross Country Boulevard in Bolton be renamed in commemoration of Roy Clarkson, a volunteer member of the Caledon Fire Service who passed away while on duty in 1980.
- The portion of Cross Country Boulevard proposed for renaming is located directly adjacent to the new fire station in Bolton and does not contain any property addresses.
- The proposed street name currently exists on the list of names approved for use in Caledon by the Region of Peel Street Names Committee and the street name suffix proposed does not require approval by the Committee.
- The recommendation has been made in accordance with the street re-naming requirements of the Town's Corporate Street Naming and Public Notice Policies and Procedures.

DISCUSSION

Purpose (background)

The purpose of this report is to recommend for Council to enact a by-law to rename a portion of Cross Country Boulevard to Roy Clarkson Way.

In October 2018 Staff forwarded the suggestion that consideration be given to naming a street in memory of Mr. Roy Clarkson, the only member of the Caledon Fire and Emergency Services Department to have passed away while on duty.

Mr. Clarkson was a dedicated volunteer fireman who rose to the rank of Assistant District Chief while operating out of Caledon Fire Department Station No. 2 (Bolton) from 1947 until his passing during a house fire call on February 11, 1980.

In November 2018, the name Roy Clarkson was approved for use in Caledon by the Region of Peel Street Names Committee.

Cross Country Boulevard is a curvilinear street located on the Southwest side of Highway 50 in Bolton, directly south of the new fire station being constructed at 14002 Highway 50. Cross Country Boulevard is bound by Highway 50 to the North and English Rose Lane to the South. The section of Cross Country Boulevard proposed for renaming to Roy Clarkson Way is approximate 100 m in length, starting at Highway 50 and ending at the 90 degree turn in the street. This section of street is contained within the opened road allowance legally identified as being between Lots 10 and 11, Concession 6, former Albion Township and would include the entrance to the rear driveway of the fire station (see Schedule A).

The section of street proposed for renaming was identified as a potential location due to:

- a) its immediate proximity to the new Bolton fire station
- b) its physical distinction from the remainder of Cross Country Boulevard
- c) no property address changes would be required
- d) only signage upgrades would be required.

The recommendation for the proposed street renaming has been made in accordance with the requirements of the Town's Corporate Policy on Street Naming and Appendix 5 of the Town's Street Naming Procedure:

- A request to change the name of an existing street may be made by the Town, the Region of Peel, or members of the public.
- The street name change is proposed for commemorative purposes.
- The proposed street name is on the list of names approved for use in Caledon by the Region of Peel Street Names Committee.
- The proposed name reflects and commemorates local heritage.
- As a posthumous street name recommendation, written authorization has been provided by Mr. Clarkson's family in support of the renaming.

With the existing orientation of properties on Cross Country Boulevard, no properties are located in the limited area subject to the proposed street renaming, therefore no address changes are required.

Staff Report 2019-69

The Region of Peel Street Names Committee did not require any suffix restrictions on the use Roy Clarkson as a street name. The Town therefore does not require approval from the Committee to proceed with the use of the name Roy Clarkson Way.

As per the Town's Public Notice Policy, notice of the proposed street renaming was published in local newspapers, on social media and on the Town website on April 25, 2019.

Notification was also mailed to residents and landowners of the 217 properties identified within the subdivision that includes the Cross Country Boulevard on March 14, 2019.

Public Comments

As of April 30, 2019, staff had received a limited amount of responses from members of the public by way of phone call, email and in person comments. Some of the concerns were:

- Impacts on local navigation by visitors seeking to locate Cross Country Boulevard.
- The existing association of the name Clarkson with the Go station and former village in Mississauga and the potential for confusion for local residents and commercial delivery service.
- That commemorative street naming should be reserved for locations that will include addressed properties.

The purpose of proposing a partial street renaming was to limit the impact to property owners and avoid unnecessary costs to update owner addresses. Once maps are updated then issues with potential delivery will be addressed.

Family Endorsement

Staff have been in regular communication and consulted with Mr. Clarkson's family throughout this process. The family is supportive and appreciative of this approach. (see Schedule B)

FINANCIAL IMPLICATIONS

There are no significant financial implications to the Town, as a result of the proposed street renaming. There are minimal costs associated with registration of the amending by-law on title to the road allowance and the installation of the new street sign post and signage on Town lands.

COUNCIL WORK PLAN

Town of Caledon Council Work Plan 2018-2022 Key Priorities addressed:



- Connected Community Initiative: Preserve heritage and natural areas

Should Council approve enactment of a by-law renaming the identified portion of Cross Country Boulevard as Roy Clarkson Way, the following steps shall be undertaken:

1. Advise the applicant of Council's approval.
2. Register the by-law on title to the road allowance.
3. Notify the land owners abutting Roy Clarkson Way of the street renaming.
4. Advise Building and Support Services, Information Technology GIS staff and the Region of Peel Street Names Committee of the street renaming for the purpose of updating records and mapping. Emergency Medical Services and the Ontario Provincial Police shall be advised of the street renaming by Building and Support Services.
5. Advise Legislative Services for the purpose of amending the Traffic By-law and any relevant documents.
6. Advise Finance and Infrastructure Services of the renaming for the installation of the new street sign.
7. Advise Region of Peel Road Operations department of the renaming for the purpose of installation of a new street signs on Highway 50.
8. Staff are developing a Plaques, Memorials and Monuments policy to commemorate past, current and future individuals that are deserving of such recognition. A further memo will be brought to Council to address this for Q3 of 2019.

ATTACHMENTS

- Schedule A Location Maps showing the proposed Roy Clarkson Way
Schedule B Family Authorization

Schedule A - Location Map

Section of **Cross Country Boulevard** proposed for renaming to
Roy Clarkson Way



Schedule B - Staff Report 2019-69 Family Authorization

Kyle Munro

From: sue adams <[REDACTED]>
Sent: Tuesday, February 12, 2019 11:48 AM
To: Kyle Munro
Subject: Thank You

I'd like to thank you once again for being on my side, & part of that great plan for the street named after my dad, the best place it could be. I am thrilled! That was really moving for Dan & I, & my 2 sisters, & brother are honoured & proud as I am. I mentioned it to other family & a few friends from town & words travelling & many have said its long over due & so happy for us.

I know I told you a bit what my dad had done, but he truly was a hero, & the fire dept was his life. He went doing what he loved. The calls he had through the years were very stressful, but he never gave up & quit, right to the end. A couple I never mentioned, were one call where a tractor had rolled onto his father who was in his 60's, killing him, he was at the scene. Another was my car accident in town in 77, were 3 kids died, 3 of us survived. He checked my pulse & didn't even realize it was me until he recognized one of the girls dead on the road. Another accident my brother had rolled his car...so many things he did too many to name. Thank you once again, keep warm as I know your getting another snow storm:) Sincerely, Susan Adams. P.S. I know I have many to others thank for this also, I'm truly grateful. Sent from my iPhone

Public Meeting Information Report

Community Services Department - Planning & Development

Public Meeting: May 21, 2019 at 7:00 p.m. in Council Chambers, Town Hall

Applicant: John and Ruth Downey

File No.: RZ 19-02 (Related File: B 04-16)

The Purpose of a Public Meeting:

In accordance with the *Planning Act*, a Public Meeting is held for applicants to present their proposal to the public and Council to receive comments and answer questions that the public and members of Council may have.

Staff and Council will not make a recommendation or decision on the proposal at a Public Meeting. A Planning Report will be brought forward by staff and considered by Council at a later date.

As a member of the public, you are welcome to request to be notified of any future Public or Council Meetings. Please provide your contact information on the 'Sign-In' sheet provided in the lobby. Please be advised that the sign-in information will form part of the public record for these applications.

Property Information:

The subject lands are located at 13471 Heart Lake Road, north of Old School Road, and are legally known as Part of Lot 25 Concession 3 EHS (Chinguacousy) (see Schedule "A" and "B"). Having an area of 19.61 ha, the lands contain a detached dwelling. The surrounding land uses are agricultural. Within the Town's Official Plan, the lands are designated Prime Agricultural Area, and within Zoning By-Law 2006-50 the lands are zoned Agricultural (A1).

Proposal Information:

On February 22, 2019, an application for a Zoning By-law Amendment was submitted by IBI Group on behalf of John and Ruth Downey, which the Town deemed complete March 7, 2019. The application is to amend the Zoning By-law for the subject lands from Agricultural (A1) to Agricultural (A1-X) Exception Zone, Agricultural (A1-XX) Exception Zone, and Environmental Policy Area 1 (EPA1-XX) Exception Zone. The purpose and effect of the application is to fulfill a condition of consent, as determined before the Local Planning Appeal Tribunal (LPAT) in August 2018. The consent application was for a severance to create a lot for a residence surplus to a farming operation. Specifically, the application prescribes for the following (see Schedule C):

1. Prohibition of any dwelling construction on the retained portion of the severed lot;
2. Identification of the limits of the Environmental Policy Area 1 Zone to include the existing floodplain;
3. Recognition of the minimum lot area of the severed parcel containing the existing dwelling.

Consultation:

In accordance with the *Planning Act*, Notice of this Public Meeting was mailed to all landowners within 120 m (393.7 ft) of the subject site and posted in the Caledon Enterprise and Caledon Citizen on April 25, 2019. Signage was also installed on the frontage of the property inviting public comment.

The application has been circulated to external agencies and internal departments for review and comment. Comments received are briefly outlined below for your information:

- **TRCA:** Staff is satisfied that the proposed lot has been located outside of the Regulatory Floodplain. Furthermore, through implementation of this Zoning By-law Amendment, appropriate



Public Meeting Information Report

Community Services Department - Planning & Development

assurances will be applied to manage both existing and future risks associated with the Regulatory Floodplain on the subject lands. As such, TRCA staff has no concerns with this application as currently submitted.

- Region of Peel: As the amendment is implementing the planning considerations under the previous consent file, Regional Staff have no comments on this amendment.
- Town of Caledon, Finance and Infrastructure Services, Finance: The property is currently assessed as residential and farmland. If the proposed changes were to proceed as planned, the taxable assessment value of the property may change, to reflect the development that would have taken place.
- Town of Caledon, Community Services - Zoning: Minor modifications are requested in order to bring the proposed zoning wording and schedule in line with text and schedules of Zoning By-law 2006-50.

The following agencies/departments have no concerns with the application:

- Dufferin-Peel Catholic School Board
- Canada Post
- Ontario Power Generation
- Town of Caledon, Finance & Infrastructure Services, Transportation
- Town of Caledon, Corporate Services, Legislative Services, Accessibility
- Town of Caledon, Community Services, Fire & Emergency Services
- Town of Caledon, Community Services, Development Engineering
- Town of Caledon, Community Services, Building & Support Services
- Town of Caledon, Community Services, Municipal Numbering
- Town of Caledon, Community Services, Heritage & Urban Design
- Town of Caledon, Finance & Infrastructure, Transportation
- Town of Caledon, Community Services, Policy & Sustainability (Urban Design, Heritage)
- Town of Caledon, Community Services - Open Space Design

Next Steps:

If you wish to be notified of the passing of the proposed Zoning By-law Amendment or of the refusal of the request to amend the Zoning By-law, you must make a written request to the Clerk of the Town of Caledon, 6311 Old Church Road, Caledon, Ontario L7C 1J6. If a person or public body does not make oral submissions at a public meeting or make written submissions to The Corporation of the Town of Caledon before the By-law is passed, the person or public body is not entitled to appeal the decision of the Town of Caledon to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to The Corporation of the Town of Caledon before the By-law is passed, the person or public body is not entitled to appeal the decision of the Town of Caledon to the Local Planning Appeal Tribunal; and/or the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.



Public Meeting Information Report

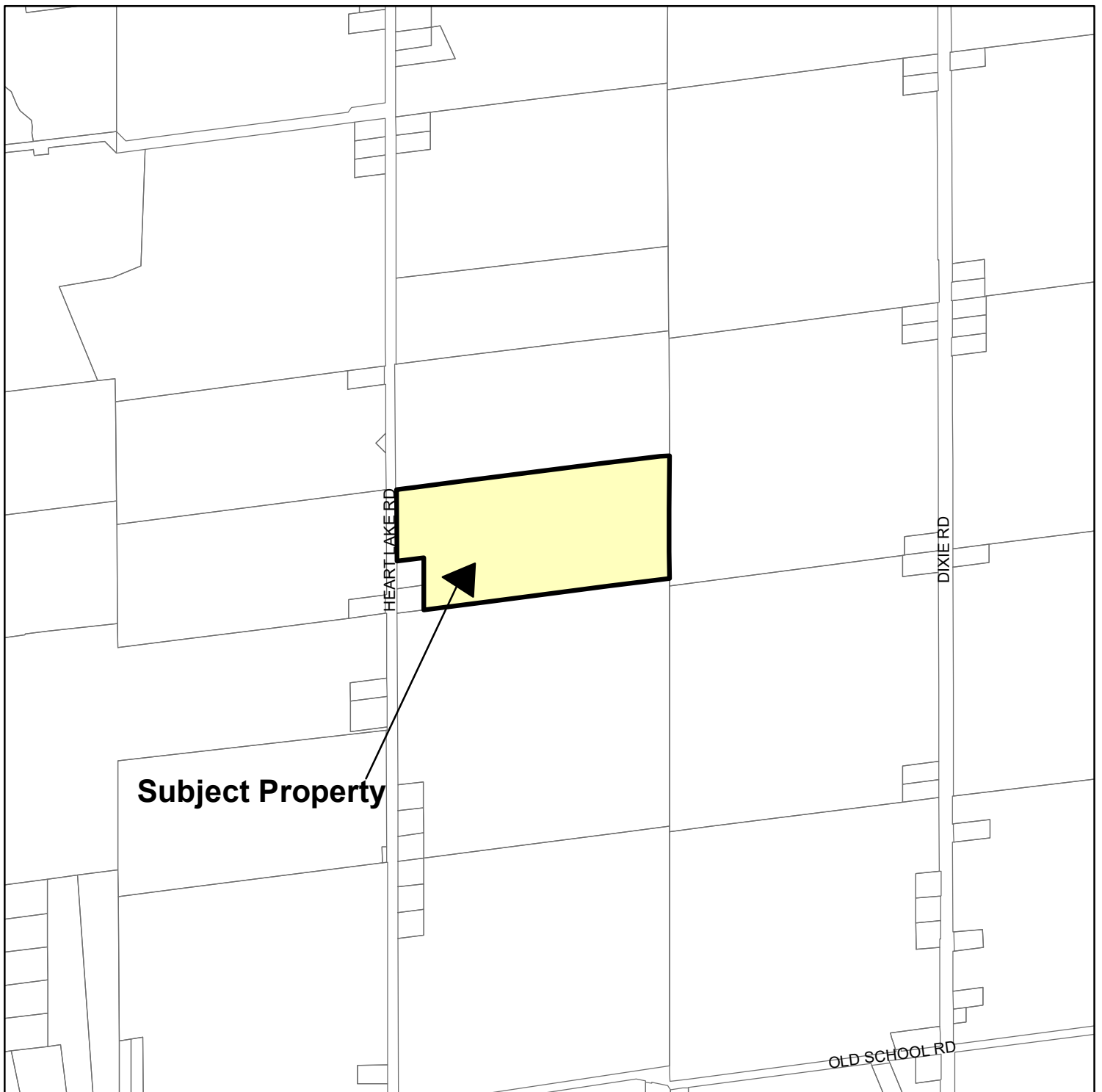
Community Services Department - Planning & Development

Contact:

For further information, please contact Rob Hughes, Manager of Development - West at 905-584-2272 ext. 4246 or at rob.hughes@caledon.ca

Attachments:

- Schedule A: Location Map
- Schedule B: Aerial Photograph
- Schedule C: Proposed Zoning



Application for Zoning By-law Amendment

RZ 19-02

John & Ruth Downey

13471 Heart Lake Road

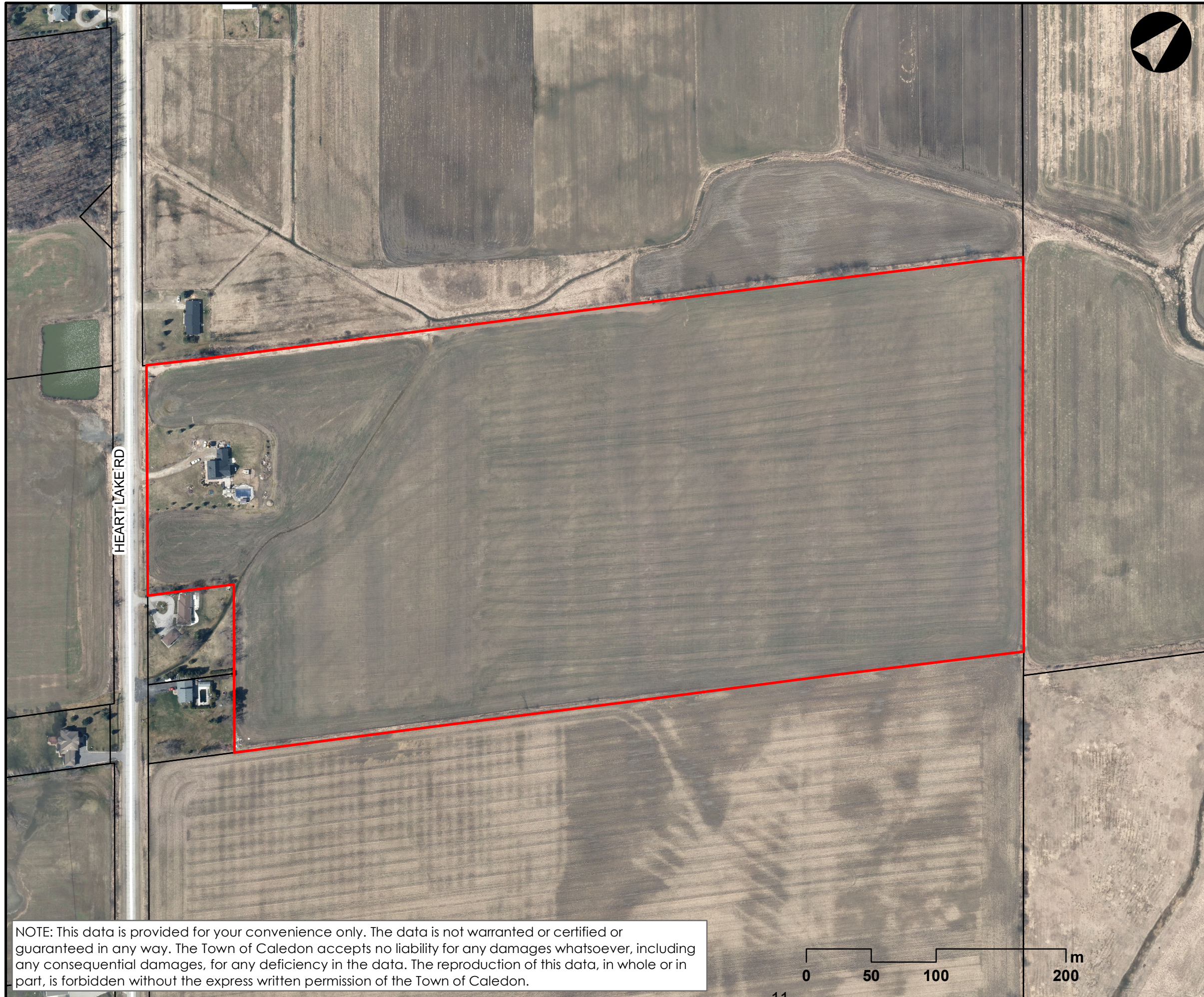
Part of Lot 25, Concession 3 (EHS)

LOCATION MAP



Date: March 7, 2019

File No.: RZ 19-02





NOTE: This data is provided for your convenience only. The data is not warranted or certified or guaranteed in any way. The Town of Caledon accepts no liability for any damages whatsoever, including any consequential damages, for any deficiency in the data. The reproduction of this data, in whole or in part, is forbidden without the express written permission of the Town of Caledon.

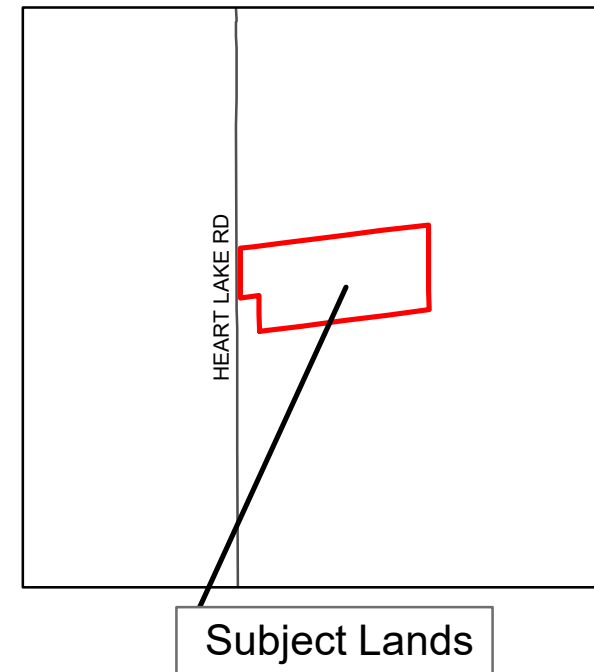


13471 Heart Lake Road
Town of Caledon
Regional Municipality of Peel

Legend

-  Subject lands
-  Zone Boundary

Key Map



Date: May 2, 2019




File: RZ 19-02



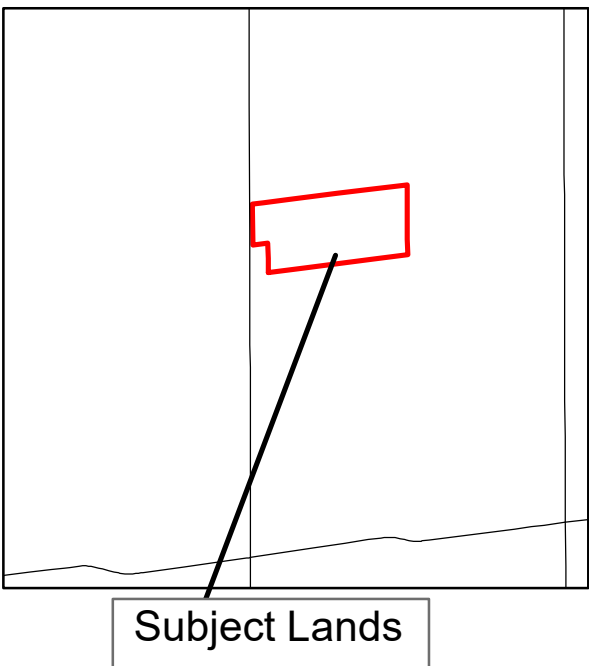
**Schedule C
By-law 2019-XXX**

13471 Heart Lake Road
Part of Lot 25, Concession 3 (EHS)
Town of Caledon
Regional Municipality of Peel

Legend

-  Agricultural (A1-X)
-  Environmental Policy Area 1 (EPA-XX)
-  Agricultural (A1-XX)

Key Map



Date: May 2, 2019

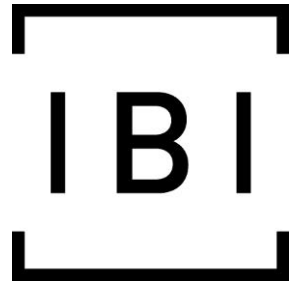
File: RZ 19-02

Neighbourhood Open House

13471 Heart Lake Road



IBI Group
13471 Heart Lake Road
May 21, 2019



HAMILTON

John Ariens

John.ariens@ibigroup.com

905-546-1010 ext. 63109

Ashley Kirec

Ashley.kirec@ibigroup.com

905-546-1010 ext. 63124



Air Photo



Air Photo- Downey Operations



Image looking North East from the road in towards the subject lands

Existing Conditions – Subject Lands

FILE HISTORY

- Consent Application submitted January 2016, was approved then appealed.
- Appeal was settled in August 2018
- Rezoning is a condition of the settlement
- Public Open House: Today
- Planning Committee Meeting
- Council Meeting

SURPLUS FARM RESIDENCE

- Residential Severances are not allowed in the Prime Agricultural Areas except for surplus farm residences, provided:
 - Agricultural land removal is minimal;
 - Complies with MDS formula;
 - Existing Residence;
 - Part of Farm Operation; and,
 - No future dwelling on the vacant left over farm land.

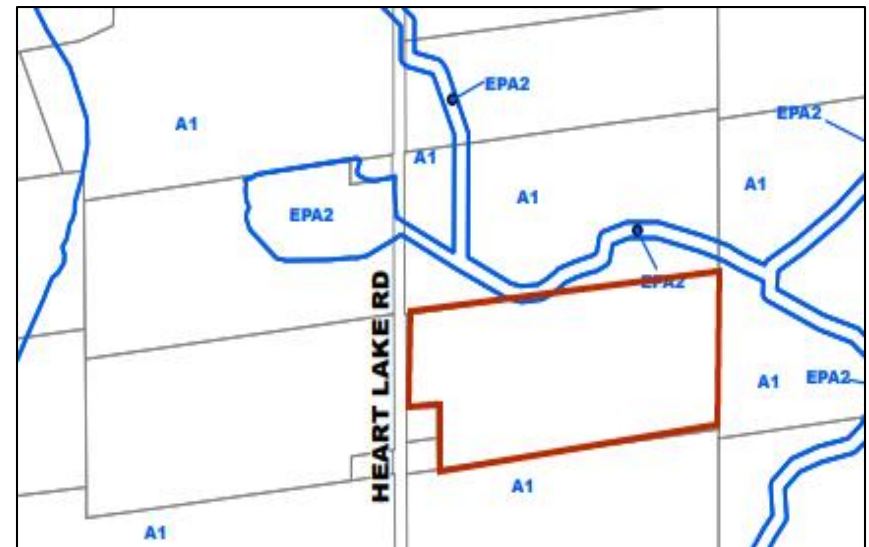
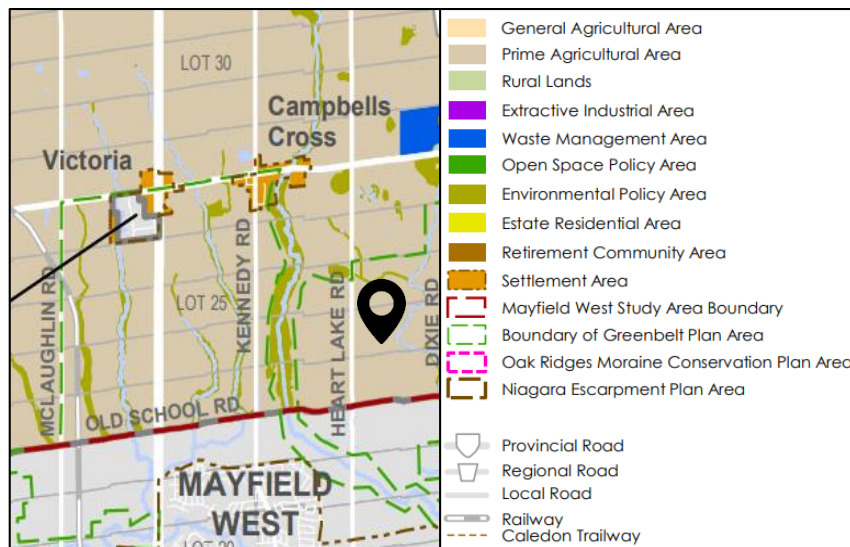
CURRENT PLANNING STATUS

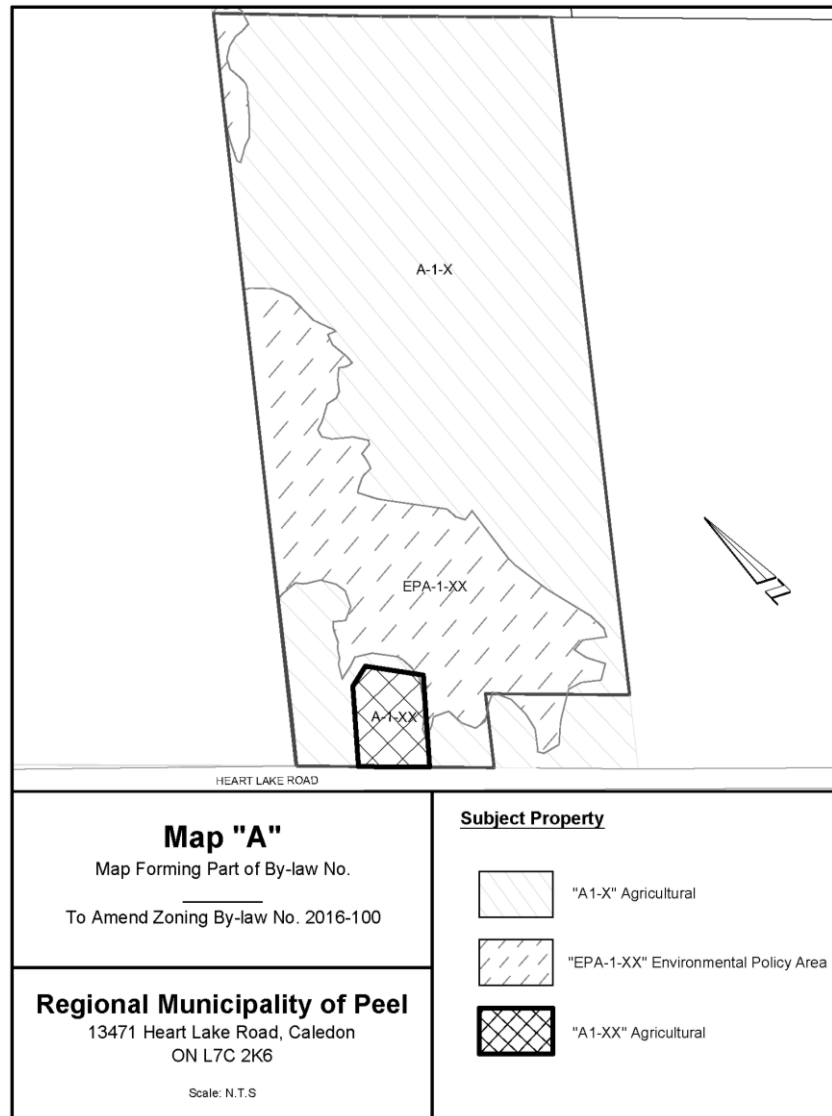
Town of Caledon Official Plan:

Prime Agricultural Area

Town of Caledon Zoning By-law 2006-50:

A1- Agricultural One





Draft Zoning By-Law

REQUIRED PLANNING APPLICATIONS

Zoning By-law Amendment:

- Rezone Agricultural One (A1) to Agricultural One Exemption X (A1-X), Agricultural One Exemption XX (A1-XX) and Environmental Protection Area One Exemption XX(EPA-1-XX)

CONCLUSION

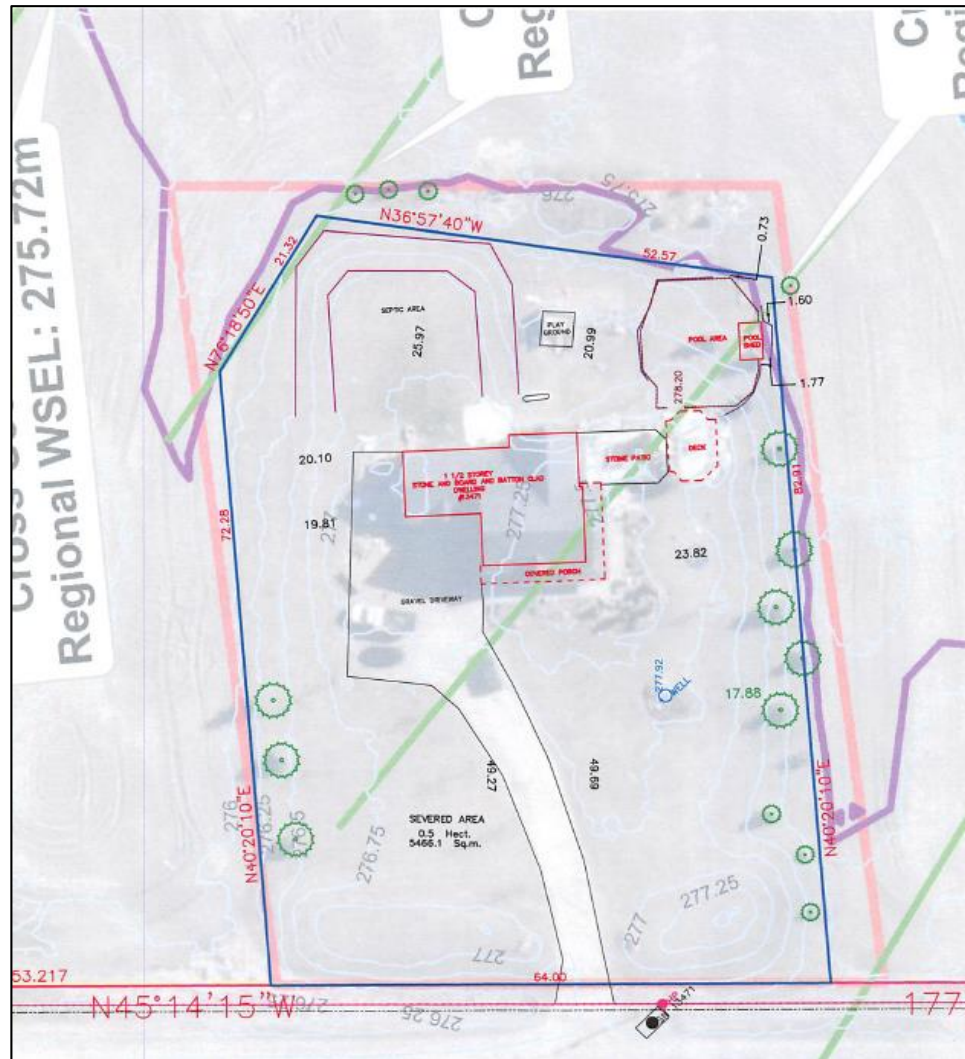
- Dwelling is currently surplus to a farm operation.
- The severance supports agriculture
- The severance complies with PPS, Greenbelt Plan, ROP and Town OP
- The rezoning will prohibit a new dwelling upon land from which the surplus house was removed.

THANK YOU!

For More Information Contact Us:

John.Ariens@ibigroup.com

Ashley.kirec@ibigroup.com



May 16, 2019

Committee of The Whole (Planning and Development)

Council Chamber, Town Hall
6311 Old Church Road
Caledon, Ontario
L7C 1J6

Dear Members of Committee:

Re: 50 Ann Street, Bolton
File No. SPA 17-35, RZ 17-05
Request for Project Fee Consideration

We are writing to formally request your consideration of two fees related to our development proposal at 50 Ann Street in Bolton. Specifically, our request relates to the Town's 2019 development charge update which we understand is currently in process, and to the Town's Cash in Lieu of Parking policy.

First, we want to outline a brief chronology of the process we have undertaken to bring this application forward.

- 2014 – We identified 50 Ann as a potential site for a mid-rise redevelopment opportunity, we initiated discussions with both the owner of what was then the former Legion, and with the Town of Caledon on this opportunity.
- 2015 – We completed our due diligence efforts, closed on the property and continued with more formal pre-consultation meetings with the Town.
- 2016 – Most of our technical reporting and preliminary design work was completed in 2016 in preparation for what was going to be a two tiered Site Plan Application – one to deal with our environmental remediation program to address the site's Brownfield's condition, and a second application to deal with the actual proposed building.
- 2017 – The initial Site Plan Application was submitted to the Town for Phase 1 works (remediation program) on April 4th, 2017 and received approval on August 28th, 2017. The Phase 2 Site Plan Application and Zoning By-law Amendment was submitted in support of our mid-rise condominium proposal on May 3rd, 2017.
- 2018 – Development review process.
- 2019 – Development review process continued to a point where we are now able to come forward with a staff recommendation for Committee's consideration.

As detailed in the Phase 1 site plan application process, this site has revealed numerous constraints including; a high groundwater table, significant Brownfield conditions and contaminated soil, an undisclosed non-operational municipal storm sewer (which we've been required to accommodate), numerous additional easements and an overall building height restriction. Due to the numerous site constraints of this project along with increasing construction costs and limited development yield and

parking supply, the multitude of municipal and agency review fees have put additional pressure on this project.

As such, we request your consideration of the following to help protect the economic viability of our proposal, and to ensure that we can move forward to deliver the type of quality condominium building that Downtown Bolton deserves.

Town of Caledon – Development Charge Update

Brookfield is aware that the Town of Caledon is in the process of revising its 2014 development charge by-law. We also understand that as part of your current update, the town is considering eliminating the local development charge exemption that is currently available to residential development applications with the Bolton Business Improvement Area.

Consistent with our initial discussions with the Town back in 2014 / 2015, and our initial due diligence on this opportunity, exemption of Caledon's component of development charges was fundamental in our decision to move forward with this project. Further we were encouraged on several occasions by member of staff and Council while considering this opportunity that one of the benefits of investing in Bolton, and in particular the Business Improvement Area was the fact that there was the exemption of local development charges.

We understand that this exemption was originally put in place to both encourage investment in Bolton's downtown, and to offset the potential costs of environmental clean-up and Brownfield remediation. We have satisfied both objectives, but at a significant cost.

We provided the chronology at the beginning of this letter to map out the process we have been through, and the timing realities and delays we have faced in trying to advance this project, and while we appreciate that things may change over time, in our view the Town has committed to this exemption, and frankly it is a crucial component of this project moving forward.

As such, we respectfully request that Council ensures that the exemption of the local component of the development charge continue to apply to our project, regardless of whatever the timing of our final approval may be, and regardless of when your new development charge update is formally in-effect.

Cash in Lieu of Parking - Request for Reduction

The Town's in-effect Zoning By-law requires 1.75 spaces per residential unit regardless of the type of unit (1 bedroom – 2 bedroom etc.). Within this number is a ratio of 0.25 parking spaces per unit for visitors. Based on our 73 unit proposal, we would be required to provide 129 total parking spaces.

Our current application provides 80 parking spaces, at a ratio of 1.1 spaces per residential unit, representing a shortfall of 49 spaces from your current By-Law. Our restrictions to providing more parking relate to all

of the site specific challenges mentioned above, which have “squeezed” our site to a point where there is no additional room to accommodate parking.

You currently have a policy allowing applications like ours to pay Cash in Lieu (CIL) of parking spaces at a rate of \$7,500 per space we are deficient. This equated to a fee of **\$367,500.00** as an additional cost burden to the project.

In reviewing this issue, our traffic consultant (The BA Group), conducted a Traffic Impact Study which justified a parking ratio of 1.10 spaces per unit (0.10 for visitor parking) due to the proximity to amenities, usage rates of adjacent parking lots and location in a walkable downtown with transit (albeit in Bolton’s case – limited transit). The adjacent condominium at 60 Ann Street (River’s Edge) has a site specific Zoning By-law which requires a parking ratio of 1.2 spaces per unit. In our consultant’s traffic review they found that parking spaces were underutilized at the adjacent property and in the surrounding area. This highlights a significant discrepancy between the 2002 Caledon Zoning By-law parking standards, the actual required parking for a downtown residential condominium, and the Town’s planning goals to reduce auto dependency and promote active transportation.

And while we appreciate that Bolton already has significant parking challenges, and we are aware that these challenges exist as issues throughout communities in Caledon, our parking ratio of 1.1 spaces per unit is much more in keeping with other examples throughout the GTA of this type of urban infill development (even in areas with limited transit).

As part of our analysis we reviewed Paradigm Transportation Solutions Ltd., report prepared for the Town of Caledon in 2012 titled *Bolton Downtown Core Public Parking Study* which outlined an approach to determining cash-in-lieu of parking (refer to “Appendix A”). The study confirmed that the cash-in-lieu allowance for a parking space of \$7,500 represents the approximate cost of a stall. The report recommends that the cash-in-lieu formula not be based on the full cost but rather use a portion of the cost within a range of 50% to 75%.

Also, in comparison to Caledon’s approach, many municipalities review each application based on its own merits in terms of CIL of parking. Payment schedules are set out in agreements between the municipality and the proponent. The below excerpt from Paradigm’s report outlines fees used by municipalities in Ontario.

Municipalities in Ontario - Cash-In-Lieu of Parking Rates

Excerpt from Bolton Downtown Core Public Parking Study (refer to Appendix A)

<i>Municipality</i>	<i>Cost (per parking space)</i>
<i>Port Dover (Norfolk)</i>	\$945.75
<i>Norwich</i>	\$1,069.75
<i>East York (Toronto)</i>	\$2,365.50
<i>Milton</i>	\$7,143.00
<i>Woolwich</i>	\$1,725.00
<i>Muskoka Lakes</i>	\$1,500.00
<i>Hamilton</i>	\$2,743.75
<i>London</i>	\$8,000.00
<i>Ottawa (suburban)</i>	\$3,000.00
<i>(urban)</i>	\$8,000.00

The above chart demonstrates the variability in cash-in-lieu of parking rates across varying municipalities, with the average being \$3,649.28, and while noting your Paradigm report in our request, we are aware that this work is dated (2012), but it is also the same report that the Town continues to base it's \$7,500 per unit requirement on.

We believe strongly that our development application addresses the Town's goal of attracting investment and redevelopment in downtown Bolton. We also feel that consideration for a reduced cash-in-lieu of parking is appropriate to encourage and promote urban residential development as an alternative housing option in this area, not just in our example, but for future opportunities as well. As such, we again respectfully request that Council consider reducing the \$7,500 per parking space requirement to a value which better reflects the realities of what is needed in an urban setting, and the realities of the economic challenges of this type of redevelopment proposal.

We appreciate your time and consideration, and we look forward to continuing to work with the Town of Caledon to advance this project.

Sincerely,

Brookfield Residential (Ontario) Bolton Limited

Pete Schut
Senior Vice President, Acquisitions and Development

Staff Report 2019-70

Meeting Date: Tuesday, May 21, 2019

Subject: Landscape Security Review, Industrial and Commercial Site Plan Applications

Submitted By: Rob Hughes, Manager, Development – West, Community Services

RECOMMENDATION

That the revised security amounts for Industrial and Commercial Site Plan Applications within the Town be approved in accordance with the proposed practice prescribed in Table Two of Staff Report 2019-70.

REPORT HIGHLIGHTS

- In response to a Memorandum before the April 23, 2019 Planning & Development Committee, Council directed staff to review options to reduce the requirement for Landscape and Engineering Securities for Commercial and Industrial development, by May 2019.
- Staff reviewed current practices and undertook benchmarking with a number of municipalities. Staff has concluded that no changes are required for both Landscape Securities, and for all works undertaken external to the site (i.e. on municipal right-of-ways). Staff is recommending that Engineering Securities be reduced to 50%, in addition to prescribing minimum and maximum security caps.

DISCUSSION

Background:

At the Planning and Development Committee of April 23, 2019, the Committee considered a memo regarding Site Plan Control Engineering and Landscape Securities. In response to the memo, Council on April 30, 2019 adopted a Notice of Motion for staff to report back with options to reduce the requirement for Landscape and Engineering Securities for Commercial and Industrial developments, by May 2019.

Current Practice:

Through the review of each industrial and commercial site plan application, the Town takes 100% securities for both landscape and engineering works proposed internal on-site. In addition, the Town takes 100% of securities taken external to the site (i.e. municipal right-of-way). Cost estimates are provided which serve as the basis for determining the amount of each engineering and landscape security required. Security

Staff Report 2019-70

releases are processed subject to the receipt of satisfactory certifications and inspections. The purpose for taking securities is as follows:

- To ensure development on the lands will be constructed and completed in accordance with the full expectations of Council and staff, as per approved plans that take into consideration all applicable policies, procedures and requirements;
- To assist in timelines of construction by obligating a developer to complete works in a timely manner, in order to be relieved of the financial obligations connected with providing security;
- To provide the Town with a financial resource in cases where a developer abandons a site or fails to live up to its commitments, and where site completion, remediation or property security for safety purposes is required.

Engineering and Landscape Security Changes:

As requested by Council, staff has undertaken a review of security amounts that are taken for both engineering and landscape requirements, for industrial and commercial development. This review has included consultation and benchmarking with other municipalities to confirm recent best practices (see Table One below for some examples).

Table One

Table One	Engineering Securities Internal Works	Landscape Securities Internal Works	Engineering & Landscape External Works
Aurora	100% all works	100% all works	100% all works
Brampton	Amount based on property frontage , along with various prescribed deposits	100% all works	100% all works
Halton Hills	50% all works plus 20% contingency	50% all works	100% all works
King Township	50% all works	100% all works	100% all works
Milton	50% all works, 100% storm works	100% all works plus 15% contingency	100% all works
Oakville	100% of first \$50,000 plus 50% of the remainder	100% all works	100% all works

Staff Report 2019-70

In view of the above, staff are recommending the following:

Table Two

Table Two	Current Practice	Proposed Practice
Engineering Securities (internal site works)	100% all works	50%, not less than \$20,000 and up to a maximum of \$1,000,000
Landscape Securities (internal site works)	100% all works	100% all works (no change)
All External Site Works	100% all works	100% all works (no change)

Landscape Securities: No change is recommended to the current practice of taking 100% securities. This practice remains satisfactory for ensuring that plant material is sufficient through to the return of securities after the one year warranty period has expired and certification received. Generally, the securities for landscape works are much less than what are required for engineering, given the value of work involved. Holding to current practices will look to ensure developments within commercial and industrial areas are esthetically pleasing and in keeping with landscape and urban design guidelines.

Engineering Securities: Staff is recommending changes in the amount of security taken, as per the above chart. In regards to industrial and commercial development, reducing the security level to 50% of the internal site works with relevant caps is satisfactory to ensure development on the site is properly secured were the municipality required to take action, and is enough of an incentive for work to be completed in a timely manner. No change would apply to residential and mixed use development from a security perspective.

Engineering and Landscape External Works: Staff is recommending that no change take place on the level of security provided for works external to the site (i.e. on municipal right-of-ways, parks, or other Town owned lands and infrastructure). The full level of security allows for all works to be fully secured and covered if municipal action were required. In this way, full protection would be in place for municipal lands and infrastructure.

FINANCIAL IMPLICATIONS

There are no immediate financial implications associated with this report.

COUNCIL WORK PLAN



Staff Report 2019-70

This matter is not relative to the Council Work Plan.

ATTACHMENTS

None.

Staff Report 2019-66

Meeting Date: Tuesday, May 21, 2019

Subject: Proposed Zoning By-law Amendment; Brookfield Residential (Ontario) Bolton Limited, 50 Ann Street

Submitted By: Mary Nordstrom, Senior Planner, Development, Community Services

RECOMMENDATION

That the By-law attached as Schedule “C” to Staff Report 2019-66 be enacted to amend Comprehensive Zoning By-law 2006-50, as amended, to rezone the subject lands to implement the proposed development;

That applications for minor variances for the lands as identified in Schedule “A” attached to Staff Report 2018-66, be permitted prior to the second anniversary of the passing of any implementing Zoning By-law Amendment, pursuant to Section 45 (1.4) of the Planning Act; and

REPORT HIGHLIGHTS

- Applications for Zoning By-law Amendment (RZ 17-05) and Site Plan Control Approval were filed by Brookfield Homes Ontario Inc. on May 11, 2017 and deemed complete by the Town of Caledon staff on May 19, 2017.
- Three revised submissions have since been filed in March, 2018, September, 2018 and March, 2019 to address staff, agency and resident concerns.
- The applicant is proposing to rezone the property from Institutional (I) to Multiple Residential 616 (RM-616) and Environmental Policy Area 1 (EPA-1) to permit a 5-storey, 73-unit residential condominium building with indoor and outdoor amenity space with 73 resident parking spaces in one level of underground parking and 7 visitor parking spaces provided at grade.
- The development is proposed to be serviced by full municipal services and accessed via Ann Street.
- A Construction Management Plan has been provided that addresses road safety and a communication plan to provide neighbouring properties with monthly construction update letters with timelines, expected construction activity, resident concerns, mitigation strategies and emergency contact information.
- A formal Public Meeting was held on April 3, 2018 in accordance with the requirements of the Planning Act.
- The application complies with the governing Provincial, Regional and Local planning policy documents.

DISCUSSION



The purpose of this report is to provide planning rationale in support of staff's recommendation for the enactment of the proposed Zoning By-law Amendment.

Subject Lands

The subject lands are located on the west side of Ann Street, north of King Street West in the Bolton Core (see Schedule "A" – Location Map). The property, municipally known as 50 Ann Street, measures approximately 0.36 ha (0.89 acres) in area and is presently vacant of any buildings following removal of a one-storey institutional building (Bolton Alliance Church/Bolton Event Hall) in late 2016.

The site has been actively undergoing a remediation procedure after soil and groundwater samples exceeded regulated standards. On April 26, 2019 the Ministry of Environment, Conservation and Parks issued a Record of Site Condition for the proposed residential use. Accordingly, the site condition meets the provincial standards for the proposed residential use.

The lands contain a sloped woodland feature at the rear of the property. The property is within the regulated limits of the Toronto Region Conservation Authority (TRCA) and the woodland feature is identified as a forest within the TRCA's Terrestrial Natural Heritage System.

The Town's Official Plan for the Bolton Core Secondary Plan Area designates the subject lands High Density Residential. The Zoning By-law zones the subject lands as Industrial (I).

The lands are located within the Humber River watershed and identified as a "Special Policy Area" (SPA) by the Ministry of Natural Resources and Forestry (MNR) and Ministry of Municipal Affairs (MMA) and subject to the Bolton Special Policy Area policies within the Town of Caledon's Official Plan.

Surrounding land uses include (see Schedule "B" – Aerial Map):

North: River's Edge Condominium Building; Humber River

South: King Nursing Home; Sterne Street

East: Ann Street; Municipal Parking Lot

West: Single Detached Residential; Sackville Street

Proposed Development

The purpose of the proposed Zoning By-law Amendment (attached as Schedule "C") is to create and permit a 5 storey, 73-unit residential condominium building comprised largely of 1 and 2-bedroom units with 73 resident parking spaces provided in a one-level underground structure and 7 surface-level visitor parking spaces. Indoor and outdoor residential amenity areas are provided at the ground level as well as an outdoor amenity area on the rooftop.

A Site Plan Application (SPA 17-35) was filed concurrently with the application. The conceptual site plan, perspectives and cross-sections attached as Schedule “D” illustrates key concepts of proposed development.

Planning Review

Documents that have been considered by the Town in its review of the subject applications include the Provincial Policy Statement 2014, Places to Grow, Region of Peel Official Plan, the Town’s Official Plan, and Zoning By-law 2006-50, as amended. Supporting technical studies and reports as well as comments and recommendations provided by internal departments, external review agencies and the public also informed the review of these applications.

Provincial Policy Statement (PPS), 2014

The Provincial Policy Statement (“PPS”) contains policies of provincial interest to promote efficient development and land use patterns and achieve healthy, liveable and safe communities.

The proposed development represents an efficient land use pattern that supports an appropriate form of housing to meet the requirements of current and future residents in Bolton’s Downtown Core (1.1.1, 1.1.3.1, 1.1.3.2, 1.1.4.1). In accordance with the PPS, the development is an example of intensification that accounts for the existing building stock and better utilizes existing and planned infrastructure, relying on municipal sewage and water services, the preferred form of servicing for settlement areas (1.1.3.3., 1.6.6.2).

The subject lands are located within the Regulatory Floodplain of the Humber River and may be subject to flooding events during major storm events. The PPS generally directs development outside of flooding hazard areas unless a Special Policy Area has been approved. The Bolton Core, including the subject lands, is within an approved Special Policy Area. Development is permitted provided no change or modification is proposed to the official plan policies, land use designations or boundaries, unless approved by the Province. The proposed development does not require an amendment to the Official Plan of Caledon and as such, meets the intent of the Special Policy Area policies.

In accordance with Section 3.2.2, the lands have been assessed for contaminants in the land and water and successfully remediated to support the proposed use.

The subject lands abut a sloped woodland feature at the rear of the subject property. The forest is identified within TRCA’s Terrestrial Natural Heritage System (TNHS). An Environmental Impact Study has been submitted that demonstrates the proposed development has been set back from the toe of slope and has minimized encroachment into the dripline of the woodlot such that no long-term ecological effects are expected for the wooded slope. The development will not affect the Humber River Valley corridor. The proposed Zoning By-law Amendment proposes an Environmental Policy Area zoning to protect the sloped woodlot. The TRCA has no objections to the proposed rezoning.

After reviewing the material submitted with the application, staff is of the opinion that the proposed development is consistent with the 2014 PPS.

A Place to Grow, Growth Plan for the Greater Golden Horseshoe (2019)

On May 16, 2019 A Place to Grow came into effect (“Growth Plan”), replacing the Growth Plan for the Greater Golden Horseshoe that took effect on July 1, 2017. All decisions made after May 16, 2019 must conform to this Growth Plan. The intent of the Growth Plan is to promote complete communities within a compact built form that make better use of existing infrastructure and services.

The vast majority of growth is to be directed to settlements with a delineated built boundary, have existing or planned municipal water/wastewater systems and that support the achievement of complete communities (2.2.1). The Growth Plan establishes a minimum intensification target of 50% each year following approval of the municipal comprehensive review (2.2.2). The proposed development contributes to the Town’s intensification target by providing desirable growth on full municipal services within the built up area of Bolton.

A diverse range and mix of housing choices are needed to achieve minimum intensification and density targets (2.2.6). The development of complete communities with active transportation options will reduce greenhouse gas emissions as per the Climate Change policies of the Growth Plan. The proposed development will contribute to a range of housing options in the downtown core with convenient access to a range of commercial and employment land uses, thereby promoting active transportation and a vibrant public realm.

The proposed development represents an efficient use of land and infrastructure on a previously underutilized (now vacant) parcel within the built-up area of Bolton. Its built form and style is complimentary to the historic village character and contributes to an attractive, vibrant and pedestrian-supportive neighbourhood. The proposed development conforms to the Growth Plan.

Region of Peel Official Plan

The proposed development is located within the Rural Service Centre of Bolton as shown on Schedule “D” of the Region of Peel Official Plan.

Section 5.4.3.1.4 identifies Rural Service Centres as providing opportunities for a wide range of land uses and community services and Section 6.3.2.1 requires full municipal services to accommodate growth in the Urban System to 2031. The proposed development contributes to a mix of housing types in a mixed use area of Bolton on full municipal services, as demonstrated by the applicant’s Functional Servicing Report.

The Region of Peel has no objection to the proposed applications.

Town of Caledon Official Plan

The subject lands are located within the 2021 settlement boundary of the Rural Service Centre of Bolton wherein the Town’s Official Plan promotes residential intensification

within the built up area that better utilizes infrastructure and services, is compatible with land use patterns and enhances the character of the community character (4.2 and 5.10.3). The proposed development is an example of desirable intensification that can be supported by existing infrastructure and is of high quality design that is both sensitive to and contributes to the historical character of Downtown Bolton.

The Town's Official Plan encourages new development to offer a diverse mix of housing types and tenures that target and support residents of different income groups, accessibility and life stages (3.5). The proposed development achieves these policy objectives by enhancing the range of housing forms in downtown Bolton in terms of tenure (condominium), unit size and accessibility.

The Official Plan emphasizes a commitment to a high standard of urban and community design in planning for higher density residential areas (3.1.3.7.1); the proposed development is meeting these criteria by:

- Protecting the feature at the rear of the property in an ecologically compatible manner;
- Optimizing existing public services and infrastructure;
- Providing access between residential and employment areas;
- Ensuring compatibility with existing uses through careful consideration of design and development-related impacts such as traffic and shadowing.

Pursuant to the Planning Act, Section 6.2.12 of the Official Plan requires conveyance of parkland, or cash in lieu thereof as a condition of development for residential purposes. The Official Plan sets a rate of 5% of the land being developed or 1 hectare per 300 dwelling units, whichever is the greater of the two. For this development, cash in lieu of parkland would be at the rate of 1 hectare per 300 units totaling \$560,249.98.

The applicant has requested a reduction to Cash in Lieu ("CIL") of Parkland in part due to recent changes to the Planning Act that prescribe a rate of 1 hectare per 500 units, this will reduce the CIL payable to \$336,611.10 in accordance with the Planning Act..

Town of Caledon Official Plan – Bolton Core Secondary Plan

The subject lands are located within the Bolton Core Area, a well-defined village located on the floodplain of the Humber River Valley. The majority of the Core, including the subject lands lies within a Special Policy Area. The Bolton Special Policy Area was established to allow flexibility to floodplain management policies to protect the economic and social viability of the Bolton's Core area. All new structures are to be protected from flooding to the Regulatory floodline or, where this level of protection is not achievable, then to the 1:500 year flood. Flood proofing measures have been reviewed through the concurrent Site Plan Approval process to the satisfaction of the Town and TRCA. Through the condominium approval process, the Town and TRCA will ensure a satisfactory flood warning and evacuation system is in place for the development. The proposal provides for appropriate intensification while minimizing potential flood impacts.

The subject lands are designated High Density Residential and intended to contain a broad mix and range of housing types, including apartments. The proposed development achieves key objectives of the Secondary Plan, including providing additional housing units within a well-designed built form sensitive to the village character and in close proximity to retail functions to strengthen the economic base within the Core.

The proposed development satisfies the detailed policies of the Bolton Core Secondary Plan, including the following:

- At a density of 1.97 times the area of the lot (exclusive of balconies, underground parking, rooftop mechanicals), the proposal does not exceed the maximum building density of 2.0 times the lot area (7.3.4.2b);
- At a building height of 235.11 metres above sea level ("masl"), exclusive of rooftop mechanical and architectural detail, the proposal does not exceed the top of the valley ridge measured at 235.5masl (7.3.4.2c);
- The proposed development is supported by a Shadow Study that demonstrates acceptable conditions in both duration and placement as noted below:
 - o Shadowing from the proposed development moves completely off the south wall of River's Edge by 11:00am in the summer and 12:30pm in the spring/fall, allowing for sufficient consecutive hours of sunlight;
 - o Shadowing from the proposed building moves off the outdoor space at the southwest corner of the River's Edge property by 12:45pm in the summer and 1:45pm in spring/fall, maintaining appropriate exposure to sunlight.
 - o There are no shadows cast on King Nursing home until 5:30pm in the spring/fall.
 - o There are no shadows cast on the sidewalk on the opposite side of Ann Street in the summer and prior to 5pm in the spring/fall.
- The proposed development is supported by a Transportation Impact Study that concludes the traffic generated by the proposed development will have a minimal impact on traffic operations on all intersections in the study area and can be accommodated without roadway improvements (7.3.4.2e); and
- Resident parking has been accommodated entirely underground (7.3.4.2d).

The proposed development has been carefully studied and designed to achieve a desirable form of intensification within the Bolton Core community that better utilizes land, infrastructure and services and positively contributes to the character and economy of the downtown and housing diversity of the wider community. Staff is of the opinion that the proposed development is in keeping with the policies of the Town's Official Plan.

Zoning By-Law 2006-50, as amended

The subject lands are currently zoned Institutional (I). The applicant is proposing to rezone the property Multiple Residential (RM-X) and Environmental Policy Area 1 (EPA-1) to implement the proposed development shown in the Site Plan (see Schedule “D”) and protect the sloped woodlot at the rear of the property.

The proposed Zoning By-law Amendment will implement the proposed development by permitting the proposed uses, establishing development-specific setbacks and height limits through structural envelope mapping and allow for a reduced parking standard.

The Zoning By-law includes a parking requirement rate of 1.75 spaces per unit (1.5 resident spaces per unit and 0.25 visitor parking spaces per unit). Application of this rate to the proposed development results in the requirement of 110 resident parking spaces and 19 visitor parking spaces. The proposed development provides 73 resident parking spaces and 7 visitor parking spaces, a rate of 1.095 spaces per unit.

A parking justification was submitted in support of the reduced parking rate, recognizing the site’s proximity to downtown amenities, alternative transportation opportunities (i.e. walking, cycling) and results from parking demand surveys that show ample vacant spaces in the public on-street and off-street parking areas, including the municipal parking lot opposite the subject property. It is also noted that the neighbouring River’s Edge development was approved at a similar parking rate of 1.2 spaces per unit; however, this development was approved prior to the cash-in-lieu of parking program and therefore no payment was required.

The Official Plan authorizes the payment of cash in lieu of parking for redevelopment proposals where insufficient parking spaces are available on site (7.3.6.1) and Section 5.2.9 of the Zoning By-law allows for deficiency in parking spaces provided the owner enter into an Agreement with the Town respecting the payment of cash-in-lieu of parking in accordance with the Town’s By-law 2002-151. As per the By-law, the applicant is required to pay \$7500 per deficient parking space; at a deficiency of 49 parking spaces, the applicant is required to contribute \$367,500. Payment can be made in up to four installments over a period of four years.

The applicant has requested flexibility or removal of the application of cash-in-lieu of parking as it puts pressure on the economic feasibility of the project and ultimate affordability (unit pricing) of the units; however, staff do not have the authority to implement a reduction from the fee established by By-law 2002-151. Council may choose to waive this fee by way of an amendment to recommendations of this report.

The implementing by-law with the relevant details is attached as Schedule “C”. Staff has no objection to the subject changes proposed to the Zoning By-law.

The proposed By-law is in keeping with the uses permitted in the Official Plan and adequately implements the proposed development.

Staff Report 2019-66

Minor Variances

Section 45 (1.3) of the Planning Act prohibits any owner or applicant to apply for a Minor Variance application within two years of the approval of a Zoning By-law Amendment. Normally Variances would proceed to the Committee of Adjustment, however prior to the expiration of that two year period, any request for a Variance would need to appear before Council to allow a land owner to make an application to the Committee. This step may cause significant delay in processing of related Site Plan and Building Permit applications if a Minor Variance is required.

Section 45 (1.4) of the Planning Act allows Council to declare by resolution that such application is permitted within the two years. Staff is therefore recommending that Council, pursuant to the above Planning Act reference, permit Minor Variance applications to be applied as a precautionary measure to ensure development can proceed in a timely manner. Any Variance application submitted would still require consideration and approval by the Committee of Adjustment in order to be allowed.

Agency/Department Consultation

The subject applications were circulated to external agencies and internal departments for review and comment. All agencies and departments support approval of the Zoning By-law Amendment and will continue to finalize the details of the concurrent Site Plan Application. Refer to the Comment Sheet attached to this report as Schedule “E”.

Public Meeting

A public meeting was held on the proposed Zoning By-law Amendment application at the Town of Caledon, Town Hall on Tuesday April 3, 2018. Notice of the Public Meeting was advertised in the Caledon Citizen and Caledon Enterprise on March 8, 2018. Property owners within 120m (400 ft) of the subject lands were advised of the meeting by direct mail as required by the Planning Act.

The purpose of the Public Meeting was to provide the Applicant with an opportunity to present the proposed development to the Public and Members of Council and to respond to questions on the proposals. The matters raised at this meeting and considered by the applicant in subsequent resubmissions have been adequately addressed as summarized in the public consultation table below:

	Public Comment	Response
1	Design: Contemporary, modern design (grey brick, black accents) does not fit with traditional/historical downtown core or 60 Ann Street (red brick, sandstone) Too much glass/what kind of glass	Since the first submission, the design characteristics of the proposal have been revised to provide a colour scheme representative of the village core area (red brick, stone accents). See the Perspectives in Schedule “D” to this report. A combination of spandrel and vision glass used to incorporate as much natural light as possible

	(spandrel vs vision)	The Town's urban design peer reviewer is satisfied the design reflects the policies of the Village of Bolton's Heritage Conservation District Plan.
2	Shadow Impacts	The proposal does not exceed the as-of-right height permissions set by the Official Plan. The submitted Shadow Study demonstrates acceptable exposure to sunlight conditions for neighbouring developments, amenity areas and the public realm.
3	Potential impacts to the environment	The applicant has submitted an Environmental Impact Study demonstrating no long-term ecological effect expected. The woodlot and slope at the rear of the property is being rezoned Environmental Protection Area. The TRCA has reviewed and has no objection.
4	Restricts access to 60 Ann St and this building in the event of an emergency	The proposal provides a formal emergency evacuation path at the rear of the property to Temperance Street. An easement will be secured through the Site Plan Approval process to allow for residents at 60 Ann St to traverse the path in the event of an emergency. Emergency and Flood Management Plans have been prepared and will be operationalized through the Condominium process.
5	Traffic congestion on Ann Street Need long terms plan for Ann and Stern Streets as traffic congestion is increasing daily Traffic Survey conducted last year but traffic flow has changed considerably	The Transportation Impact Study submitted in 2018 takes into account future traffic growth in the community. The study demonstrates the proposed development will generate 15 new vehicle trips during the morning and afternoon peak hour periods and will have minimal impact on traffic operations in the area.
6	Construction traffic will restrict visitors to nursing home and access to car parks, reduce visibility & dangerous conditions at intersections along Highway 50	The applicant has prepared a Construction Management Plan to the satisfaction of the Town that prevents vehicles, materials or equipment from being stored or off-loaded on the Town's right of way. Construction related vehicles are to operate primarily within the property boundary. A full-time dedicated flag person will be on site to ensure safe movements.

Staff Report 2019-66

		Street sweeping and flushing of the municipal right-of-way to occur twice weekly during construction, and additionally as required during adverse weather conditions.
7	Insufficient parking and/or parking congestion to accommodate construction traffic, inspections, service providers – need clear line of communication in the event of congestion	Any off-site parking associated with the construction of the proposed development will need to meet the applicable by-laws of the Town. Any illegal parking can be brought to the attention of Town of Caledon's Regulatory Services team for any enforcement required.
8	Insufficient Parking Buyers with a second vehicle? Visitor parking? Overflow parking will create parking pressures/congestions at public parking lot, street and parking at 60 Ann	The applicant submitted a parking analysis by a traffic engineer that supports the proposed parking rate. The Official Plan and Zoning By-law allow for reductions to parking provided Cash in Lieu of parking is provided for each deficient space. Staff are recommending that cash-in-lieu be provided to fund the construction of additional public parking the downtown core, as needed.
9	Special access should be provided to and from 60 Ann Street through existing parking lot	This is not warranted based on the technical analysis submitted in support of the proposal and the Construction Management Plan secured through the Site Plan Approval process.
10	Farmers Market and BIA community events, access and parking requirements	There will be no construction activity on weekends. Any required ROW occupancy permits will be coordinated with the Town.
11	Noise impacts on King Nursing Home and residents at 60 Ann Street	A noise report has been submitted that investigates the sound levels from transportation and existing uses in the area to ensure applicable noise guidelines are met for future residents. Noise impacts from construction will be mitigated to the extent possible through the Construction Management Plan and reducing construction hours to Monday to Friday, 7am to 7pm.
12	Height is more like 7 storeys. Not fair for penthouses at 60 Ann to have new units overlooking their home	The original submission was 6 storeys (plus mechanical). The proposal has been reduced to 5 storeys (plus mechanical) and does not exceed the height of the valley ridge or the existing building at 60 Ann Street. See the Cross Sections in Schedule "D" to this report.
13	The proposed building is not setback	The property is limited in size and restricted by the

	the same as 60 Ann and impacts sight lines and views. Consider a different footprint (flip) to give maximum distance between the buildings	woodlot/slope feature and municipal easement along the rear. After careful considering the limitations, loading and driveway access, the footprint has been revised. The proposed building will be setback 5.5 metres (18 feet) from the shared northerly property line whereas 60 Ann is setback 5.1 meters (16.7 feet) from the shared property line for a total building separation of 10.6 metres (35 feet). Town staff support the proposed footprint.
14	Senior demographic and captive population at neighbouring sites with few opportunities to avoid construction noise and vibrations. Construction hours should be modified to 8am to 5pm, Monday to Friday only.	<p>The Town of Caledon's Noise By-law limits noise from 11pm to 6am. Typically, development agreements would allow construction Monday to Saturday from 7am to 7pm. The applicant has prepared a Construction Management Plan that limits construction hours to Monday to Friday, 7am to 7pm (no construction on weekends or statutory holidays). Any further modification of construction hours would prolong the construction process. Brookfield has committed to provide monthly construction update letter with timelines, upcoming activity, concerns and emergency contact information.</p> <p>Staff have no objections to the Construction Management Plan.</p>
15	Vibrations from construction to date and to come could fatigue the foundations/retaining walls at 60 Ann (shattered shower door). Shoring activities just before Christmas created loud pounding and vibrations (alarms, glass cabinet). Do not want any further vibrations.	<p>The applicant has advised all shoring installation on site has been completed. The vibration impacts were monitored daily and within acceptable ranges for systems of this nature. The shoring system is designed to protect overall soil stability and surrounding foundations.</p> <p>There will be noise and dust impacts associated with the next phase of construction; however, the Construction Management Plan will mitigate and minimize those impacts.</p>
16	Concerns about lack of structural foundations to stabilize the hill during remediation and future construction – significant rainfall could cause sublayer to shift and create slope instability/failure and damage to	The applicant has submitted detailed engineering reports that review existing conditions (April, 2018 field work) and historical geotechnical investigation for 60 Ann (1992). The reports demonstrate existing slopes are stable from a geotechnical perspective, to the satisfaction of the TRCA.

	houses on the hill	
17	Does Brookfield have a permit from any authority allowing them to discharge their pooled water?	The remediation process is now complete and the Province has issued a record of site condition. For the construction of the proposed development, a permit is required from the TRCA and Site Plan Approval with the Town of Caledon.
18	What demographic is Brookfield targeting in the marketing of the units?	The applicant has advised they have no set demographic for the sale of homes at 50 Ann Street.

FINANCIAL IMPLICATIONS

For property tax purposes, 50 Ann Street, Bolton (Plan BOL 7 Pt Blk 4 Lot 62, Pt Lots 52, 53, 61 & 63) is currently assessed as Commercial, and Residential (\$1.45 million CVA). The property is located within the boundaries of the Bolton Business Improvement Area. The Town's share of taxes levied, based on current value assessment is approximately \$6,800. The property tax account as at May 6, 2019 is determined to be current.

If the proposed development (5 storeys, 73 unit residential condominium building) were to proceed as planned, the taxable assessment value of the property would change to reflect any development that would have taken place.

Under the applicable By-laws, Development Charges would apply as follows:

1. Region of Peel: (a) \$33,079.07 per apartment unit > 70 m²; and (b) \$21,879.82 per apartment unit 70 m² or less.
2. School Boards: \$4,567 per any residential unit.
3. GO Transit: (a) \$396.84 per apartment unit > 70 m²; and (b) \$205.65 per apartment unit 70 m² or less.
4. Per the Town of Caledon's current Development Charges By-law No. 2014-054, the Town's Development Charges will "not apply to land proposed for development within the Bolton Business Improvement Area". However this by-law expires June 25, 2019 and is planned to be repealed on May 28, 2019 with a new Development Charges by-law in which the below Town development charges would be applicable for residential developments in the Bolton Business Improvement Area. Town of Caledon: (a) \$17,388.00 per apartment unit > 70 m²; and (b) \$10,205.00 per apartment unit 70 m² or less, using the proposed rates in the 2019 draft Development Charges background study effective June 25, 2019, indexed twice a year.

The Development Charges comments and estimates above are as at May 6, 2019, and are based upon information provided to the Town by the applicant, current Region and School Board By-laws in effect and current rates, which are indexed twice a year.

Development Charges are calculated and payable at the time of building permit issuance. Development Charge By-laws and rates are subject to change. Further, proposed developments may change from the current proposal to the building permit stage. Any estimates provided will be updated based on the Development Charges By-law and rates in effect at the time of building permit, and actual information related to the construction as provided in the building permit application.

COUNCIL WORK PLAN

- Sustainable Growth – Increased community (housing) diversity, Bolton downtown revitalization
- Connected Community – Preserving natural areas

ATTACHMENTS

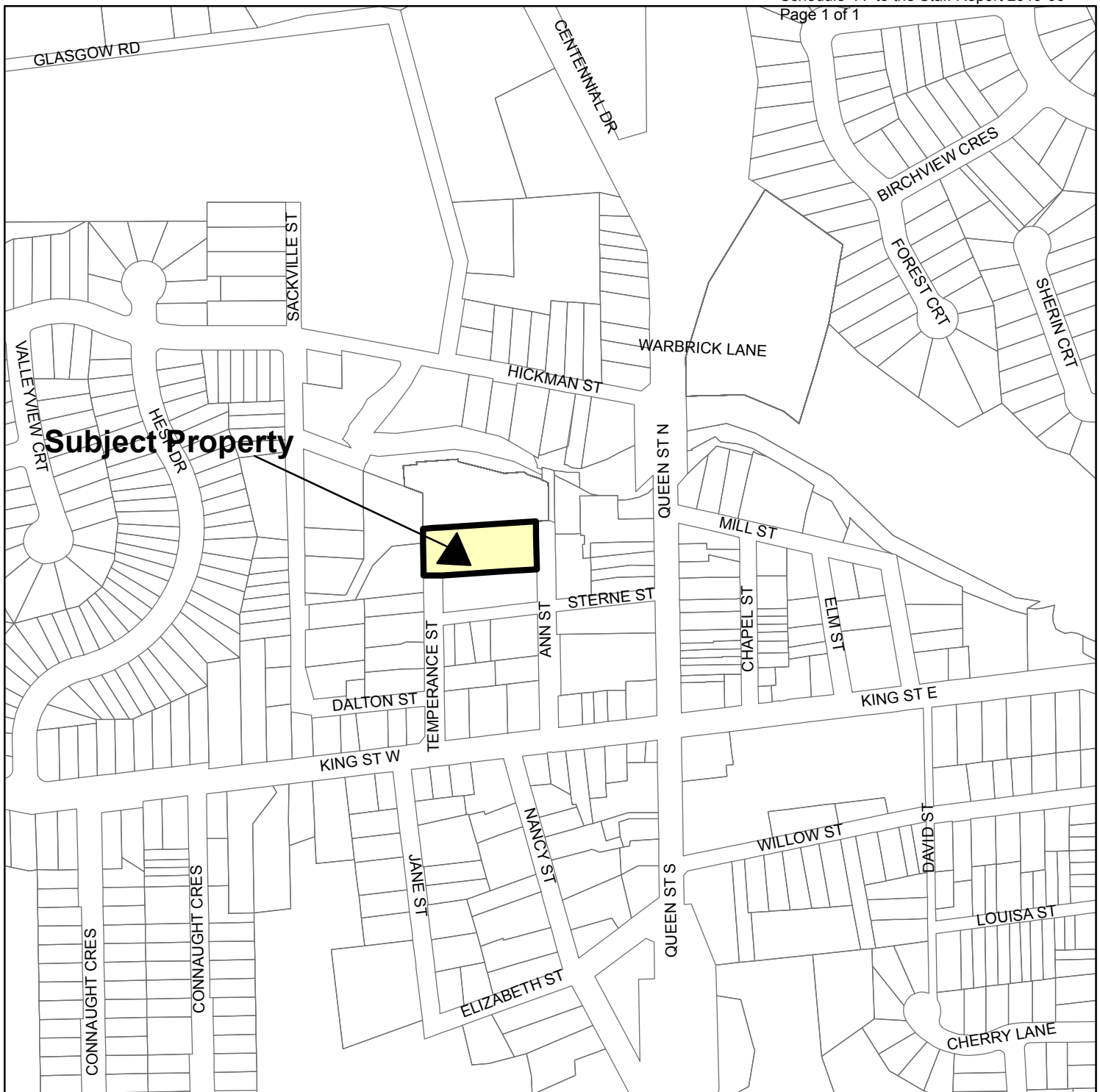
Schedule A - Location Map

Schedule B – Aerial Map

Schedule C - Draft Zoning By-law Amendment

Schedule D - Site Plan, Perspectives and Cross Sections

Schedule E - Comment Sheet



Application for Zoning By-law Amendment

RZ 17-05

Brookfield Homes

50 Ann Street

PLAN BOL 7 LOTS 53, 62, 63 AND PT LOTS 52, 61

46

LOCATION MAP



Date: June 1, 2017

File No.: RZ 17-05



Application for Zoning By-law Amendment

RZ 17-05

Brookfield Residential (Ontario) Bolton Limited

LOCATION MAP



Date: March 9, 2018

File No.: RZ 17-05

50 Ann Street
 Lots 53 and 62 and Part Lots 52, 61 and 63, Part of Slancy Street,
 Part of Temperance Street, Block 4, Plan BOL-7,
 being Parts 1, 2 and 3 on 43R-37172

THE CORPORATION OF THE TOWN OF CALEDON
BY-LAW NO. 2019-xxx

Being a by-law to amend Comprehensive Zoning By-law 2006-50, as amended, with respect to Lot 62, Part Lots 52, 53, 61 and 63, Part of Slancy Street (closed by Bylaw No. 2004-204 as in PR786962), Part of Temperance Street (closed by Bylaw No. 2004-204 as in PR786962), Block 4, Plan Bol-7 being Parts 1, 2 and 3 on 43R-37172; subject to an easement over Parts 1, 2 and 3 on 43R-37172 as in PR2546402; subject to an easement in gross over Part 2 on 43R-37172 as in PR2323542; Town of Caledon; Regional Municipality of Peel

WHEREAS Section 34 of the Planning Act, R.S.O. 1990, as amended, permits the council of a local municipality to pass zoning by-laws for prohibiting the use of land or the erection, location or use of buildings or structures for or except for such purposes as may be set out in the by-law;

AND WHEREAS the Council of The Corporation of the Town of Caledon considers it desirable to pass a zoning by-law to permit the use of Lot 62, Part Lots 52, 53, 61 and 63, Part of Slancy Street (closed by By-law No. 2004-204 as in PR786962), Part of Temperance Street (closed by Bylaw No. 2004-204 as in PR 786962), Block 4, Plan BOL-7 being Parts 1, 2 and 3 on 43R-37172; subject to an easement over Parts 1, 2 and 3 on Reference Plan 43R-37172 as in PR2546402; subject to an easement in gross over Part 2 43R-37172 as in PR2323542; Town of Caledon, Regional Municipality of Peel, for high density residential purposes.

NOW THEREFORE the Council of The Corporation of the Town of Caledon enacts that By-law 2006-50 as amended, being the Comprehensive Zoning By-law for the Town of Caledon, shall be and is hereby amended as follows:

1. The following is hereby added to Section 13:1

Zone Prefix	Exception No.	Permitted Uses	Special Standards
RM	616	<div>- <i>Building, Apartment</i></div> <div>- <i>Rooming Unit</i></div>	<div>Structure Envelope In addition to complying with applicable provisions, all <i>buildings</i> and <i>structures</i> shall only be located within the structure envelopes shown on Zone Maps SE#-35 and SE#-36.</div> <div>Floor Space Index Definition: For the purpose of calculating <i>floor space index</i>, the <i>gross floor area</i> (exclusive of any porch, balcony, underground parking facility and rooftop mechanical structure) shall be divided by the <i>lot area</i>. <i>Lot area</i> is to be calculated on the entirety of the <i>lot</i> municipally known as 50 Ann Street (inclusive of any portion of the <i>lot</i> within the Environmental Policy Area 1 Zone)</div> <div>Accessory Buildings For the purpose of this zone <i>accessory buildings</i> shall not be permitted in any yard.</div> <div><div>Lot Area (minimum)</div><div>0.36ha</div></div> <div><div>Dwelling Units per Lot (maximum)</div><div>73</div></div> <div><div>Rooming Units per Lot (maximum)</div><div>1</div></div> <div><div>Floor Space Index (maximum)</div><div>2.0</div></div> <div><div>Building Area (maximum)</div><div>37%</div></div> <div><div>Yards (minimum)</div><div>refer to</div></div>

Zone Prefix	Exception No.	Permitted Uses	Special Standards
			<div>Zone Map S.E.#-35</div> <div>Building Height (maximum) refer to Zone Map S.E. # 36 for cross-sections. Top of roof not to exceed 235.11 geodetic elevation</div> <div>Landscaping Area (minimum) 35%</div> <div>Privacy Yards Notwithstanding any other provisions of this By-law the minimum number of <i>privacy yards</i> is 7.</div> <div>Privacy Yard Depth (minimum) 3.5m</div> <div>Play Facility (minimum) <i>nil</i></div> <div>Play Facility Area (minimum) <i>nil</i></div> <div>Play Facility Location <i>nil</i></div> <div>Delivery Spaces (minimum) 1 per <i>lot</i></div> <div>Parking Space Setback (minimum) from any <i>street line</i> 3.4m</div> <div>Parking Requirements (minimum) (a) 1.0 <i>parking spaces</i> for each <i>dwelling unit</i> and (b) 7 visitor <i>parking spaces</i></div> <div>Entrance Separation (minimum) 9.5m</div>

2. Schedule “A”, Zone Map 1b of By-law 2006-50, as amended is further amended for Lot 62, Part Lots 52, 53, 61 and 63, Part of Slancy Street (closed by Bylaw No. 2004-204 as in PR786962), Part of Temperance Street (closed by Bylaw No. 2004-204 as in PR786962), Block 4, Plan Bol-7 being Parts 1, 2 and 3 on 43R-37172; subject to an easement over Parts 1, 2 and 3 on 43R-37172 as in PR2546402; subject to an easement in gross over Part 2 on 43R-37172 as in PR2323542; Town of Caledon, Regional Municipality of Peel, from Institutional (I) to Multiple Residential with exceptions (RM-616) and Environmental Policy Area 1 (EPA1) in accordance with Schedule “A” attached hereto.
3. Schedule “B” S.E. Map 35 and S.E. Map 36 attached hereto, is hereby added to Schedule “A”, Structure Envelope (SE) Maps of By-law 2006-50, as amended, for the lands legally described as Lot 62, Part Lots 52, 53, 61 and 63, Part of Slancy Street (closed by Bylaw No. 2004-204 as in PR786962), Part of Temperance Street (closed by Bylaw No. 2004-204 as in PR786962), Block 4, Plan Bol-7 being Parts 1, 2 and 3 on 43R-37172; subject to an easement over Parts 1, 2 and 3 on 43R-37172 as in PR2546402; subject to an easement in gross over Part 2 on 43R-37172 as in PR2323542; Town of Caledon, Regional Municipality of Peel.

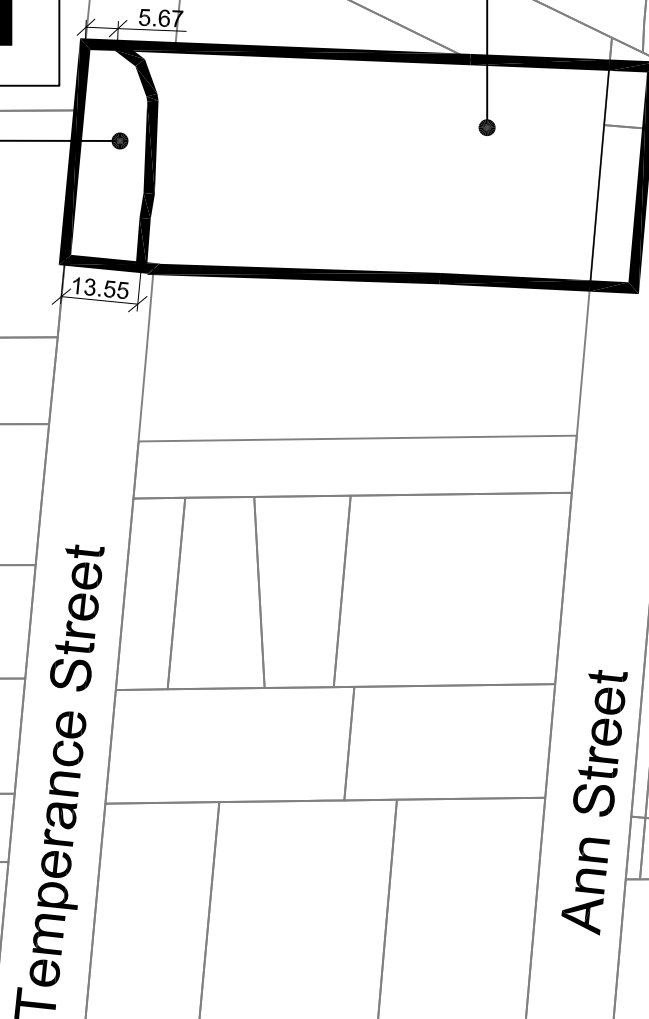
Read a first, second and third
time, and finally passed this
__ day of _____, 2019.

Allan Thompson, Mayor

Carey Herd, Clerk

FROM
R1 & I
TO
EPA1

FROM
I
TO
RM-616
S.E.:
35 & 36

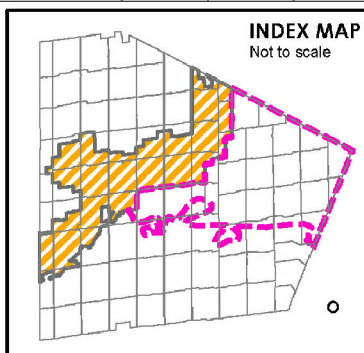


Temperance Street

Ann Street

Sterne Street

King Street W.



This is Schedule "A" to By-Law XXXX-XX passed by the Council of the Corporation of the Town of Caledon on _____, _____ 2019 Lot 62 and Part Lots 52, 53, 61 & 63, Part of Slancy Street (closed by Bylaw No. 2004-204 as in PR786962), Part of Temperance Street (closed by Bylaw No. 2004-204 as in PR786962), Block 4, Plan Bol-7 being Parts 1, 2 & 3 43R37172; subject to an easement over Parts 1, 2 & 3 43R37172 as in PR2546402; subject to an easement in gross over Part 2 43R37172 as in PR2323542; Town of Caledon; Regional Municipality of Peel

Mayor _____

51

Clerk _____

BY-LAW 2006-50
ZONE MAP 1b
SCHEDULE "A"



Date: _____

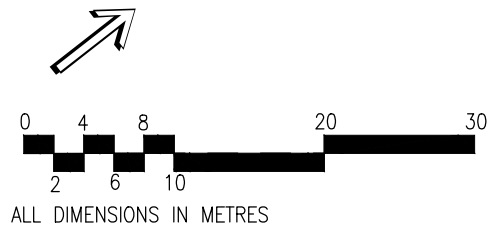
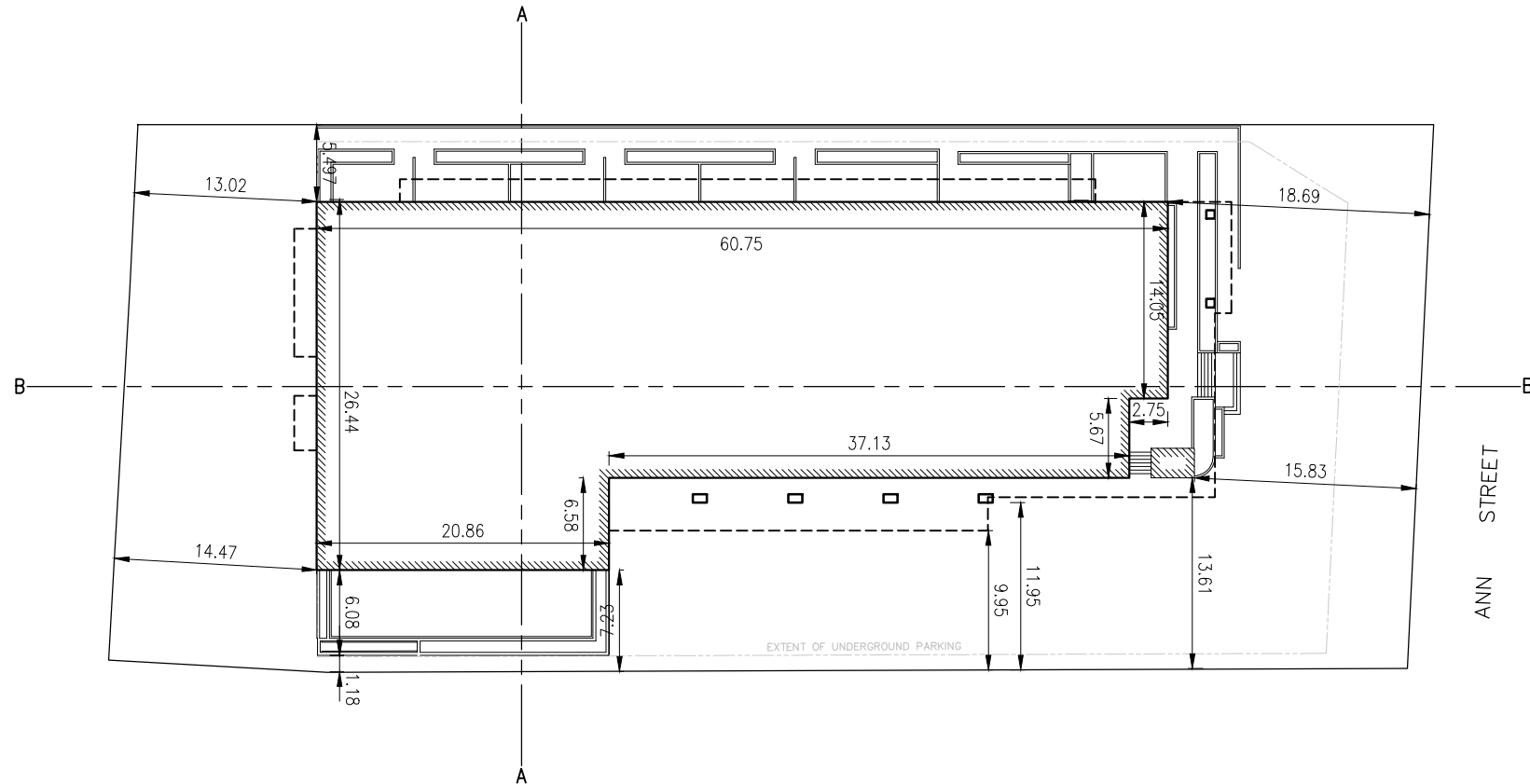
Revised: _____

File: S:\POLICY SECTION\GIS\Zoning_bylaw\2015_mxd


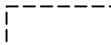

1b

50 Ann Street
Town of Caledon

Structure Envelope #35



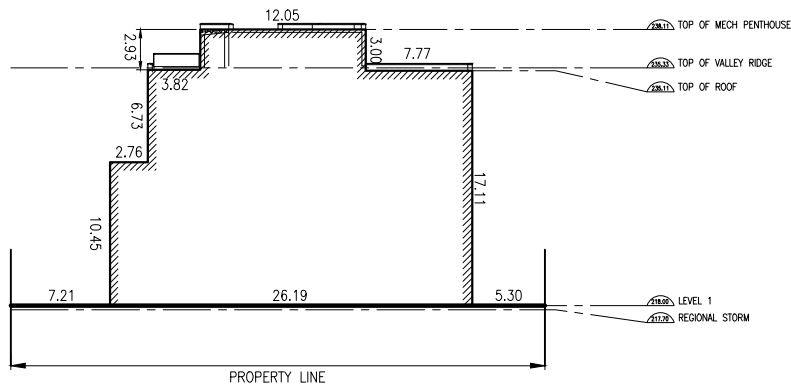
LEGEND

-  STRUCTURE ENVELOPE
-  BUILDING OVERHANG
-  CROSS SECTION

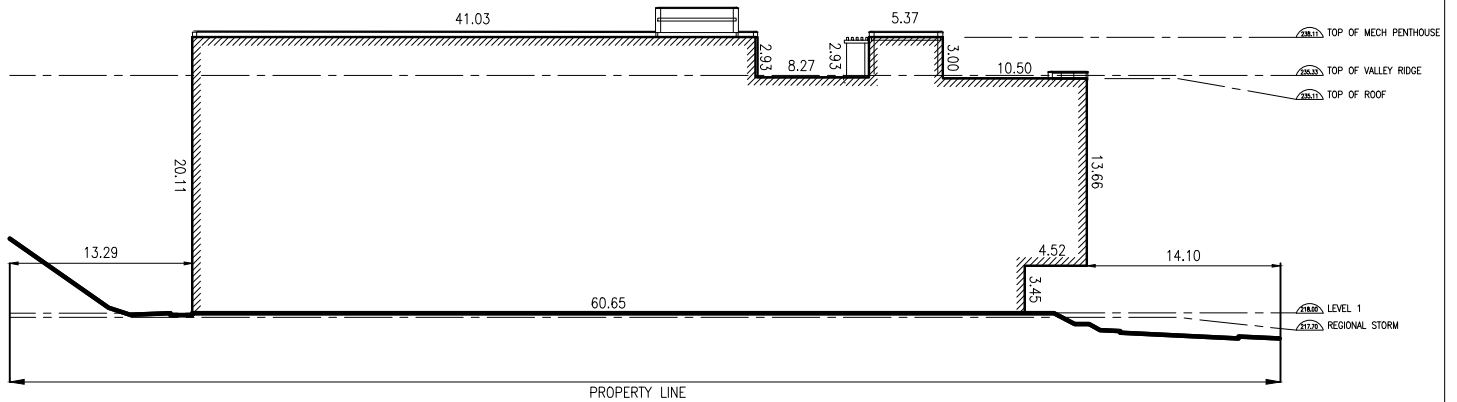
ZONE MAP S.E.35
SCHEDULE "B"

50 Ann Street
Town of Caledon

Vertical Structure Envelope #36



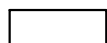
SECTION A - A



SECTION B - B



LEGEND



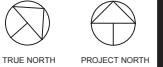
VERTICAL STRUCTURE ENVELOPE

ZONE MAP S.E.36
SCHEDULE "B"



onespace unlimited inc.
architecture + interior design
1100 STEELES AVE WEST, SUITE 205
VAUGHAN, ONTARIO L4L 8B8 TEL: 416-585-1000
FAX: 416-585-1001
WWW.ONESPACEUNLIMITED.COM

NO.	DATE	DESCRIPTION



NO.	DATE	DESCRIPTION
05	06/11/2019	RS - 17085 17085 SPA
02	17/06/2019	RS - 17085 17085 SPA
01	27/03/2019	RS - 17085 17085 SPA
01	27/03/2019	17085 SPA



ALL DRAWINGS ARE THE PROPERTY OF ONESPACE AND TRADITIONAL TRADES REPRESENTED BY THE ONESPACE TRADE ASSOCIATION. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF ONESPACE.

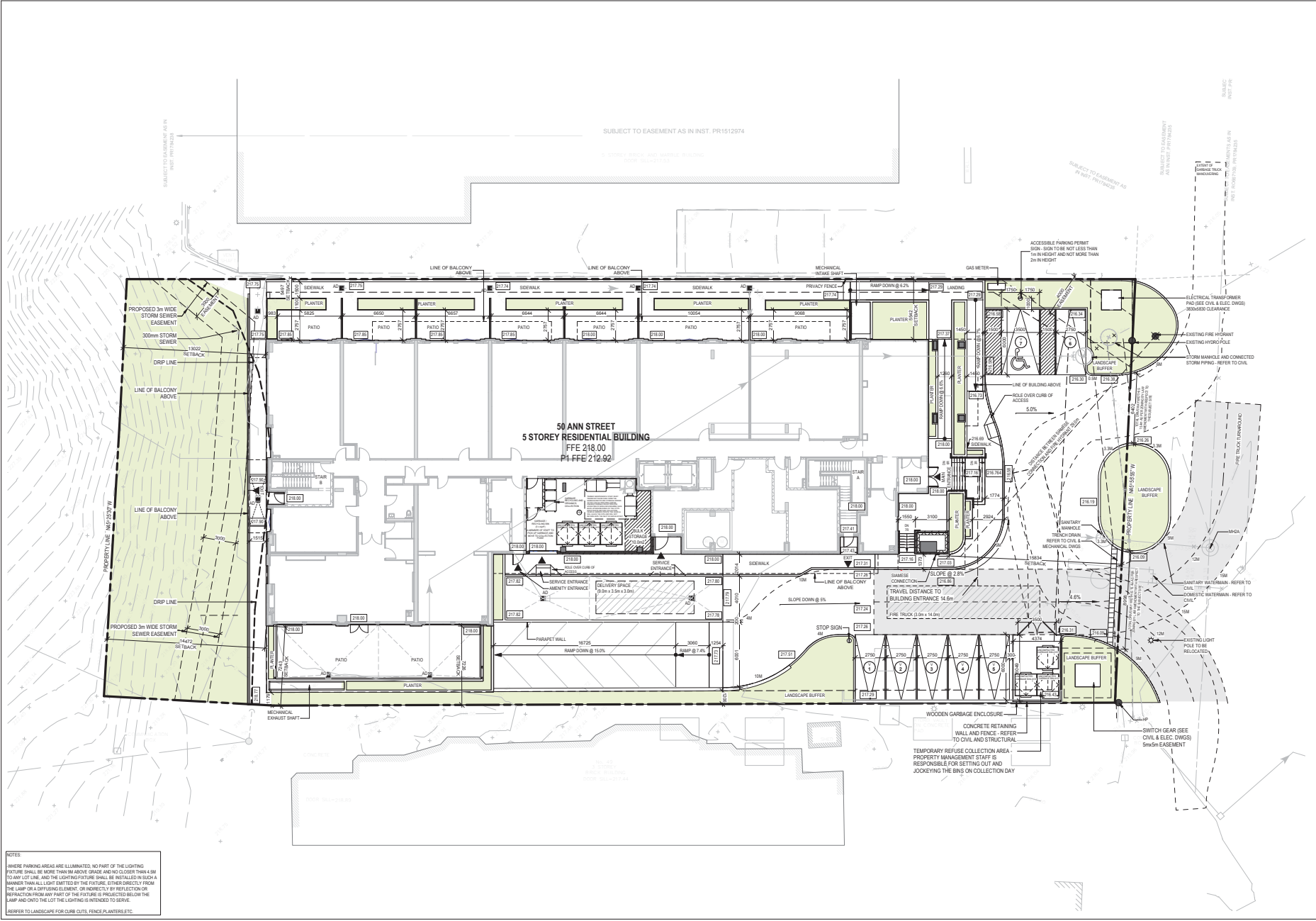
CLIENT
Brookfield Residential

PROJECT ADDRESS
50 Ann Street, Bolton, Ontario

DRAWING
Site Plan

PROJECT NUMBER	DATE
17085	11/03/2019 1:03:08 PM
SCALE	PLOTTED DATE
1:150	11/03/2019 1:03:08 PM

A-005





North East Context Perspective



onespace unlimited inc.
architecture + interior design
3705 STEELES AVE WEST, SUITE 305
VAUGHAN, ONTARIO L4L 8W8 TEL: 416 565 5865
TAS FAX: (416) 565 1266
WWW.ONESPACEUNLIMITED.COM

NO.	DATE	REVISIONS

05	06/10/2019	RS - ISSUED FOR SPA
02	17/SEP/2018	RS - ISSUED FOR SPA
01	21/03/2018	RS - ISSUED FOR SPA
NO.	DATE	REVISIONS



ALL DRAWINGS ARE THE PROPERTY OF ONESPACE AND THEY ARE NOT TO BE REPRODUCED, COPIED, OR IN ANY MANNER WITHOUT WRITTEN CONSENT FROM ONESPACE.
OWNERS ARE ADVISED TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AUTHORITIES.
ALL CONSTRUCTION TO BE ACCORDING TO THE LATEST BUILDING CODE IN EFFECT AT THE TIME.

CLIENT
Brookfield Residential

PROJECT ADDRESS
50 Ann Street, Bolton, Ontario

DRAWING
Perspective Views

PROJECT NUMBER	DATE
17085	11/03/2019 1:04:13 PM
SCALE	PLOTTED DATE
	11/03/2019 1:04:13 PM

A-307



South East Context Perspective



onespace unlimited inc.
architecture + interior design
3705 STEELES AVE WEST, SUITE 305
VAUGHAN, ONTARIO L4L 8W8 TEL: 416-593-5800
416-593-5800 FAX: 416-593-5800
WWW.ONESPACEUNLIMITED.COM

NO.	DATE	REVISIONS

05	06/10/2019	RS - ISSUED FOR SPA
02	17/SEP/2018	RS - ISSUED FOR SPA
01	27/03/2018	RS - ISSUED FOR SPA
NO.	DATE	REVISIONS



ALL DRAWINGS ARE THE PROPERTY OF ONESPACE AND THEY ARE NOT TO BE REPRODUCED, COPIED, OR IN PART WITHOUT WRITTEN CONSENT FROM ONESPACE.
OWNERS ARE ADVISED TO CONTACT THEIR LOCAL WORK AND RESIDENTIAL COUNCIL AND ANY APPLICANT FOR WORK AND RESIDENTIAL COUNCILS OF ONTARIO AND RESIDENTS.
ALL CONSTRUCTION TO BE ACCORDING TO THE LATEST COMMON PRACTICE AND CONFORM TO THE ONTARIO BUILDING CODE IN EFFECT AT THE TIME.

CLIENT
Brookfield Residential

PROJECT ADDRESS
50 Ann Street, Bolton, Ontario

DRAWING
Perspective Views

PROJECT NUMBER	DATE
17085	11/03/2019 1:04:13 PM
SCALE	PLOTTED DATE
	11/03/2019 1:04:13 PM

A-308



onespace unlimited inc.
architecture + interior design
1705 STEELES AVE. WEST, SUITE 205
VAUGHAN, ONTARIO L4L 9B9 TEL: (416) 586-1445
FAX: (416) 586-1446
WWW.ONESPACEUNLIMITED.COM

NO.	DATE	DESCRIPTION

NO.	DATE	DESCRIPTION
03	06/11/2019	RS - 500 YR F108 SPA
02	17/SEP/2018	RS - 500 YR F108 SPA
01	21/10/2018	RS - 500 YR F108 SPA
NO.	DATE	DESCRIPTION



ALL DRAWINGS ARE THE PROPERTY OF ONESPACE AND THEY ARE NOT TO BE REPRODUCED OR COPIED OR IN PART WITHOUT WRITTEN CONSENT FROM ONESPACE.
DRAWINGS ARE INTENDED TO COMPLY WITH THE REQUIREMENTS OF THE BUILDING ACT AND THE BUILDING CODE OF ONTARIO.
ALL CONSTRUCTION TO BE ACCORDING TO THE BUILDING CODE OF ONTARIO IN EFFECT AT THE TIME.

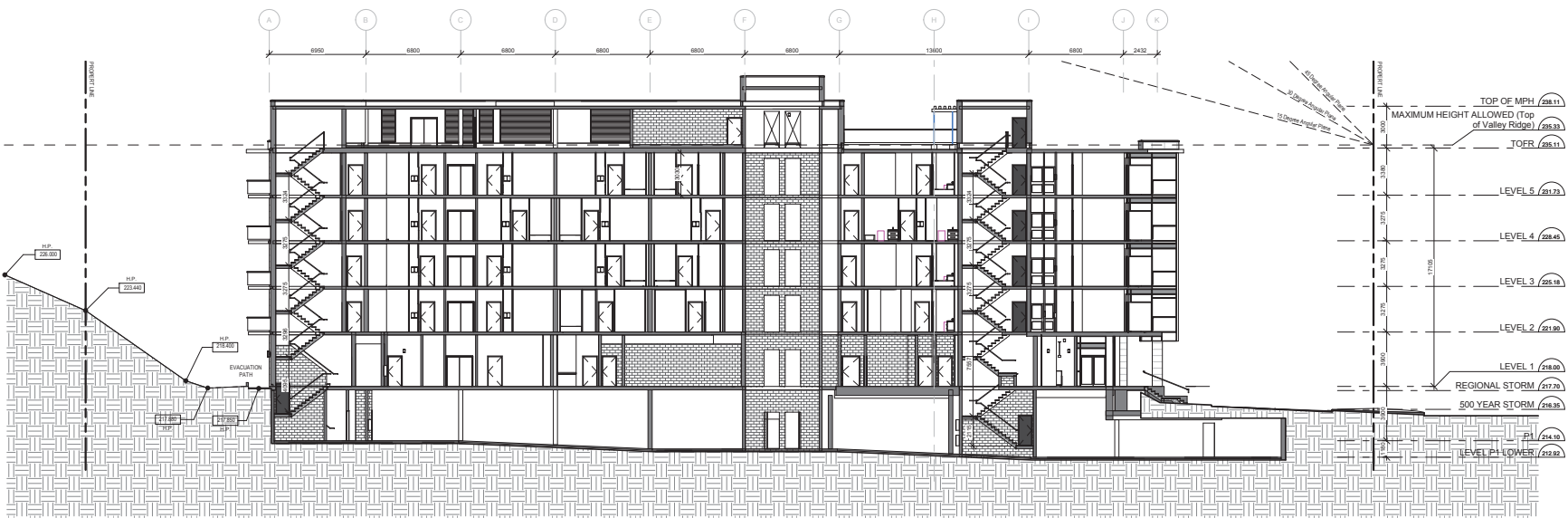
CLIENT
Brookfield Residential

PROJECT ADDRESS
50 Ann Street, Bolton, Ontario

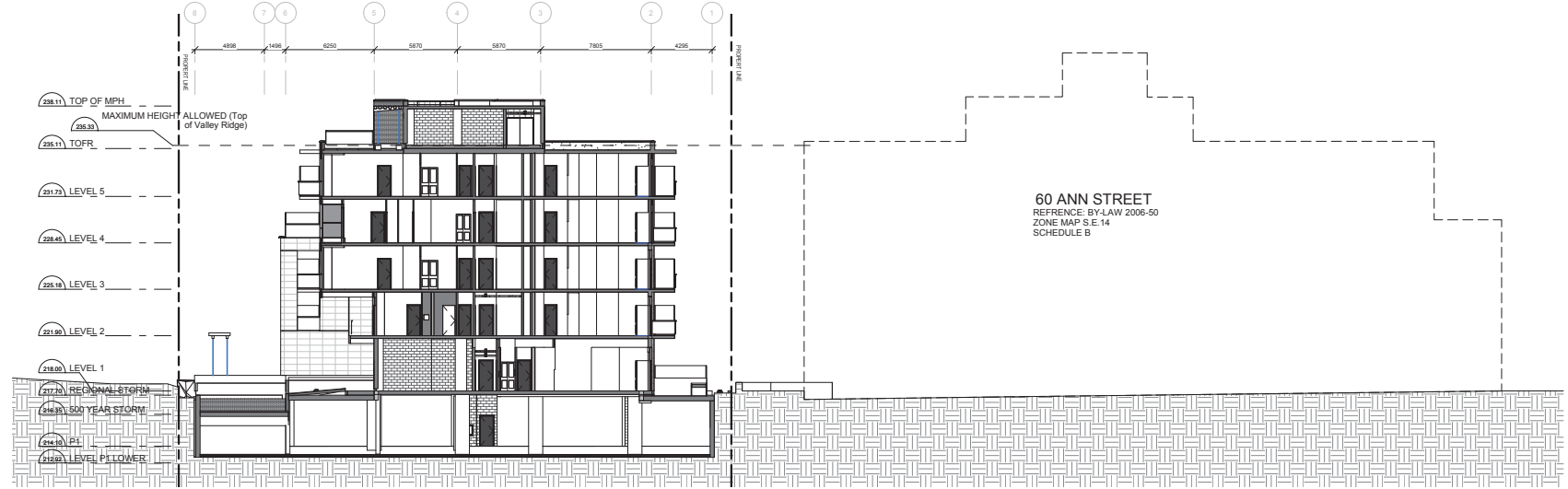
DRAWING
Sections

PROJECT NUMBER	DATE
17085	11/03/2019 1:04:17 PM
SCALE	PLOTTED DATE
1 : 150	11/03/2019 1:04:17 PM

A-401



1 Section A-A
A-401
Scale: 1 : 150



2 Section B-B
A-401
Scale: 1 : 150

COUNCIL MEETING COMMENT SHEET

Committee of the Whole (PD) Date: May 21, 2019

PIM Date: April 3, 2018

Prepared: May 6, 2018

Lead Planner: Mary T. Nordstrom

Ext. 4233

Proposed Zoning By-law Amendment Brookfield Residential (Ontario) Bolton Limited

Lot 62, Part Lots 52, 53, 61 and 63, Part of Slancy Street (closed by Bylaw No. 2004-204 as in PR786962), Part of Temperance Street (closed by Bylaw No. 2004-204 as in PR786962), Block 4, Plan Bol-7 being Parts 1, 2 and 3 on 43R-37172; subject to an easement over Parts 1, 2 and 3 on 43R-37172 as in PR2546402; subject to an easement in gross over Part 2 on 43R-37172 as in PR2323542; Town of Caledon; Regional Municipality of Peel

**50 Ann Street, North of King Street, West of Queen Street, Bolton
File Numbers: RZ 17-05**

The following comments were received regarding the above-noted file.

EXTERNAL AGENCY COMMENTS

Bell Canada – October 17, 2018

Comments: Information provided. No concerns, subject to a condition of Site Plan Approval regarding easements for communication/telecommunication infrastructure.

Caledon OPP – August 8, 2017

Comments: No comments.

Canada Post – August 8, 2017

Comments: Information provided. No concerns subject to the Owner providing centralizing mail via a Lockbox Assembly.

Dufferin Peel Catholic District School Board – March 22, 2018

Comments: The proposal is anticipated to yield 7 elementary school students and 2 high school students. The proposed development is located within school catchment areas with accommodation capacity. The Board has no objection subject to inclusion of conditions to the Site Plan Agreement.

Enbridge Gas – May 25, 2017

Comments: No objections. The applicant shall contact Customer Connections department for service and meter installation details and to ensure all gas piping is installed to the commencement of site landscaping and/or asphalt paving. Easements are required to service this development and will be provided at no cost to Enbridge Gas Distribution.

Hydro One – May 29, 2017

Comments: Hydro One doesn't have any conflicts provided Hydro One is contacted prior to commencing construction.

Municipal Property Assessment Corp.

Comments: No comments received.

Peel District School Board – March 27, 2018

Comments: The proposal is anticipated to yield 4 elementary school students and 2 high school students. The proposed development is located within school catchment areas with accommodation capacity. The Board has no objection subject to inclusion of conditions to the Site Plan Agreement.

Region of Peel – April 23, 2019

Comments: No objections to the rezoning of the property. The Functional Servicing Report is satisfactory and all outstanding waste management requirements have been satisfied.

Rogers Communications – March 9, 2018

Comments: No comments or concerns.

Ministry of Municipal Affairs – August 24, 2017

Comments: The lands are designated High Density Residential in the Town's Official Plan and located within the Bolton Special Policy Area. To proceed with the applications, the Town will need to ensure the TRCA is satisfied with all of the conditions set out in Section 5.10.4.5.13 (i.e. floodproofing).

If the building height exceeds the top of the valley ridge, contrary to Section 7.3.4.2c of the Town's Official Plan and an Official Plan Amendment may be required. Any change to the Official Plan policies within the SPA require approval by the Ministers of Municipal Affairs and Natural Resources and Forestry.

Town of Caledon is currently undertaking a comprehensive review of the Bolton SPA to implement updated floodline mapping and reflect provincial policy direction. The Town may wish to consider this application as part of that process.

Toronto and Region Conservation Authority (TRCA) – April 29, 2019

Comments: Based upon the materials provided in the March 15, 2019 re-submission, the revised zoning schedule of April 1, 2019, as well as the materials received directly from the applicant in December 2018, and January 2019, TRCA's previous technical comments have been addressed. As previously noted, TRCA staff have requirements with respect to operationalising the emergency evacuation measures, as well as notification of residents of the flood hazards, which should be included in the site plan agreement.

TRCA staff have no objection to the final approval of the rezoning and Site Plan applications subject to the following:

Site Plan Agreement Requirements:

1. That the applicant provide documentation, to the satisfaction of TRCA staff, with respect to how the on-going and permanent implementation of the flood emergency response plan for the subject property will be achieved;
2. That the applicant provide documentation identifying how the condominium corporation, and all future owners shall be bound to the implementation of the operational components of the flood emergency response plan, in perpetuity.

3. The revised Environmental Impact Study, Hydrogeological and Geotechnical reports have recommendations that are to be implemented. Accordingly, a commitment to implement the recommendations of these reports should be provided in the site plan agreement.

Prior to the issuance of the final TRCA permit and building permits:

1. Please note that a permit is required from the TRCA, pursuant to Ontario Regulation 166/06 for the construction of the building and all associated works. At this time, TRCA staff have received a complete permit application. TRCA staff are supportive of the application, and the permit application will be considered by TRCA's Executive Committee at their May 3, 2019 meeting.

TOWN OF CALEDON – DEPARTMENT COMMENTS

Corporate Services, Legislative Section, Accessibility – April 23, 2019

Comments: No concerns with the proposed rezoning. Detailed comments to be addressed through Site Plan Control Application.

Corporate Services, Legal Services – March 28, 2019

Comments: No concerns with the proposed rezoning. The Owner is to work with Legal Services regarding the drafting and registration of the emergency access and servicing easements.

Community Services, Building Services – April 1, 2019

Comments: Detailed comments related to building classification and occupancy type to be addressed through Site Plan/Building Permit Application.

Community Services, Fire Prevention Services – March 19, 2019

Comments: No concerns.

Community Services, Development Section, Engineering – March 28, 2019

Comments: No concerns with the proposed rezoning. Detailed comments to be addressed through the concurrent Site Plan Application. The Construction Management Plan is acceptable.

Community Services, Development Section, Urban Design Peer Review – March 26, 2018 &

Comments: Satisfied with the overall proposal. The design reflects a modernist approach to a historic warehouse building that reflects the policies of the Village of Bolton Heritage Conservation District Plan. The proposed colour scheme is representative of colour schemes used within the village core area (red brick & stone accents) and the massing configuration includes stepbacks of the upper levels and cantilevered levels will help articulate the building, create a positive relationship with the streetscape and mitigates visual impacts on adjacent properties.

The shadow study demonstrates the height will not negatively impact adjacent properties and maintains the requirements of the Town-Wide Design Guidelines.

Detailed comments regarding the wooden garbage enclosure and building elevations will be addressed through the concurrent Site Plan Application process.

Community Services, Development Section, Zoning - May 3, 2019

Comments: No concerns.

Community Services, Open Space Design, Landscape – March 29, 2019

Comments: No further concerns with the proposed rezoning. Detailed comments to be addressed through the concurrent Site Plan Application.

The appraisal report submitted is acceptable. Cash in lieu of parkland will be payable prior to the issuance of building permit in accordance with Section 42 of the Planning Act. The Town is currently reviewing its cash in lieu of parkland by-law with respect to changes to the Planning Act.

Staff reviewed the submission from Brookfield requesting a reduction to Cash in Lieu of Parkland (CIL) and advise as follows: The Official Plan and the CIL By-Law require taking 5% or 1 hectare per 300 units whichever is greater of the two. Council can consider the recent changes in the Planning Act that prescribe 1 hectare per 500 units instead of 1 per 300 at time of a recommendation report to Council. At 1 per 500 the CIL payable would be \$398,400.

Community Services, Policy and Sustainability, Heritage – April 25, 2019

Comments: No concerns.

Community Services, Policy and Sustainability, Policy – April 25, 2019

Comments: No concerns.

Finance and Infrastructure Services, Engineering Services, Transportation – April 18, 2018

Comments: No traffic-related concerns.

Finance and Infrastructure Services, Finance – March 29, 2019

Comments: For property tax purposes, 50 Ann Street, Bolton (Plan BOL 7 Pt Blk 4 Lot 62, Pt Lots 52, 53, 61 & 63) is currently assessed as Commercial, and Residential (\$1.45 million CVA). The property is located within the boundaries of the Bolton Business Improvement Area. The Town's share of taxes levied, based on current value assessment is approximately \$6,800. The property tax account as at May 6, 2019 is determined to be current.

If the proposed development (5 storeys, 73 unit residential condominium building) were to proceed as planned, the taxable assessment value of the property would change to reflect any development that would have taken place.

Under the applicable By-laws, Development Charges would apply as follows:

1. Region of Peel: (a) \$33,079.07 per apartment unit > 70 m²; and (b) \$21,879.82 per apartment unit 70 m² or less.
2. School Boards: \$4,567 per any residential unit.
3. GO Transit: (a) \$396.84 per apartment unit > 70 m²; and (b) \$205.65 per apartment unit 70 m² or less.

4. Per the Town of Caledon's current Development Charges By-law No. 2014-054, the Town's Development Charges will "not apply to land proposed for development within the Bolton Business Improvement Area". However this by-law expires June 25, 2019 and is planned to be repealed on May 28, 2019 with a new Development Charges by-law in which the below Town development charges would be applicable for residential developments in the Bolton Business Improvement Area. Town of Caledon: (a) \$17,388.00 per apartment unit > 70 m²; and (b) \$10,205.00 per apartment unit 70 m² or less, using the proposed rates in the 2019 draft Development Charges background study effective June 25, 2019, indexed twice a year.

The Development Charges comments and estimates above are as at May 6, 2019, and are based upon information provided to the Town by the applicant, current Region and School Board By-laws in effect and current rates, which are indexed twice a year. Development Charges are calculated and payable at the time of building permit issuance. Development Charge By-laws and rates are subject to change. Further, proposed developments may change from the current proposal to the building permit stage. Any estimates provided will be updated based on the Development Charges By-law and rates in effect at the time of building permit, and actual information related to the construction as provided in the building permit application.



Heritage Caledon Committee Report
Monday, May 13, 2019
9:30 a.m.
Committee Room, Town Hall

Chair: J. Crease
Vice Chair: B. McKenzie
Councillor L. Kiernan
B. Early-Rea
J. LeForestier
V. Mackie
D. Paterson
J. Payne
M. Starr

Manager, Policy & Sustainability: S. Kirkwood
Manager, Legislative Services/Deputy Clerk: A. Fusco
Planner, Heritage & Urban Design: D. McGlynn

CALL TO ORDER

Chair J. Crease called the meeting to order at 9:33 a.m.

DECLARATION OF PECUNIARY INTEREST – none.

RECEIPT OF MINUTES

Moved by: D. Paterson – Seconded by: J. Payne

That the minutes from the April 15, 2019 Heritage Caledon Committee meeting be received, as amended.

Carried.

REGULAR BUSINESS

1. 12461 McLaughlin Road - Giffen Farmhouse

D. McGlynn provided an update with respect to the Giffen Farmhouse Cultural Heritage Impact Statement (CHIS) consultant report. He noted that previously the Heritage Caledon Committee recommended a 20m setback be required for the site, however the property owner's planner have submitted an application with a reduced setback of 6m. Members of the Committee discussed the impact of the proposed reduced setbacks, adjacent properties proposed to be developed, design of the space, and contextual history of the site. Staff will prepare a response to the consultant and the property owner's planner.

2. Ontario Heritage Act Changes

D. McGlynn advised Committee members of proposed changes to the Ontario Heritage Act (OHA) by the Province with respect to heritage designations, timelines for appeals, appeal mechanisms and the use of heritage properties. He discussed impacts of the

proposed changes to the Town and noted staff will be providing comments to the Ministry within the prescribed timeframe.

Councillor L. Kiernan left the meeting at 10:08 a.m. and returned at 10:12 a.m.

Members of Committee discussed supporting staff's position with respect to the proposed changes.

3. Built Heritage Resource Inventory

D. McGlynn provided an update on the Built Heritage Resource Inventory (BHRI) noting that he has evaluated all the heritage properties in the villages based on architectural and contextual qualities under the OHA. The number of heritage properties being recommended by Staff to Council for listing was reduced from 442 to 241. He noted the remaining heritage properties will remain on the BHRI for listing at a future date.

Members of Committee asked questions with respect to designating properties under the OHA and impacts on existing heritage conservation districts and received responses from Staff.

The Committee recessed from 10:44 a.m. to 10:54 a.m.

4. 2019 Grant Program

D. McGlynn provided an update on the spring grant funding application process and deadlines. The Grant Committee will consider the applicants and then a report will come forward to the Heritage Caledon Committee.

Members of Committee asked questions with respect to timing of the fall grant funding process and received responses from Staff.

5. Heritage Resource Office - 2019 Work Plan

Members of Committee reviewed the 2019 work plan. Members inquired as to the status of several projects and received responses from Staff.

UPDATES

1. Budget

With the consensus of the Committee, funds were allocated for mileage for members undertaking research and for Heritage Caledon promotional materials for Caledon Day.

2. Event - Caledon Day

Chair J. Crease provided an overview of the event schedule for the Heritage Caledon booth for Caledon Day. Volunteer, tables, tents and poster requirements were discussed.

3. Research

V. Mackie provided an update with respect to the Town's Heritage Walking Tours.

4. Designations

D. McGlynn provided a list of properties that are in the process of being recommended for designation. Designation reports will come forward to future Heritage Caledon Committee meetings for consideration.

5. Council Heritage Training Session

Staff noted they will investigate proposed dates regarding the Council Heritage training session.

ADJOURNMENT

On a motion by J. LeForestier the meeting adjourned at 11:41 a.m.

To: Carey Herd
Subject: RE: More Homes, More Choice: Ontario's Housing Supply Action Plan

From: Minister Steve Clark <mah@ontario.ca>
Sent: Thursday, May 2, 2019 4:13 PM
To: Carey Herd <Carey.Herd@caledon.ca>
Subject: More Homes, More Choice: Ontario's Housing Supply Action Plan

La version française suit.

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000
Fax: 416 585-6470

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. : 416 585-7000
Téléco. : 416 585-6470



19-002863

Dear Head of Council:

Ontario's Government for the People is committed to building more housing and bringing down costs for the people of Ontario. To help fulfill this commitment, we have developed a broad-based action plan to address the barriers getting in the way of new ownership and rental housing.

More Homes, More Choice (the action plan) outlines our government's plan to tackle Ontario's housing crisis, while encouraging our partners to do their part. We are taking steps to make it faster and easier for municipalities, non-profits and private firms to build the right types of housing in the right places, to meet the needs of people in every part of Ontario.

As part of the action plan, we are proposing changes that would streamline the complex development approvals process to remove unnecessary duplication and barriers, while making costs and timelines more

predictable. We are also proposing changes that would make it easier to build certain types of priority housing such as second units.

On May 2, 2019, the government introduced Bill 108 (the bill), the proposed More Homes, More Choice Act, 2019, in the Ontario Legislature. While the bill contains initiatives from various ministries, I would like to share some details regarding initiatives led by the Ministry of Municipal Affairs and Housing.

Planning Act

Schedule 12 of the bill proposes changes to the Planning Act that would help make the planning system more efficient and effective, increase housing supply in Ontario, and streamline planning approvals.

If passed, the proposed changes would:

- Streamline development approvals processes and facilitate faster decisions,
- Increase the certainty and predictability of the planning system,
- Support a range and mix of housing options, and boost housing supply,
- Make charges for community benefits more predictable, and
- Make other complementary amendments to implement the proposed reforms, including how the proposed changes would affect planning matters that are in-process.

Amendments to the Planning Act are also proposed to address concerns about the land use planning appeal system. Proposed changes would broaden the Local Planning Appeal Tribunal's jurisdiction over major land use planning matters (e.g., official plan amendments and zoning by-law amendments) and give the Tribunal the authority to make a final determination on appeals of these matters. The Ministry of the Attorney General is also proposing changes to the Local Planning Appeal Tribunal Act, 2017 to complement these changes (see Schedule 9 of the bill).

Development Charges Act

Schedule 3 of the bill proposes changes to the Development Charges Act that would make housing more attainable by reducing costs to build certain types of housing and would increase the certainty of costs to improve the likelihood of developers proceeding with cost sensitive projects, such as rental housing.

If passed, the proposed changes would:

- Make it easier for municipalities to recover costs for waste diversion,
- Increase the certainty of development costs in specific circumstances and for certain types of developments,
- Make housing more attainable by reducing costs to build certain types of homes, and

- Make other complementary amendments to implement the proposed reforms.

Further consultation on the Planning Act and Development Charges Act

We are interested in receiving any comments you may have on the proposed changes to the Planning Act and the Development Charges Act. Comments on these proposed measures can be made through the [Environmental Registry of Ontario](#) as follows:

- Planning Act: posting number 019-0016
- Development Charges Act: posting number 019-0017

The Environmental Registry postings provide additional details regarding the proposed changes.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe

As an important part of **More Homes, More Choice**, I am also pleased to provide you with [A Place to Grow: Growth Plan for the Greater Golden Horseshoe](#), which addresses the needs of the region's growing population, its diversity, its people and its local priorities. A Place to Grow will come into effect on May 16, 2019.

As you know we recently consulted on proposed policy changes to make it faster and easier for municipalities in the region to plan for growth, increase housing supply, attract investment, and create and protect jobs. I would like to thank those who participated in the consultation process, and who contributed through their feedback to the development of the Plan.

It is anticipated that A Place to Grow will:

- Provide more flexibility for municipalities to respond to local needs,
- Increase housing supply at a faster rate,
- Attract new investments and jobs,
- Make the most of transit investments, and
- Protect important environmental and agricultural assets.

A Place to Grow reflects our trust in the ability of local governments to make decisions about how their communities grow, while the province maintains protections for the Greenbelt, agriculture, and natural heritage systems. One size doesn't fit all. We're supporting municipalities so they can respond to local needs and regional priorities.

In addition to sharing the new Plan with you today, I am also informing you that we are asking for further feedback on the transition regulation. Specifically, we are seeking feedback on specific planning matters that were submitted as part of the recent consultations and for which we would provide transitional rules. These matters were deemed to be far along in their process and as such are being considered for transition so as to not unduly disrupt ongoing planning matters that may be impacted by the policies in A Place to Grow. Changes to the [transition regulation](#) can be found on Ontario's Environmental Registry and Regulatory Registry for the next 30 days.

Provincially Significant Employment Zones (PSEZs)

The economy in the Greater Golden Horseshoe is not only a critical factor provincially but also across Canada in achieving economic success and viability. As such, ensuring that lands are available to support the creation of jobs and the attraction of investments is paramount to providing homes that people can afford near stable and reliable employment.

To achieve this, we have formally identified the 29 provincially significant employment zones that we consulted on for the purposes of providing enhanced protections to existing employment areas. While no zones were removed or added to the 29 provincially significant employment zones at this time, they have been revised to address any factual errors in the mapping based on municipal official plans already in effect. These zones can be viewed on our [web portal](#).

With the technical adjustments made, we will now begin the process of reviewing Requests for Reconsideration. Through this process, my ministry will consider requests to reconsider lands within and outside of existing zones as well as requests to add new zones. We will assess requests based on a number of factors that include, but are not limited to, the local planning context, municipal support and provincial interest.

If you have questions about the zones, the Requests for Reconsideration process, or accessing mapping files you may contact ministry staff at growthplanning@ontario.ca.

Finally, we heard loud and clear throughout the recent consultation period that there was a desire for further discussions on the longer term vision for the provincially significant employment zones that would look at opportunities to support current and emerging industries. Notably, many expressed interest in utilizing zones to leverage economic development investments, programs and strategies both inside and outside of the Greater Golden Horseshoe.

Working with our partner ministries, we will be embarking on further public engagement in the coming months to explore the longer-term vision for provincially significant employment zones, along with potential opportunities to maximize the use of the zones as tools in investments, infrastructure planning and economic activity. Through these targeted engagement discussions, we will look to clearly articulate a framework for provincially significant employment zones that will position Ontario for more homes and better jobs.

If you have any questions and/or need further information on the upcoming engagement, or on any of the growth related matters, please feel free to contact Cordelia Clarke Julien, Assistant Deputy Minister, Ontario Growth Secretariat at cordelia.clarkejulien@ontario.ca or at (416) 325-5803.

Taken together, the actions outlined in **More Homes, More Choice** - including the proposed changes detailed above - will make it easier to build the right types of housing in the right places, make housing more affordable and help taxpayers keep more of their hard-earned dollars. Building more housing will make the province more attractive for employers and investors, proving that Ontario is truly Open for Business.

This action plan is complemented by our recently announced [Community Housing Renewal Strategy](#), which will help sustain, repair and grow our community housing system. Together these two plans will ensure that all Ontarians can find a home that meets their needs.

At the same time, **More Homes, More Choice** underscores our commitment to maintain Ontario's vibrant agricultural sector and employment lands, protect sensitive areas like the Greenbelt, and preserve cultural heritage. Our plan will ensure that every community can build in response to local interests and demand while accommodating diverse needs.

Our government recognizes the key role that municipalities will play in implementing the action plan, and we know that you share our desire to bring more housing to the people of Ontario. I look forward to working with you as we implement **More Homes, More Choice**.

Sincerely,



Steve Clark

Minister

c:

Head of Planning

Chief Administrative Officer

Clerk

Memorandum

Date: Tuesday, May 21, 2019

To: Members of Council

From: Kyle Munro, Community Policy Planner, Community Services

Subject: Bolton Queen Street Corridor Study

The purpose of this memo is to advise Council that the Bolton Queen Street Corridor Study (Study) is completed and can be accessed on the Town's Website:

<https://www.caledon.ca/en/townhall/bolton-queen-street-corridor-study.asp>

The Town undertook this Study resulting from recent changes in transportation and infrastructure policy that are significantly altering traffic activity towards local-based usage in the area of the Highway 50/Queen Street in Bolton. The Study focused on identifying land use and design opportunities along the corridor that:

- Promote active transportation (walking, accessible and cycling) facilities and connectivity in Bolton;
- Promote enhancement of the corridor as a "complete street";
- Identify future land uses that can thrive within such a modified landscape while; accommodating changing demands for growth to 2041;
- Recognize and build upon research and policies that exist within the study area; and
- Accommodate and support future transit demands.

The findings of this Study will contribute to the development of planning policies for areas of Bolton as part of the Caledon 2041 Official Plan Review and directly reflects feedback collected through public and government agency consultation.

Background

1. Approach to the Study

The Bolton Queen Street Corridor Study was conducted in three phases:

- Phase 1 involved information and idea gathering via public consultation and a review of existing policies and site conditions within the study area.
- Three (3) dimensional (3D) computer modeling was created from this information and utilized to assist the later stages of the public consultation process.

- Phase 2 focused on the development of precedent study of design examples, consultation-based design concepts and policy scenarios for the study area.
- Phase 3 focused on the selection and justification of design plan and associated policy opportunities and recommendations for the Study area. The final study deliverables will be used as research material to inform the Town's current Official Plan Review.

2. Study Area

The Study area included the portion of Highway 50/Queen Street from Emil Kolb Parkway in the North to Mayfield Road in the South and King Street from Coleraine Drive in the West to Old King Road in the East. The primary focus of public interested focused along the Highway 50/Queen Street portion of the Study area.

3. Consultative Approach

Consultations with key stakeholders and the public provided context to the data gathered and the interests of community members. Presentations were conducted with stakeholders from the public, private and government sectors throughout the study. Three (3) non-statutory public sessions were held (Open House #1 - September 21, 2016, Design Charrette - November 30, 2016 and Open House #2 - September 28, 2017).

Some Key Findings

	<ul style="list-style-type: none"> • The study area was found to include four (4) distinct streetscape types, described in the Study as "Rural Highway", "Downtown Core", Commercial Highway" and "Highway Employment". • There is significant interest towards establishing a safe and separate bridge for an active transportation crossing of the railway corridor at Highway 50. • There is significant interest towards establishing a safe, continuous and integrated active transportation network along Highway 50/Queen Street, from Emil Kolb Parkway to Mayfield Road and along King Street from Coleraine Drive to Old King Road.
Primary Study recommendations	<ul style="list-style-type: none"> • Preparation of a Municipal Class Environmental Assessment (EA) by the Region, with involvement of the Town that at a minimum addresses the Downtown Section of the Queen Street Corridor, with consideration of the EA extension, if appropriate.

	<ul style="list-style-type: none"> • Such an EA should at minimum include: <ul style="list-style-type: none"> ○ Functional Engineering Design ○ Streetscape Design Options ○ Engagement Strategy ○ Parking Study of the Downtown Area ○ Climate change analysis ○ Servicing Plan ○ Bridge assessment and Hydrology Study ○ Costing Estimates
Secondary Study Recommendations	<ul style="list-style-type: none"> • Clarity is needed for the design and planning policies surrounding Bolton. • Existing Bolton Secondary Plans should be updated and integrated within the updated Official Plan • The establishment of new Secondary Plans and other initiatives/studies can help to build a vision for Bolton and the Study area specifically. • Potential studies include: <ul style="list-style-type: none"> ○ Secondary Plans for the “Highway Employment Area” and the “Commercial Industrial Area” ○ Gateway and Public Arts Strategies ○ Design for a new Pedestrian Bridge over the Rail Corridor
Ongoing Considerations	<ul style="list-style-type: none"> • Many of the Study recommendations arrived at would require joint Regional and Town partnership. • Addressing formal infrastructural components of the corridor (roadway, bridges) should be led by the Region. • Planning Studies (Secondary Plans, cultural heritage) should be led by the Town. • The Region and Town working in close collaboration on these studies and the results of each should be formally integrated into the Official Plans of both jurisdictions.

Conclusion

The recommendations and directions from the Bolton Queen Street Corridor Study will contribute to the creation of new official plan policies as part of the Official Plan 20141 Review process.

Memorandum

Date: Tuesday, May 21, 2019

To: Members of Council

From: Sylvia Kirkwood, Manager of Policy & Sustainability, Community Services

Subject: A Place to Grow: The Growth Plan for the Greater Golden Horseshoe

The purpose of this memo is to provide Council with an initial overview of the new provincial Growth Plan that was released on May 2, 2019. This plan will come into effect on May 16, 2019. A link to the plan can be found here <https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>

The release of this new plan comes after substantial consultation with stakeholders in the fall of 2018 and early 2019 on the proposed modifications to the previous Growth Plan for the Greater Golden Horseshoe, 2017. As part of the consultation process the province asked for formal comments to be submitted on February 28, 2019. The Town provided the attached comments (see Schedule A). The province has addressed the majority of comments provided by staff with the release of the new plan.

Staff are currently reviewing the impacts and effects of this plan to the Town of Caledon and will provide Council with a comprehensive review of the impacts on the Official Plan 2041 process review project by Q3 2019. In the interim, the following are key highlights of the new Plan:

Growth Plan Changes

After consulting with municipalities and other stakeholders in fall 2018, a draft amendment to the growth plan was released for consultation on January 15, 2019. A memo at Planning Committee on February 12th detailed the proposed changes to the Growth Plan (2017). Staff provided more detailed comments to the province by the consultation deadline.

The majority of comments and policy suggestions that staff provided to the province were captured in the new A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019. A number of changes were made that have significant impacts on planning in Peel and Caledon. The new plan allows for some components to be implemented outside of a Municipal Comprehensive Review. The population and employment targets for the Region to 2041 remain the same, as does the planning horizon included in the plan, which is 2041.

Employment Planning

New policies allow upper-tier municipalities to designate employment areas at any time in advance the next municipal comprehensive review (MCR). This policy could allow for employment land to be made available if there is an opportunity to bring additional jobs to Caledon but land availability is an issue. The term “Provincially significant employment zones” is a new term introduced, that would grant a higher level of protection against conversion compared with other employment areas. A zone was identified in Bolton that designates the majority of existing employment lands. Staff provided a suggested refinement when providing comments on the draft amendment, which does not appear to have been fully included. The Minister has indicated that discussions will continue regarding these provincially significant employment zones, including opportunities to support current and emerging industries and economic development opportunities. The Province is also accepting Requests for Reconsideration based on local planning context, municipal support and provincial interest. Staff may consider requesting additional employment lands in Caledon to be reconsidered through this process.

Settlement Area Boundary Expansions

Settlement expansions may occur outside of an MCR provided lands will achieve minimum density targets, not in a rural settlement, is serviced and has infrastructure capacity, and is accounted for in the land needs assessment for the next MCR. The expansion can be no larger than 40 hectares per settlement area. This policy could allow for the advancement of some residential lands, to help deal with issues of supply, advance certain strategic residential locations, provide for complete communities, or the rounding out of existing communities.

Small Rural Settlements

Rural Settlements are introduced, removing the previous definition of undelineated built-up area. Rural settlements are long established communities that contain a limited amount of undeveloped lands that are designated for development. Minor adjustments may be made to the boundaries of rural settlements outside of an MCR, provided they are not within the Greenbelt, that they are in keeping with the rural character of the area, have appropriate water and wastewater servicing, and other criteria. This policy would allow for minor expansions to rural settlements, ensuring logical boundaries or allowing for minor growth, if appropriate.

Agricultural and Natural Heritage Systems

Provincial mapping of the agricultural land base outside of the Greenbelt and the Natural Heritage System for the Growth Plan will not apply until they have been implemented in upper-tier Official Plans. Once provincial mapping is implemented in Official Plans, additional refinements are only able to occur through an MCR. The Agricultural System was in effect in Caledon immediately upon its release, which stalled certain development applications as the policies became more restrictive, especially for some lands that should not have been included in the system. This policy will allow for the Town and Region to refine the system before implementation, ensuring that only applicable lands are included.

Intensification and Density Targets

The 2017 plan included targets of 50 per cent intensification to 2031, and 60 per cent to 2041. The 2019 plan has a 50 per cent intensification target to 2041. The minimum density target for designated greenfield areas within the upper-tier municipality is a minimum of 50 residents and jobs per hectare, a reduction from the 2017 plan which saw a 80 residents and jobs per hectare target. The change in targets is likely to result in a larger amount of land needed to accommodate settlement boundary expansions in Caledon. Staff will be working with the Region of Peel to better understand the implications of this target on future land needs in Caledon.

Major Transit Station Areas (MTSA)

MTSA policies allow for a more streamlined approach that allows MTSA boundaries and targets to be established ahead of an MCR.

Next Steps

Town Staff will be consulting with Regional staff to review implications of the new Plan and the impacts to the Official Plan 2041 process review. Any updates will be provided to Council in a form of a memo at a later date.

Attachments

Schedule A – Letter dated February 28, 2019



February 28, 2019

Email: charles.o'hara@ontario.ca and
growthplanning@ontario.ca

Ontario Growth Secretariat
Ministry of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto, ON M5G 2E5

ATTENTION: Charles O'Hara, Director, Growth Policy, Planning and Analysis

Re: Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017 (ERO #013-4504)
Proposed Modifications to O. Reg. 311/06 (Transitional Matters – Growth Plans) (ERO #013-4505)
Proposed Framework for Provincially Significant Employment Zones (ERO #013-4506)
Proposed Modifications to O. Reg. 525/97 (Exemption from Approval – Official Plan Amendments) under the *Planning Act*, 1990 (ERO #013-4507)

Please accept this letter in response to the Environmental Registry of Ontario - ERO 013-4504, ERO 013-4505, ERO 013-4506 and ERO 013-4507. The Town of Caledon is appreciative of the opportunity to provide initial comments on the above ERO postings. Additional or modified comments may be forthcoming upon receipt of this letter to Town Council in early March.

The Town recognizes the efforts the Province has made by providing opportunities for additional consultation on proposed Growth Plan modifications through the technical working group sessions held in the fall of 2018, and the Regional Roundtables held earlier this month. Staff recognize that many of the proposed changes are a direct result of feedback collected in the fall. Further clarification of proposed policy changes at the Roundtable in February was valuable in preparation of these comments.

We encourage the Province to continue to provide opportunities for municipal staff to liaise and comment on provincial initiatives that directly impact local communities.

Overall, the Town supports the direction of the proposed policies that would allow for a more flexible and logical planning process.

The Town supports the Province's aim to address barriers to building homes, creating jobs, attracting investments, and protecting the environment and agricultural land, but have concerns with some of the proposed policy changes, while other policies require further clarification.

Our comments are outlined under the key themes of the proposed amendments/modifications:

Intensification and Density Targets

The Province has proposed increasing the intensification target from the phased target of 50% to 2031 and 60% thereafter, to 60% from the next Municipal Comprehensive Review. The immediate increase to 60% raises concerns with developing a housing mix that addresses demographic needs and realizing the market shift to medium and higher density forms of housing. A more planned approach to ensure appropriate servicing is in place is achieved with a phased target as per the current Growth Plan.

The proposed change in Designated Greenfield Area (DGA) from 80 to 60 people and jobs per hectare responds to previous comments provided by the Town of Caledon and the Region of Peel. This density reflects an opportunity for compact complete communities, while recognizing that higher order transit is not likely to be available in some new DGA areas and building denser communities on the edges of existing settlements would pose many challenges. The Town historically has had difficulty achieving the higher densities and the Province could consider a lower target such as 50 for the Town due to its rural character and transitional placement between the cities to the south (at 60) and more rural areas to the north and west (at 40). Therefore, a target of 50 residents and jobs combined per hectare may be more achievable and appropriate in our community.

Settlement Area Boundary Adjustments

The proposed policies would provide an opportunity for settlement area boundary expansions outside of an MCR, which corresponds to some of the Town's previous comments regarding a staged approach to the MCR. Staff would be supportive of small expansions occurring outside of an MCR, provided they are accounted for at the MCR stage.

Staff recommend that expansions would need to be regional or municipally initiated.

The proposed threshold of 40 hectares should be reconsidered. Providing a specific area is problematic and it should be based on a logical boundary expansion through a municipally led process subject to the same rigorous technical requirements that would be undertaken during the time of settlement expansion in the full MCR process. The area for expansion must be based on technical and fiscal requirements to avoid piecemeal planning. The Province should consider establishing specific criteria and policies that would create logical settlement boundaries expansions to support complete and viable communities.

As previously noted to the Province, the advancement of Mayfield West Stage 2 Phase 2 (110 hectares) is an example of a logical settlement boundary expansion that should proceed outside of the MCR process. Allowing Mayfield West Phase 2 Stage 2 to proceed would introduce a range and mix of housing supply, provide employment opportunities, support complete communities and provide a logical extension to the community. The technical MCR work has already been completed demonstrating the merits of these expansion areas.

Rural Settlements

Proposed Amendment 1 introduces the new Rural Settlement term to replace undelineated built-up areas. This is a positive change as it recognizes the nature of these communities, and the minor levels of growth expected.

The proposed policy that would allow minor rounding out of rural settlements in keeping with the rural character of the area is supported by staff. This is viewed as a tool available to municipalities and would be considered under the right circumstances. This could allow for flexibility for rural settlements and provide opportunities to strengthen the existing community. The policy permitting minor adjustments should require any adjustments be municipally initiated.

Planning for Employment

The proposed framework provides additional flexibility in terms of employment lands, allowing for municipalities to designate and convert employment land outside of an MCR. Further clarification is required regarding the criteria for designating employment land outside of an MCR. The Town is supportive of these policies as they would allow for the municipality to be more adaptive to local employment needs. It is recommended only municipalities be permitted to initiate employment land conversions outside of an MCR.

The creation of provincially significant employment zones for greater protections of important employment sites will ensure protection in the long term. The Ministry should consider how future infrastructure will be considered in the identification of Provincially Significant Employment Zones, around the GTA West Corridor. Zone 15 includes lands along Highway 50 in Bolton, though these boundaries should be modified to reflect current land use designations, including the Coleraine West Employment Area which came into effect on May 11, 2016. The Town's proposed Provincially Significant Employment Zone boundaries for Bolton are included (See Appendix 1), and mapping shapefiles are also included with our submission.

Major Transit Station Areas (MTSA)

The proposed Amendment 1 would allow for MTSA boundary delineation to be advanced prior to an MCR which is supported by the Town.

Section 2.2.4.1 of the Growth Plan references Schedule 5, which identifies priority transit corridors. It is noted that Schedule 5 is not proposed to be changed. This schedule identifies existing higher order transit and committed Go Transit rail extensions. The Go Rail extension to Bolton should be identified on this schedule.

Agricultural and Natural Heritage Systems

Proposed Amendment 1 would introduce transition policies for the Growth Plan area agricultural and natural heritage mapping that was released February 2018. Staff are supportive of the transition policies, which would not bring the mapping into effect until a Regional Official Plan Amendment implements the policies. This allows municipalities to refine the system and proceed with applications that were underway when this mapping came into effect. However, the transition policies should apply to the entire system, not just mapped areas within the Growth Plan.

Consideration should also be given to the review of the Oak Ridges Moraine Conservation Plan policies that prohibit on-farm diversified uses on lands designated Natural Linkage/Natural Core. The uses permitted within the Natural Core and Natural Linkage areas could also be reviewed to consider additional uses, in order to promote economic activity. The Town of Caledon has significant agricultural and tourism-based industries, and residents and businesses find it challenging to operate under the existing policy framework. The Town would like to strengthen these industries and help support viable operations within the community but cannot do so without further provincial policy changes.

Population and Employment Forecasts

The population and employment forecasts identified on Schedule 3 are the basis for the implementation of the Growth Plan policies to direct and manage growth. These forecasts are to be reviewed every 5 years in accordance with Section 5.2.4.7 of the Growth Plan.

The Town of Caledon, in cooperation with the Region of Peel, have been using the 2041 population and employment forecasts on Schedule 3 in order to achieve the Growth Plan, 2017 conformity date. The Region can proceed with the adoption of a growth management amendment, including input from a land needs assessment, well in advance of the 2022 compliance deadline. The Town recommends that the current planning horizon and forecasts be maintained so that technical work that has already been completed to date is not lost.

The Town is supportive of the policies that would allow for certain components to be brought forward as separate amendments as part of the Municipal Comprehensive Review, and not as one amendment package. By allowing a staged approach to municipal comprehensive reviews, employment opportunities would be made available sooner, and provide increased housing supply and range of housing types. The proposed policy changes would allow certain sections of the Growth Plan to proceed outside of an MCR, but these sections would be subject to appeal. This could result in significant delays, rather than progress forward.

Additional Comments

The Province is reviewing several projects and plans that directly impact planning in Caledon, and the Greater Golden Horseshoe. The Town is directly impacted by reviews of the *Planning Act*, Provincial Policy Statement, Growth Plan Amendment 1, review of Growth Plan population and employment forecasts, GTA West Environmental Assessment, and the Regional Structure Review.

Recent communications from the Minister of Municipal Affairs and Housing suggested municipalities consider an interim pause on planning decisions or reviews of major planning documents. Respectfully, the Town is currently initiating its formal review of its Official Plan – a document that was created in the late 1970's and systematically updated over the years. This document requires a complete review which will be undertaken concurrently with the provincial conformity review. This process is lengthy and complex, and in order to meet prescribed Planning Act timelines the Town does not support an interim pause of the process.

The Town requests that the Province expedite the review of the above noted projects, and allow municipalities to proceed with greater certainty, and meet the Growth Plan conformity deadline.

If you have any comments or require clarification, please do not hesitate to contact the undersigned.

Sincerely,



Peggy Tollett
General Manager, Community Services
TOWN OF CALEDON

c: Mayor and Members of Council
Mike Galloway, Town of Caledon
Region of Peel

Attachments: Proposed Revisions to Provincially Significant Employment Zones (PSEZ) - Caledon
Mapping File for Proposed Revisions to Provincially Significant Employment Zones (shapefiles)

Memorandum

Date: Tuesday, May 21, 2019

To: Members of Council

From: Sylvia Kirkwood, Manager of Policy & Sustainability, Community Services

Subject: Current Provincial Initiatives & Proposed Amendments

The purpose of this memorandum is to provide Council with an update regarding various provincial materials released to stakeholders for feedback and comment.

Bill 108 More Homes, More Choice Act, 2019

As part of the province's aim to tackle the housing crisis they have developed an action plan which will streamline and remove complexities and barriers in order to bring more affordable housing to the market. On May 2, 2019, the Province introduced Bill 108, More Homes, More Choice Act, in the Ontario legislature. Some of the key initiatives and amendments include:

The amendments in the *Planning Act* that pertain to housing:

- The secondary unit's policy has been amended to allow two residential units in a house and one residential unit in an ancillary building or structure to the house.
- The Inclusionary Zoning policies now include the provision to allow inclusionary zoning policies regarding an area that is a protected major transit station.
- Section 26.2 is new to the Act and will freeze development charge rates at the point of filing an application, rather than at the issuance of the first building permit (timing of payment will remain unchanged). Overall the amendments aim to encourage new housing developments.

The amendments in the *Planning Act* that pertain to section 37:

Section 37 is now known as the Community Benefit Charge. Currently a municipality may allow for increases in height and density beyond the existing permissions allowed in the zoning by-law in return for provision of facilities, services or matters considered as a community benefit.

The *Planning Act* amendment replaces the current section 37 and replaces the power to impose a development charge under the *Development Charges Act*. The amendment enables a municipality to, by by-law; impose the Community Benefit Charge to pay for capital costs of facilities, services and matters, required because of development or redevelopment in the area.

A Community Benefits Charge may be now imposed in respect of development or redevelopment that meets specified requirements, as set out in subsections 37 (3) and (4).

Further, the amount of the charge cannot exceed an amount equal to the prescribed percentage of the value of the land (a dispute resolution process is provided in cases where the land owner is not in agreement with the charge amount).

The amendment also states that all money received under a Community Benefits Charge by-law must be paid into a special account and 60 per cent of the monies in that account must be allocated or spent each year.

Ontario Heritage Act (ERO #019-0021)

The proposed *Ontario Heritage Act* amendments will establish new, mandatory standards for designation by-laws and impose new time limits for confirming completed alteration and demolition applications, as well as time limits imposed on Council's decisions on designation. Municipal decisions on designations and alterations will be subject to appeals to the LPAT, whose decision will be binding (this replaces the current, non-binding decisions of the Conservation Review Board). The intent of these changes is to provide clarity to municipalities, so they can better protect heritage resources in their communities, as well as facilitate timely and transparent decision making.

Specifically, the Act currently requires the Town Clerk to keep a register that lists all designated properties and all non-designated properties (Built Heritage Resource Inventory) that Council believes to be of cultural heritage value or interest. The proposed amendment will require Council to notify an owner of a non-designated property that their property is included on the register and the owner will be entitled to object. With respect to time limits regarding designation, Council will have 90 days after receiving a notice of objection to the designation. Should they decide to pass a by-law to designate, it will have 120 days after the notice of intention to designate to do so. If the by-law is not passed within this time frame, then the notice of intention is deemed to be withdrawn. Appeals regarding the designation by-law are made to LPAT.

Time limits are being proposed for applications regarding alterations and demolition of designated property. The Town must acknowledge receipt of all information and notify the applicant that the application is complete. A decision on the application must be given within 90 days after notification of a complete application.

Comments and formal submissions regarding the proposed changes can be provided by **May 31, 2019**.

Local Planning Appeal Tribunal Act and Planning Act Changes

Bill 108 keeps the LPAT name but proposes going back to the rules of the Ontario Municipal Board, returning to a "de novo" hearing process. Key changes include:

- It will no longer be the Attorney General administering the Act – that authority may be assigned according to the *Executive Council Act*.
- Fee setting according to different "classes of persons" is now allowed.
- Added right to call witness (who may otherwise not be involved in a given appeal) . The Tribunal also provided rights to limit and/or end examination .
- Added provisions to allow Tribunal to require parties to undertake mediation. Mandatory case management conference for appeals added, specifically aimed at facilitating mediation .
- Transition timelines and which cases will be affected/brought forward under the new process appear to be at the discretion of the Minister. Decisions on cases will need to be identified in an accompanying additional regulation.

- Appeals no longer have to be based on a lack of conformity with provincial or regional policies/plans (section 17 (approvals) & 22 (amendment requests)). Appeals made on the basis of provincial or regional plan/policy non-conformity will, nevertheless, require an explanation of why/how the plan is non-conforming.
- Appeals cannot be made regarding required aspects of a given plan (section 17 (approvals) & 22 (amendment requests))
- When no decision is reached by the approval authority in 120 days, appeals may now only be made by the municipality, minister/upper tier approval authority, or the amendment applicant ((section 17 (approvals) only)

More detailed information on the proposed changes will be reviewed and comments provided by **June 1, 2019.**

Development Charges

The proposed changes to the *Development Charges Act* (DCA) under Bill 108 is still subject to further changes, refinement, and related regulations.

- The creation of one second dwelling unit in prescribed classes of new residential development will be exempt from development charges
- Proposed “freezing of the rate” and six-year payment plan for certain types of developments.
- Will further challenge the Town’s ability to have sufficient developer funding (collected through DC and allocated to DC reserves) to pay for the construction or acquisition of growth-related capital infrastructure, e.g. infrastructure to support the additional population and employment growth, in a timely manner.
- If the growth-related infrastructure is still to be built to the size and scope identified in the Town’s DC study, more of the burden of funding the construction will likely be shifted to the Town (i.e. from the developer (DC’s) to tax payers (property taxes)).

More detailed information on the proposed changes to Development Charges is included in a separate Memorandum. Comments are due by **June 1, 2019.**

Modernizing conservation authority operations - *Conservation Authorities Act* (ERO #013-5018)

The province is proposing to amend the *Conservation Authorities Act, 1990* with the goal of helping conservation authorities re-focus and deliver on their core mandate. The change is focused on increasing transparency and improving governance. On April 5, 2019 the Province released Modernizing conservation authority operations - Conservation Authorities Act. The period for commenting is 45 days and comments are due **May 20, 2019.**

The proposed amendments include:

- Declaration of un-proclaimed sections of the Conservation Authorities Act, related to: fees for programs and services, transparency and accountability, approval of projects with provincial grants, recovery of capital costs and operating expenses from municipalities (municipal levies), regulation of areas over which conservation authorities have jurisdiction (e.g., development permitting), enforcement and offences, and additional regulations.

- Updates to core mandatory programs and services provided by conservation authorities which, if approved, include natural hazard protection and management, conservation and management of conservation authority lands, drinking water source protection (as prescribed under the Clean Water Act), and protection of the Lake Simcoe watershed (as prescribed under the Lake Simcoe Protection Act)
- Increase transparency in how conservation authorities levy municipalities for mandatory and non-mandatory programs and services subject to a Memorandum of Understanding. Also, require municipalities and conservation authorities to review levies for non-core programs after a certain period of time (e.g. every 4-8 years).
- Require a transition period of 18 – 24 months in which conservation authorities and municipalities must enter into agreements for the delivery of non-mandatory programs and services
- Allow the Minister to appoint an investigator to investigate or undertake an audit and report on a conservation authority
- Clarification that conservation authority board members are to act in the best interest of the conservation authority, similar to not-for profit organizations.

The Town of Caledon has standing Memoranda of Understanding (MOUs) with Credit Valley Conservation (CVC), Toronto and Region Conservation Authority (TRCA) and Nottawasaga Valley Conservation Authority (NVCA). The Region of Peel also has an MOU with CVC, TRCA and Halton Region Conservation Authority. These MOUs outline the conservation authority roles and responsibilities for plan reviews, technical comments and clearance.

The conservation authorities also have an agreement with the Province through Conservation Ontario that defines the roles and responsibilities of the conservation authorities to represent “provincial interest” on natural hazard matters encompassed by 3.1 of the Provincial Policy Statement (PPS, 2014).

Through our MOUs, the conservation authorities provide technical support to the Town’s Planning and Development division for the implementation of Official Plan policies, the PPS and Provincial Plans within our jurisdiction. Refocusing the conservation authority mandatory core programs and possibly requiring changes to our existing MOUs may create gaps in our level of service delivery. As a result, there may be financial and staffing implications to close those service delivery gaps.

It is unclear at this time if the proposed amendments would affect other environmental partnership programs we have with the conservation authorities that may be defined as non-mandatory programs. Furthermore, changes to municipal levies and cuts to Provincial funding programs may affect the delivery of conservation authority partnership programs. Policy and Sustainability staff will collaborate with the Conservation Authorities and the Region to determine the impacts to the Town of Caledon. More detailed information will follow in a subsequent report.

Focusing conservation authority development permits on the protection of people and property (ERO # 013-4992)

On April 5, 2019 the Province released a proposed regulation on the Environmental Registry of Ontario, “Focusing conservation authority development permits on the protection of people and property” (ERO #013-4992). The period for commenting is 46 days and comments are due **May 21, 2019**.

Written comments and feedback will only be accepted by Ministry of Natural Resources and Forestry via email to mnrwaterpolicy@ontario.ca. The Provincial Government, through the Ministry of Natural Resources and Forestry, is proposing a regulation that would streamline and focus conservation authorities’ development permitting decisions and outline their role in municipal plan review. The proposed regulation is associated with the *Conservation Authorities Act*, 1990 and is also linked to ERO #013-5018.

The proposed regulation aims to make rules for development in hazardous areas more consistent to support faster, more predictable and less costly approvals.

The proposed regulation includes:

- Updated definitions for key regulatory terms, including: “wetland”, “watercourse” and “pollution”;
- Defining undefined terms including: “interference” and “conservation of land” as consistent with the natural hazard management intent of the regulation;
- Reduce regulatory restrictions between 30m and 120m of a wetland and where a hydrological connection has been severed;
- Exempt low-risk development activities from requiring a permit including certain alterations and repairs to existing municipal drains subject to the Drainage Act provided they are undertaken in accordance with the Drainage Act and Conservation Authorities Act Protocol;
- Allow conservation authorities to further exempt low-risk development activities from requiring a permit provided in accordance with conservation authority policies;
- Require conservation authorities to develop, consult on, make publicly available and periodically review internal policies that guide permitting decisions;
- Require conservation authorities to notify the public of changes to mapped regulated areas such as floodplains or wetland boundaries; and
- Require conservation authorities to establish, monitor and report on service delivery standards including requirements and timelines for determination of complete applications and timelines for permit decisions;
- Consolidation of the existing 36 individual conservation authority-approved regulations into 1 regulation that will be governed by the Minister of Natural Resources and Forestry. This single regulation would ensure consistency in requirements across all conservation authorities.

The proposed amendments present opportunities to work with the conservation authorities and the Region of Peel to improve service delivery and engage the public on conservation authority policies. While Town of Caledon staff is supportive of efforts to improve efficiencies and consistency for conservation authority permit approvals and plan review, such efforts should continue to support the Town’s ecosystem-based planning and management approach that guides land-use decision making.

10th Year Review of Ontario's Endangered Species Act: Proposed Changes (ERO # 013-5033)

The Ontario Government is proposing changes to the *Endangered Species Act, 2007*. The Endangered Species Act protects endangered species such as red-side dace, bobolink, barn swallow, eastern meadowlark, etc. and their habitats.

The proposed changes to the *Endangered Species Act, 2007* are a result of a phased consultation process. The first phase of the review involved a 45-day consultation period on how to best update the 12-year old legislation (ERO # 013-4143).

In January 2019, the province released a discussion paper in relation to Ontario's Endangered Species Act. The goal of the first consultation was to solicit comments and suggestions about ways to achieve positive outcomes for species at risk, as well as, streamline approvals and provide clarity to the process. The Province received 1,943 comments through the registry, 13,011 comments by email and 10 comments by mail.

After considering comments, the Province is implementing recommendations that modernize and improve the efficacy of the act and improve results for species at risk.

On April 18, 2019, the Province released proposed changes to the *Endangered Species Act, 2007*. This is the second phase of the consultation process. The period for commenting is 30 days and comments are due May 18, 2019. The proposed amendments are captured in an omnibus bill – *Bill 108, More Homes, More Choice Act, 2019*.

The proposed amendments include:

- Modified review and assessment process of species at risk and longer period (up to twelve months) for decisions on protection and listing species on the Species at Risk in Ontario List. The bill also requires the committee of scientist that recommends species-at-risk listings to look beyond Ontario's borders for the condition of the species. Data from outside Ontario can be used to recommend a classification.
- Broader definitions and implementation processes for species and habitat protections including Ministry discretion on protections. The listing process for species listed as endangered or threatened would no longer be linked with automatic protections. Bill 108 would also allow the Minister to temporarily suspended (for up to three years) the protections for newly-listed species if certain conditions are met.
- Development of species at risk recovery policies would give the Ministry discretion to extend the nine-month timeline for the preparation of policy direction and responses to the "Recovery Strategy" statements. The length of the extension is not mentioned.
- Amendments to the issuance of *Endangered Species Act* permits and agreements, and development of new regulatory exemptions. The Province is proposing a fee-in-lieu fund that would allow industry and others who impact the habitat of endangered species to continue activities in exchange for a fee. The bill makes no mention of how the fee-in-lieu funds will be administered and monitored.
- Enforcement of the *Endangered Species Act* would transfer from the Ministry of Natural Resources to the Ministry of the Environment, Conservation and Parks

It is the policy and practice of the Town of Caledon that *Planning Act* applications proposing development within and adjacent to significant habitat of threatened and endangered species, identified under the *Endangered Species Act*, require approvals from the Ministry of Natural Resources and Forestry (MNRF). Clearance from MNRF is typically a condition of approval. Generally, the changes, if approved, would result in a more lenient approach to issuing permits, agreements and exemptions for species at risk.

The protection of endangered species in the Ontario has been significantly curtailed by the proposed changes to the Endangered Species Act, 2007. While such streamlining of approvals could be effective to save time and costs, it should also continue to support the Town Official Plan “Environmental Policy Area” policies and ecosystem-based planning framework. Policy and Sustainability staff, will collaborate with the Conservation Authorities and the Region to determine the impacts to the Town of Caledon. More detailed information will follow in a subsequent report.

New Provincial Direction on Excess Soil under the Environmental Protection Act (ERO Posting #013-5000)

In January 2016, the Province of Ontario responded to issues and challenges posed by excess soil by releasing the guidelines for the management of excess soil. The *Excess Soil Management Policy Framework* addressed concerns about the way excess soil is managed and disposed. It defined excess soil as:

...soil that is excess to requirements at a construction or development site or project (“source site”); it is not needed on the source site after it is excavated and must be moved to a new, off-site, location. In this case, soil remaining within a project site is not considered excess soil.

With the release of this policy framework, the Province recognized excess soil as a resource that must be managed with responsibilities placed on the generator of excess soil to plan for its appropriate re-use. Tracking and record-keeping, from source to re-use, are integral elements of these initial Provincial directions.

Several existing Provincial policies, including excess soil, are under review by the current Ontario government. Under the *Made-in-Ontario Environmental Plan*, the Province is proposing policies to manage excess soil for the purpose of protecting air, land and water, preventing litter and waste, and supporting efforts to reduce greenhouse gas emission while increasing communities’ resiliency to climate change.

On May 1, 2019, the Province released the Excess Soil Regulatory Proposal and Amendment to the Record of Site Condition (Brownfields) Regulation, under the *Environmental Protection Act, R.S.O 1990*, for public review and input in the Environmental Registry of Ontario (ERO #013-5000). Comments on the proposed policy and regulation are accepted until **May 31, 2019**.

Proposed Excess Soil Policy

The Province, under this proposal, continues to consider excess soil to be a valuable resource which can be re-used while reducing the risk of contaminants in new locations where they are disposed. The proposed policy and regulation are intended to:

- a) Increase opportunities for the appropriate and beneficial re-use of excess soil by:
 - recognizing excess soil as a resource;
 - setting clear rules to increase re-use opportunities and reduce soil relocation costs;
 - reducing clean excess soil going to landfill as waste;
 - lowering greenhouse gas emissions associated with excess soil movement; and
 - protecting human health and the environment.
- b) Clarify that a project leader will be responsible for managing and relocating excess soil generated by the project based on the level of contaminants in the soil using flexible risk-based reuse standards.
- c) Clarify when the waste designation applies to the movement and disposal of excess soil, replacing or simplifying waste-related approvals with regulatory rules for low risk soil management activities.
- d) Improve transparency and accountability for generators, haulers and receivers of excess soil to address concerns about illegal relocation of soil. The proposal would improve the ability to take enforcement action against polluters who inappropriately deposit soil.

The Province will achieve these above noted objectives through proposed new excess soil regulation and amendments to *O. Reg. 153/04* (Record of Site Condition Regulation) and Regulation 347 (General - Waste Management) under the *Environmental Protection Act* (EPA). Accordingly, changes to *O. Reg. 153/04* under the EPA will clarify rules and remove unnecessary barriers to the redevelopment and revitalization of contaminated lands; thereby putting vacant, prime land to good use, while protecting human health and the environment.

Preliminary Comments

Caledon is an attractive destination for excess soil from abutting GTA urban communities for several reasons, including:

- Its rural setting or countryside landscape located in relative proximity to urban GTA centres where many developments and re-developments occur.
- Large agricultural lands that require excess soil for grading and soil reclamation, replenishment/land improvements.
- The existence of aggregate pits that require excess soil for building berms, site grading and rehabilitation. More recently, pits with depleted resources are considered as suitable places for refill with large quantity of excess soil.

The Town of Caledon supports the proposed Provincial directions on excess soil. However, Caledon is concerned about the:

- Additional cost that will be incurred by the Town due to increase in the number of heavy trucks on its roads, bridges and other infrastructure.
- Increasing role for the municipality in the regulation, monitoring, and enforcement of disposal activities related to excess soil. Extra municipal resources will be needed to ensure that soil imported into the municipality is properly disposed. Currently, there are several illegal dumping of excess soil in the municipality.
- Increase in the amount of traffic on rural roads which decreased community safety and devalues the quality of life due to increase in the levels of dust and noise pollutions. The Province estimates that excess soil travels long distances (65 kilometers or more in many cases) for re-use or disposal. Trucks are also said to emit larger quantities of greenhouse gases.

The Town recommends that the proposed policy and regulation should include the following:

- Since the Province promotes the re-use of soil, the regulation should determine and mandate the minimum percentage of excess soil that proponents must use on-site. The Province and municipality should provide incentives for proponents who exceed the prescribed minimum percentage. This will ensure that less excess soil is transported and disposed off-site.
- Provide mechanism for proponents to separate and classify excess soils based on their types and qualities to ensure that top soils are re-used for agriculture and other beneficial purposes and not disposed in landfills. Contaminated soils are to be disposed appropriately to guarantee the protection of ground water.
- Provide municipalities with the powers to levy fee(s) related to disposal activities to enable them to recover cost and generate the funds needed to hire additional staff to monitor and enforce regulations as well as repair and maintain its roads and bridges.
- Allow municipalities to determine haul routes as it is currently the practice for aggregate operations to protest rural communities.

Local Planning Appeal Tribunal Act and Planning Act Changes

Bill 108 keeps the LPAT name but proposes going back to the rules of the Ontario Municipal Board, returning to a “de novo” hearing process. Key changes include:

- It will no longer be the Attorney General administering the Act – that authority may be assigned according to the *Executive Council Act*.
- Fee setting according to different “classes of persons” is now allowed.
- Added right to call witness (who may otherwise not be involved in a given appeal) . The Tribunal also provided rights to limit and/or end examination .
- Added provisions to allow Tribunal to require parties to undertake mediation. Mandatory case management conference for appeals added, specifically aimed at facilitating mediation .
- Transition timelines and which cases will be affected/brought forward under the new process appear to be at the discretion of the Minister. Decisions on cases will need to be identified in an accompanying additional regulation.
- Appeals no longer have to be based on a lack of conformity with provincial or regional policies/plans (section 17 (approvals) & 22 (amendment requests)). Appeals made on the basis of provincial or regional plan/policy non-conformity will, nevertheless, require an explanation of why/how the plan is non-conforming.

- Appeals cannot be made regarding required aspects of a given plan (section 17 (approvals) & 22 (amendment requests))
- When no decision is reached by the approval authority in 120 days, appeals may now only be made by the municipality, minister/upper tier approval authority, or the amendment applicant ((section 17 (approvals) only)

More detailed information on the proposed changes will be reviewed and comments provided by **June 1, 2019.**

Development Charges

The proposed changes to the *Development Charges Act* (DCA) under Bill 108 is still subject to further changes, refinement, and related regulations.

- The creation of one second dwelling unit in prescribed classes of new residential development will be exempt from development charges
- Proposed “freezing of the rate” and six-year payment plan for certain types of developments.
- Will further challenge the Town’s ability to have sufficient developer funding (collected through DC and allocated to DC reserves) to pay for the construction or acquisition of growth-related capital infrastructure, e.g. infrastructure to support the additional population and employment growth, in a timely manner.
- If the growth-related infrastructure is still to be built to the size and scope identified in the Town’s DC study, more of the burden of funding the construction will likely be shifted to the Town (i.e. from the developer (DC’s) to tax payers (property taxes)).

More detailed information on the proposed changes to Development Charges is included in a separate Memorandum. Comments are due by **June 1, 2019.**

NEXT STEPS

Staff will continue to work with the Region and Conservation Authorities to ensure that a full set of impacts and implications to the Town are outlined to the Province. Further memorandums to Council will be brought forward as needed.

Memorandum

Date: May 21, 2019

To: Members of Council

From: Kant Chawla, Senior Policy Planner, Community Services

Subject: Modernizing Ontario's Environmental Assessment Program - Environmental Assessment Act

The purpose of this memorandum is to provide Council with an update regarding various provincial materials released to stakeholders for feedback and comment.

ENVIRONMENTAL ASSESSMENT PROGRAM

The Province of Ontario has released a discussion paper for consultation on a modern vision for the Environmental Assessment (EA) program. The paper explains the key features of the proposed program, communicates some proposed immediate actions and sets out a vision to modernize the almost 50-year old environmental assessment program.

The Provincial Ministry of the Environment, Conservation and Parks (MECP) is seeking comments/input from affected municipalities, public and stakeholders that will help to inform a modern framework for environmental assessment by May 25, 2019.

BACKGROUND

The Province of Ontario *Environmental Assessment Act* was enacted in 1975 and sets out the framework for Ontario's environmental assessment program which is critical to environmental planning decisions-making. It requires the study and documentation of potential effects of a project.

The EA Act was the first of its kind in Canada, but after almost 50 years it largely remains the same. It is believed that over the years the EA program has become complex and discouraging job-creators to conduct business in Ontario.

Ensuring to preserve and protect the environment for future generations, the government committed to modernizing the Ontario's environmental assessment process, to eliminate duplication, streamline processes, provide clarity to applicants, improve service standards to reduce delays, and better recognize other planning processes.

MODERN ENVIRONMENTAL ASSESSMENT PROGRAM DISCUSSION PAPER - HIGHLIGHTS

MECP released the discussion paper for modernizing the EA program on April 25, 2019.

This discussion paper outlines some key features of the environmental assessment process, identifies the initial actions to provide immediate relief, and sets out a vision to bring the environmental assessment program into the 21st century.

The government will soon implement initial actions to provide immediate relief to the environmental assessment program besides giving an opportunity to the public and stakeholders to provide their comments/input on the proposed vision.

1. Proposed Early Actions

It is recognized that there are some elements of the current class environmental assessment process in critical need of attention. Issues related to the level of assessment for low-risk projects, and timeliness for Part II Order request decisions, have been identified for early actions.

Low Risk Projects

Many of the projects include routine activities such as snow-plowing and de-icing operations, and adding bike lanes where risks to the environment or health are very low. In order to focus on higher risk activities, the province is proposing to modernize the environmental assessment program to immediately exempt these low risk projects. Additionally, some projects that are currently considered as medium-risk could more appropriately be considered as low-risk.

The province is moving to exempt these dispositions from environmental assessment requirements. It is also thought that specific projects are exempted from environmental assessment requirements given the low-level of environmental risk and the high level of social or economic benefit associated with them.

Timelines - Part II Order Decisions (Bump-Up Requests)

The province also intends to address the long timelines for Part II order decisions. It was noted that between 2012 and 2017, it took an average of 266 days for the ministry to decide on a Part II Order request. Presently, it is stipulated that the Minister must consider a request from anyone on any issue for any project before construction begins. In many requests, the Minister determined that the concerns raised in the requests did not warrant further environmental assessment work and the concerns were not related to significant impacts on the environment and could be resolved through other processes (examples included expropriations, property taxes or values)

The province proposes to ensure timeliness and certainty for requests to the Minister asking for a higher level of assessment on a project (i.e. “bump-up”), by: Clearly defining which matters bump-ups can be requested on, including matters related to Aboriginal or treaty rights and other matters of provincial importance as prescribed.

Specifically, the Province will be taking action to:

- focus on higher-risk projects by exempting very low-risk activities from Class Environmental Assessments under the Environmental Assessment Act
- Authorizing the creation of a regulation that would prescribe limits on when the Minister must make decisions on requests, and deadlines for requesting a bump-up to provide transparency for all involved in the process.
- Ensuring that Ontarians are given priority over other interests by limiting bump-up requests to only those that live in Ontario.
- Clarify the Minister's authority to reconsider an approval of a project and ask for additional information on an individual environmental assessment, if deemed appropriate.

It is believed that improving the fore-going elements will support to create the best balance between a healthy environment and a healthy economy. The ministry will move ahead with these actions while consultations are ongoing to build the modern framework for environmental assessment in Ontario.

It is noted that there will be opportunities for further consultation on these early actions.

2. Vision

Broadly, the vision comprehends to:

- A. Ensure better alignment between the level of assessment and level of environmental risk associated with a project;
- B. Eliminate duplication between environmental assessments and other planning and approvals processes;
- C. Find efficiencies in the environmental assessment process and related planning and approvals processes to shorten the timelines from start to finish; and;
- D. Go digital by permitting online submissions.

The important features of the vision are briefly described below:

A. Better Alignment

The province is committed to protecting the environment. In Ontario, environmental assessments are required for virtually all public-sector projects from very low-risk projects, such as putting in bicycle lanes on roads, to higher-risk projects like new 400 series highways. In contrast, many private sector projects (e.g., large industrial facilities) that could have more significant environmental effects are not required to complete an environmental assessment.

Ontario may consider formulating a project list, identifying which projects are subject to an environmental assessment. This approach is used in other jurisdictions within Canada. The process of developing such a list will provide further insight on the projects to be included/excluded from the list based on the associated level of risk.

The present streamlined processes may also be incorporated into a project list to ensure that appropriate amount of time and effort is expended on the projects that matter to Ontarians.

B. Eliminate Duplication

The province wants to ensure that the environmental assessment program is efficient and effective. Eliminating duplication with other legislation, policies or processes can help to achieve these objectives. This duplication can be frustrating and time consuming for the public, government agencies and First Nations and Métis communities who may review duplicative documents for the same project.

C. Efficiencies for Shorter Timelines

The Environmental Assessment Act is almost 50 years old, and since it was enacted, other processes have been put in place that may duplicate requirements for projects subject to the Act. Specifically,

while the Municipal Class Environmental Assessment process includes provisions for integration with the Planning Act, there may still be some duplication for municipal infrastructure projects. For example, in some cases, projects may be subject to both an appeal under the Planning Act and a Part II Order request under the Environmental Assessment Act.

The solutions for addressing these issues may vary from phasing out or amending streamlined assessment processes where similar requirements exist in other legislation, regulation or approvals processes to better integrating environmental assessment concepts and principles into existing protocols and policies. The province will also consider opportunities to coordinate the reviews of concerns raised in development appeals and Part II Order requests.

The province is also considering to reform **one-window approach** to achieve greater coordination, providing an efficient working system that balances environmental protection with the need for projects to proceed in a timely manner. One-window' vision ideas may include:

- Add timelines to reviews from all government agencies involved to ensure that they do not unnecessarily hold up projects.
- Allow applicants to initiate and streamline certain permit and approval applications during the environmental assessment process to speed up the overall timelines for projects.
- Act to better coordinate ongoing assessment requirements to allow similar work completed in one process to be used for other processes.

D. Digital - Online Submissions

Effective public consultation and participation in the environmental assessment process relies on access to timely, accurate and adequate information. Great advances in information technology point to the need to make environmental assessment information more accessible online. The province recognizes that given the paper-based nature of the program, there are challenges associated with managing information and documentation. There is a need to improve public access to environmental assessment information and to better manage and share project documentation.

Creating an electronic registry to support the submission and review of environmental assessment documents would provide several benefits to applicants, review agencies, the public, and First Nations and Métis communities in the consultation and review process.

Province is currently implementing a modern approach to other environmental approvals and permits through the creation of online registries and electronic submission processes. A similar process for the environmental assessment program would provide consistency across programs, and for applicants and interested stakeholders.

STAFF POSITION

Based on the review of the Discussion Paper, staff is generally supportive of the provincial approach to modernize Ontario's environmental assessment (EA) program. It is noted that the present EA program is 50-year-old and is found to be complex.

The staff while conducting the class environmental assessment process has experienced redundancies in the process which makes it complex, cumbersome and time consuming. The process delays result in the spin-off delays in the overall planning and development review process. The recent work on environmental assessments in the Town's Secondary Plan Area of Mayfield West Phase 2 (MW-2) confirm the process complexities and the resultant delays emanating from matters which necessarily do

not add value to the EA works. The multitude of commenting agencies with wide timelines add to the delays as well.

Whilst participating in the provincial individual environment assessment process especially for new or extension of existing highways, staff has noted that the process is not only time costly but also jeopardize land use policy planning and a hindrance to development of approved lands. The provincial EA undertaking of the GTA West Transportation corridor is a prime example of holding many of the Town's approved development lands due to process delays and long periods of indecisiveness.

Streamlining and modernizing the EA program will help development, create infrastructure in a timely fashion, will make land use planning more efficient and cost effective, and keep the Town in better financial health.

NEXT STEPS

The Ministry of Environment, Conservation and Parks (MECP) will receive comments until May 25, 2019 on the Discussion Paper. Upon receiving and reviewing input/comments will finalize the environmental assessment program. The timelines to finalize the document have not been specified.

The Ministry is planning to host webinars for Indigenous communities and organizations as well as stakeholder groups including the municipal jurisdictions.

Staff will be preparing a response by the required deadline which will include a copy of this memorandum along with any additional comments received.

Town staff will continue to monitor and attend the workshop/s as planned by MECP to understand more about the program. If needed, staff will report back as appropriate.