

Staff Report 2020-0122

Meeting Date: September 22, 2020

Subject: Proposed Zoning By-law Amendment Application, Lormel Joint Venture Inc., 2650 Mayfield Road, Ward 2

Submitted By: Stephanie McVittie, Acting Manager, Development Review Services, Community Services

RECOMMENDATION

That in accordance with Section 34(17) of the *Planning Act*, no further notice is required to be provided on the proposed Zoning By-law Amendment;

That the By-law attached as Schedule “C” to Staff Report 2020-0122 be enacted to amend Comprehensive Zoning By-law 2006-50, as amended to rezone the lands to various zones to permit the development of a residential plan of subdivision; and

That applications for minor variances for the lands as identified in Schedule ‘A’ attached to Staff Report 2020-0122, 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*.

REPORT HIGHLIGHTS

- A Zoning By-law Amendment (RZ16-13) application was submitted by KLM Planning Partners Inc. on behalf of Lormel Joint Venture Inc. on October 26 and December 14, 2016, and deemed ‘complete’ by staff on December 15, 2016.
- The application was submitted to support the development of a residential plan of subdivision consisting of 199 single detached dwellings, an environmental block (woodlot), a park block, a stormwater management block, a greenway corridor adjacent to the Orangeville-Brampton railway, and a road widening and 0.3 m reserve along Mayfield Road.
- The application proposes to rezone the lands from Agricultural (A1) to Residential Two Exception 614 (R2-614), Environmental Policy Area 1 (EPA1), Environmental Policy Area 1 Exception 405 (EPA1-405) and Open Space (OS).
- A statutory Public Meeting was held on March 21, 2017 in accordance with the requirements of the *Planning Act*.
- The proposed amendments are consistent with Provincial policies and conform to Provincial, Regional and local planning policy documents.
- Planning staff recommends that Council enact the draft Zoning By-law Amendment, attached as Schedule “C” to this report.

DISCUSSION

The purpose of this Report is to recommend that Council enact the proposed Zoning By-law Amendment to rezone the property to permit the development of a residential plan of subdivision.

Subject Lands

The subject property is municipally known as 2650 Mayfield Road and is located on the north side of Mayfield Road, east of McLaughlin Road and on the west side of the Orangeville Brampton railway line. The property is approximately 18.26 ha (45.12 ac) in area and is used for agricultural purposes. There is a woodlot located in the northeast corner of the property. Existing uses surrounding the subject lands consist of farmland and a woodlot to the north, farmland and an existing church to the west and existing residential dwellings to the south and east. The lands to the north and west are subject to draft plan of subdivision applications which are currently under review. See Schedule 'A' – Location Map.

Proposed Development

On October 26 and December 14, 2016, the Town received Draft Plan of Subdivision (21T-16008C) and Zoning By-law Amendment (RZ 16-13) applications from KLM Planning Partners Inc. on behalf of Lormel Joint Venture Inc. for the subject lands. The applications were deemed complete on December 15, 2016.

The Draft Plan of Subdivision application was draft approved on January 14, 2020 to permit the development of a residential plan of subdivision with 199 single detached dwellings, a 4.58 ha (11.31 ac) environmental block to protect the woodlot on the northeast corner of the property, a 0.55 ha (1.11 ac) park block, a 1.32 ha (3.26 ac) stormwater management block, a greenway corridor adjacent to the Orangeville-Brampton railway, a buffer block along Mayfield Road, a road widening and 0.3 m reserve. Since draft plan approval, through the detailed design process, the applicant has identified that two lots require boundary changes to accommodate noise walls. This change to the draft plan will be accommodated through a redline revision during the final M-plan review in preparation for registration of the subdivision. See attached Schedule "B" Redlined Draft Plan of Subdivision.

The Zoning By-law Amendment application (RZ 16-13) is proposing to rezone the lands to accommodate the residential subdivision. The amendment proposes to rezone the lands from Agricultural (A1) to Residential Two Exception 614 (R2-614), Environmental Policy Area 1 (EPA1), Environmental Policy Area 1 Exception 405 (EPA1-405) and Open Space (OS). See attached Schedule "C" Draft Zoning By-law Amendment.

Planning Review

Documents that have been considered by the Town in its review of the proposed application include the Provincial Policy Statement, 2020, the Growth Plan for the Greater Golden Horseshoe, 2019, the Region of Peel Official Plan, the Town of Caledon Official Plan and Comprehensive Zoning By-law 2006-50. 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, 2020 (PPS, 2020)

The PPS, 2020, contains policies with respect to promoting efficient development and land use patterns in order to create healthy, liveable and complete communities while providing for an appropriate range of housing types and densities to meet requirements of current and future residents. The PPS, 2020 directs growth to settlement areas as per Section 1.1.3.1. In accordance with Sections 1.1.1, 1.1.3.2, 1.4, 1.5 and 1.8 the proposed development efficiently uses land and contributes to a range and mix of residential units and provides appropriate park and open space blocks, while supporting active transportation in the plan and larger community. The development, within the Mayfield West Phase 2 community, is adjacent to existing developed land and allows for the efficient use of land and infrastructure (Section 1.1.3.6). The proposed development will be serviced by municipal servicing (Section 1.6.6). The plan provides a block to protect the woodlot in the north-east corner of the plan, protection this natural heritage feature as per Section 2.1. The proposed amendment to implement the development is consistent with the Provincial Policy Statement, 2020.

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

The Growth Plan, in conforming to the PPS, 2020, contains similar, although refined, policy direction to the PPS, 2020. The Growth Plan also directs development to settlement areas that have existing or planned municipal water and wastewater systems and can support the creation of complete communities (Section 2.2.1). The Mayfield West Phase 2 Secondary Plan has been planned as a complete community that is compact, pedestrian and cyclist friendly, and transit-oriented, providing for a mix of residential uses and achieving the minimum intensification and density targets (Sections 2.2.6, 2.2.7, 3.2.2, 3.2.3 and 3.2.4). The proposed development will contribute to the mix of residential uses in the community, provides for a park and promotes walkability. The plan will utilize municipal water and wastewater services and was supported by a satisfactory stormwater management plan (Sections 3.2.6 and 3.2.7) As per Section 4.2, the proposed development provides for a park and protects the natural heritage feature (woodlot) in the north-east corner of the plan. The proposed amendment to implement the development conforms to and is consistent with the Growth Plan.

Region of Peel Official Plan

The Region of Peel Official Plan designates the subject property within the Mayfield West Rural Service Centre on Schedule “D”, Regional Structure. The Region’s Official Plan also provides for specific policies directing area municipalities to include more detailed objectives and policies in the local municipal official plans. Section 5.4.2.6 requires that development is consistent with the provincial plans, and regional and local official plans. The proposed development supports the Mayfield West Phase 2 community in providing for a range and mix of residential and recreational land uses and protects for the GTA West Transportation Corridor (Sections 5.4.3 and 5.4.3.2.8). The proposed amendment protects the natural heritage feature (woodlot) by placing it in the ownership of the Toronto and Region Conservation Authority (TRCA) and ensuring environmental uses are permitted. The Region has confirmed that there is sufficient water and sanitary services to support the proposed development and has also advised that there are no concerns with the proposed application. The proposed amendment to implement the development conforms to the Region of Peel Official Plan.

Town of Caledon Official Plan

The Town of Caledon Official Plan designates the subject property within the Settlement Area of Mayfield West Phase 2 on Schedule ‘A’, Town of Caledon Land Use Plan. The Mayfield West Phase 2 Secondary Plan designates the property as Low Density Residential, Environmental Policy Area, Greenway Corridor, Open Space Policy Area and Stormwater Pond Facility on Schedule “B-2”, Mayfield West Phase 2 Land Use Plan.

In total, the Mayfield West Phase 2 planning area is approximately 251 ha in size, of which approximately 44 ha comprises natural heritage features and an existing rail corridor. The total planned population for the area that shall be achieved is 10,348 people, in conjunction with 2,635 population-related jobs and 1,164 employment area jobs. This translates into a projected density of 68.2 combined people and jobs per ha. As per Section 7.14.3, compliance with these numbers is to be achieved through the approval of a community wide Development Staging and Sequencing Plan (DSSP). In accordance with Section 7.14.4, the applicant has demonstrated that the proposed plan conforms to the population and employment density for the Secondary Plan through Section 5 of the DSSP, found to be satisfactory to staff on April 22, 2019. The proposed development also conforms with the goals and recommendations of a series of other Mayfield West Phase 2 community-wide studies that include the following: Community Design Plan (CDP), Community-Wide Functional Servicing Report (FSR), and a Community-Wide Environmental Implementation Report (EIR) as required by Sections 7.14.4.5, 7.14.4.6 and 7.14.4.7. The other important element in the planning of the community is a Financial Agreement which was executed with members of the Mayfield Station Developers Group, dated November 2015. The Agreement identifies the group’s financial commitments for implementing the Secondary Plan. The Trustee has confirmed that the owner is in good standing as required by Section 7.14.4.8.4 of the Official Plan. Furthermore, as per the Secondary Plan policies, the applicant has submitted a Sustainable Residential Home

Strategy that identifies green energy features and systems including water-efficient and EnergyStar appliances, and a homeowner awareness program to help maximize their efficiencies in their homes.

The proposed development and Zoning By-law Amendment generally conforms to the land use plan identified on Schedule “B-2”. Through the development process, the land uses, and their locations have been refined and adjusted in accordance with Section 7.14.23, taking into account reasons including the preservation of environmental features, preferred location for the park block, street alignment, stormwater management.

The Low-Density Residential designation permits, among other uses, single detached dwellings. Within the Low-Density Residential designation, the draft approved plan identifies that single detached dwellings are to be constructed. The Zoning By-law Amendment proposes to rezone these same lands to Residential Two Exception 614 (R2-614) to permit single detached dwellings.

Together the Environmental Policy Area and Greenway Corridor designations provide for a functional and connected natural heritage system that protects and enhances key natural heritage features and areas in and adjacent to the Plan Area. The Environmental Policy Area designation is intended to protect the woodlot in the north-east corner of the plan which is proposed to be zoned Environmental Policy Area 1 (EPA1), restricting development of the lands. The Greenway Corridor provides for connection between natural heritage features and will permit the restoration/enhancement of the area, provide for wildlife habitat, and where appropriate, trails for public use. This Greenway Corridor is also proposed to be zoned EPA1 and will contain a trail system connecting to the multi-use path along Mayfield Road. The TRCA has reviewed the proposed amendment and has no concerns.

The Open Space Policy Area designation is utilized to identify the location of municipal parks. The proposed amendment will rezone this portion of land to an Open Space zone which permits a park and is satisfactory to Town staff.

The Stormwater Management Pond Facility designation identifies stormwater management facility locations within the plan which were identified through the community-wide Functional Servicing Report. The pond will be owned by the Town and is proposed to be zoned Environmental Policy Area 1 Exception 405 (EPA1-405) which permits stormwater management facilities.

Staff is of the opinion that the proposed amendment conforms to and is in keeping with the intent of the Town’s Official Plan.

Town of Caledon Zoning By-laws 2006-50

The subject property is zoned Agricultural (A1) by By-law 2006-50, as amended. The Zoning By-law Amendment application (RZ 16-13) is proposing to rezone the lands to accommodate the residential subdivision. The amendment proposes to rezone the lands from Agricultural (A1) to Residential Two Exception 614 (R2-614), Environmental Policy Area 1 (EPA1), Environmental Policy Area 1 Exception 405 (EPA1-405) and Open Space (OS). See attached Schedule “C” Draft Zoning By-law Amendment.

The proposed amendment will permit the various uses proposed through the plan of subdivision as described in detail in the Official Plan section of the report. The site specific zones (R2-614 and EPA1-404) contain specific use and zone provisions applicable to the proposed development in these zones. The proposed By-law is in keeping with the uses permitted in the Official Plan and implements the proposed development.

Consultation

Notice of Application

In accordance with the *Planning Act*, a Notice of Application was mailed to all landowners within 120 m (393.7 ft) of the subject property. In addition, a notice sign has been posted on the subject lands and this Notice was posted on the Town’s website and advertised in the Caledon Citizen, Caledon Enterprise and Brampton Guardian newspapers on Thursday December 22, 2016.

Agency and Department Review

The proposed amendment was circulated to external agencies and internal departments for review and comment. Comments are attached to this report as Appendix ‘D’ – Agency and Department Comment Sheet. No objections to the proposed Zoning By-law Amendment were received.

Public Meeting

In accordance with the *Planning Act*, the Notice of Public Meeting was mailed to all landowners within 120 m (393.7 ft) of the subject property and was advertised in the Caledon Citizen, Caledon Enterprise and Brampton Guardian newspapers on Thursday February 23, 2017.

A statutory Public Meeting was held on March 21, 2017 in accordance with the requirements of the *Planning Act*. The following questions and comments were raised at the Public Meeting and/or received during the processing of this proposed amendment:

Question/Comment	Response
Does the plan accommodate different forms of active transportation including walking, cycling, etc.?	The subdivision has been planned to provide for active transportation throughout the subdivision with linkages to the broader community through sidewalks, multi-use trails along Mayfield Road and trails in the greenway corridor and environmental block. The broader community includes bike lanes on arterial roads.
The Region has indicated that the application is premature as the Regional Official Plan Amendment is under appeal.	At the time of the public meeting, the Regional Official Plan Amendment was still under appeal; however, this appeal has been resolved and both the Region and Town Official Plan's designate the lands for development. The Region has issued draft plan conditions and has confirmed that there are no concerns with the proposed amendment.
The Region has indicated that there are concerns with the Healthy Development Assessment and Noise Report.	Through the processing of the related draft plan of subdivision, the applicant revised the documents to satisfy regional comments. The Healthy Development Assessment was found to be satisfactory. The Noise Report may be further revised through the detailed engineering review to satisfy more detailed comments from the Region and Town. The Region has issued draft plan conditions and has confirmed that there are no concerns with the proposed amendment.
The applicant was directed to meet with the neighbouring church to discuss the proposed development.	The applicant indicated at the Public Meeting that they would be meeting with their neighbor to discuss the proposed development. The Town has also had discussions and met with representatives of the church to discuss and answer all questions regarding the development proposed around their property. Among items discussed were the topography of the site, the extension of Van Kirk Drive and access to the church. The anticipated extension of Van Kirk Drive may allow the applicant to obtain access from this extension in the future.

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.

No Further Notice (Section 34(17) of the *Planning Act*)

Since the Public Meeting, through the processing of both the Draft Plan of Subdivision and Zoning By-law Amendment, minor refinements to both the plan and draft by-law has occurred as follows:

- The number of units has increased from 197 to 199 detached dwellings
- As described in the report above, the boundaries of two lots have been altered to accommodate noise mitigation measures
- The initial draft Zoning By-law Amendment proposed to rezone the single detached dwellings to a Residential One Exception XXX zone (R1-XXX). While this application was being processed, the Town brought forward a comprehensive Zoning By-law Amendment to create site specific zones for the community as a whole. The applicant has since revised the draft Zoning By-law Amendment to use one of these zones.

Staff is of the opinion that the clarifications are minor and maintain the intent of the application and therefore request that Council confirm that no further notice or a Public Meeting is required as per Section 34(17) of the *Planning Act*.

FINANCIAL IMPLICATIONS

The property located at 2650 Mayfield Road is currently assessed as mostly Farmland (\$873,000 CVA). The Town's share of taxes levied, based on current value assessment is approximately \$1,800. As at September 6, 2020, the property tax account is determined to be current.

If the proposed development (includes 199 single detached dwellings) were to proceed as planned, the property's taxable assessment value would change to reflect the developments that would have taken place.

Any future development would be subject to Development Charges as follows:

1. Town of Caledon: \$31,315.35 per single, or semi-detached residential dwelling.
2. Region of Peel: \$53,083.06 per single or semi-detached residential dwelling.
Effective February 1, 2016, the Region began collecting directly for hard service Development Charges (i.e. water, wastewater and roads) for all residential subdivisions, except for apartments, at the time of subdivision agreement execution.
3. School Boards: \$4,572 per any residential dwelling.
4. Go-transit: \$581.30 per single, or semi-detached residential dwelling.

The Development Charges comments and estimates above are as at September 6, 2020 and are based upon information provided to the Town by the applicant, current 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 Charges 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

Not Applicable

Subject matter is not relevant to the Council Workplan.

ATTACHMENTS

- Schedule A: Location Map
- Schedule B: Redlined Draft Plan of Subdivision
- Schedule C: Draft Zoning By-law Amendment with Schedule
- Schedule D: Agency and Department Comment Sheet