

Staff Report 2021-0072

Meeting Date: March 23, 2021

Subject: Proposed Zoning By-law Amendment Application, BoltCol Holdings North Inc. and BoltCol Holdings South Inc., 8400 George Bolton Parkway, 12480 Coleraine Drive and 12490 Coleraine Drive, Ward 4

Submitted By: Stephanie McVittie, Acting Manager, Development Review Services, Planning Department

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 a by-law be enacted to amend Comprehensive Zoning By-law 2006-50, as amended, to rezone the lands from Serviced Industrial - Exception 579 (MS-579), Prestige Industrial - Exception 580 (MP-580) and Environmental Policy Area 1 Zone (EPA1) to Serviced Industrial – Exception 649 (MS-649) and Prestige Industrial – Exception 650 (MP-650); and

That applications for minor variances for the lands as identified in Schedule 'A' to Staff Report 2021-0072 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

- On September 4, 2019, the Town received a Zoning By-law Amendment (RZ 19-06) and Site Plan (SPA 19-44) applications from Zelinka Priamo Ltd. on behalf of BoltCol Holdings North Inc. and Boltcol Holdings South Inc. for the subject lands. The applications were deemed 'complete' on September 20, 2019.
- The application proposes to rezone the lands from Serviced Industrial - Exception 579 (MS-579), Prestige Industrial - Exception 580 (MP-580) and Environmental Policy Area 1 Zone (EPA1) to Serviced Industrial – Exception 649 (MS-649) and Prestige Industrial – Exception 650 (MP-650).
- A statutory Public Meeting was held on November 19, 2019 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 refine the limits of the Environmental Policy Area 1 Zone (EPA1) and to rezone a portion of the subject lands to new Serviced Industrial

– Exception 649 (MS-649) and Prestige Industrial - Exception 650 zone (MP-650) zones to allow for a reduced parking ratio for warehouses.

Subject Lands

The application originally applied to the subject lands are located at 0, 12300, 12400 and 12592 Coleraine Drive, opposite George Bolton Parkway in Bolton's Coleraine West Employment Area, being approximately 77.1 ha (190.55 ac) in size. Since that time, the application has been scoped to apply to only a portion of those subject lands known as 8400 George Bolton Parkway, 12480 Coleraine Drive and 12490 Coleraine Drive, being approximately 80.9 ha (32.7 ac) of the land. This land is under development for three industrial buildings totaling 118,983 m² (1,280,718 ft²) in size, including the MARS Canada Inc.'s new Distribution Centre. Access to the subject lands for Building 1 (MARS Canada Inc.) is proposed from an extension of George Bolton Parkway and will provide 2 full moves access to vehicular parking areas and two full moves accesses for truck movements. Surrounding land uses include industrial uses under development to the north, industrial uses to the east and rural and agricultural uses to the south and west. See Schedule 'A' – Location Map.

Proposed Development

On September 4, 2019, the Town received a Zoning By-law Amendment (RZ 19-06) and Site Plan (SPA 19-44) applications from Zelinka Priamo Ltd. on behalf of BoltCol Holdings North Inc. and BoltCol Holdings South Inc. for the subject lands. The applications were deemed 'complete' on September 20, 2019.

The purpose of the application is two-fold: to refine the limits of the Environmental Policy Area 1 Zone (EPA1) in accordance with recent environmental analysis and to rezone a portion of the subject lands to new Serviced Industrial – Exception 649 (MS-649) and Prestige Industrial - Exception 650 (MP-650) zones to allow for a reduced parking ratio for warehouses with a gross floor area greater than 25,000 m² (269,098 ft²) in size. See Schedule 'C', Draft Zoning By-law Amendment.

A Site Plan Application (SPA 19-44) was filed concurrently with the application. The conceptual site plan attached as Schedule 'B' illustrates key concepts of proposed development.

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, 2020, 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 Policies and Plans

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 promoting a mix of housing, employment, recreation, parks and open spaces, etc. The PPS, 2020 directs growth to settlement areas as per Section 1.1.3.1. In accordance with Section 1.1.1 and 1.1.3.2, the proposed development will contribute to employment uses within Bolton and efficiently uses land and resources while avoiding development and land use patterns which would cause environmental or public health and safety concerns. Section 1.3 of the PPS speaks to promoting economic development by providing for an appropriate mix and range of employment and other uses to meet long-term needs and providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

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 Plan looks to achieve complete communities that feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services and public service facilities (Section 2.2.1). Section 2.2.5 of the Growth Plan promotes the efficient use of employment areas and vacant and underutilized employment lands and increasing employment densities.

The rezoning seeks to refine the limits of the Environmental Policy Area designation and reduce the parking rate for warehouses of a specific size. The warehouse use is currently permitted within the underlying land use designation. The applicant has submitted appropriate environmental studies to the satisfaction of the Town, Region and Toronto and Region Conservation Authority which demonstrates that a minor refinement to the EPA boundary is acceptable. The proposed amendment to implement the development is consistent with the Provincial Policy Statement, 2020 and 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 Bolton 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 contributes to the provision of a range of goods and services

for those living and working in the area (Section 5.4.3.1.4). The Region's Official Plan contains objectives to provide infrastructure and services required for the development of employment areas to facilitate economic development, promote sustainable development of employment areas, attract and retain a range of employment types and to plan for, protect and preserve employment areas for employment uses. 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 Bolton on Schedule 'A', Town of Caledon Land Use Plan. The lands are designated Prestige Industrial, General Industrial and Environmental Policy Area on Schedule "C-7", Coleraine West Employment Area Land Use Plan. The Town's Official plan directs employment areas to be focused to Bolton, among other areas, to concentrate industrial activities and employment opportunities within the Town, maximize use of available sanitary, water, and transportation infrastructure and provide locations for industrial growth in proximity to larger markets to the south and east (Section 5.5.3.1).

As per Section 5.5.3.21, employment areas are further classified as, among others, Prestige Industrial and General Industrial. Generally, the Prestige Industrial land use designation applies to employment lands with full municipal water and sewer services which provide for clean industry as well as office uses on landscaped lots in a park-like setting, while the General Industrial designation applies to employment lands with full municipal water and sewer services which provide for various industrial uses including manufacturing, fabricating and outside storage. Both designations permit manufacturing, fabricating, printing, processing, assembling, packaging, warehousing and wholesale operations, among others. These permissions are further refined within the Coleraine West Employment Area Secondary Plan (Section 7.15.5) which permit a broader range of uses within the Prestige Industrial designation and encourages buildings and uses to straddle the Prestige Industrial and General Industrial designations.

In accordance with Section 5.5.7, the Official Plan contains policy guidelines to be used in conjunction with site plan approval to evaluate the design aspects of development proposals. Town staff has reviewed the proposed Site Plan and related Zoning By-law Amendment against these guidelines and more specific Town-Wide Industrial/Commercial Design Guidelines and finds that these items, relating to built-form, streetscapes, design of parking areas, landscaping, open space and site design, are appropriately addressed. The Coleraine West Employment Area Secondary Plan further provides for community design policies encouraging the development to conform to the Guide to Eco-Business Zone Planning and Development guidelines, minimizing visual impacts of parking and

loading facilities and requiring enhanced building and landscape design along Coleraine Drive, among others.

Section 5.7 of the Official Plan contains policies with respect to the Environmental Policy Area (EPA) land use designation. Section 5.7.3.1.4 allows for minor refinements of EPA as more detailed information and studies become available. Such refinements may be permitted without an amendment to the Plan. New development proposed adjacent to EPA will require the completion of a satisfactory Environmental Impact Study and Management Plan (EIS and MP). The Coleraine West Employment Area Secondary Plan identifies the lands associated with the Clarkway Tributary corridor as being designated Environmental Policy Area and requires that development proposed adjacent to EPA complete an EIS to the satisfaction of the Town, the Region and the Toronto and Region Conservation Authority (TRCA).

The applicant has submitted an EIS Addendum which demonstrates that the refinement to the EPA boundary is acceptable. This Addendum has been reviewed by Town, Regional and TRCA staff and is satisfactory. The refinement is minor and therefore does not require an amendment to the Official Plan. The applicant has also submitted a parking justification demonstrating that the reduction in parking is acceptable for the proposed development, warehousing, permitted in accordance with the Town's Official Plan. 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 currently zoned Serviced Industrial – Exception 579 (MS-579), Prestige Industrial – Exception 580 (MP-580) and Environmental Policy Area 1 Zone (EPA1) in Zoning By-law 2006-50, as amended.

The applicant is proposing to rezone a portion of the lands to Serviced Industrial – Exception 649 (MS-649) and Prestige Industrial – Exception 650 (MP-650), recognizing a refinement to the EPA1 zone boundary and replicating the MS-579 and MP-580 zones with an added standard to reduce the parking requirements for a warehouse. This new standard will reduce the parking requirement for warehouses with a gross floor area greater than 25,000 m² to be 0.33 parking space per 100 m² of gross floor area or portion thereof, instead of 1 parking space per 170 m² of the same area. The applicant submitted a Parking Study to support this reduction which was reviewed and found to be acceptable for the proposed development and site. The by-law also establishes a setback from an EPA1 zone to a vehicular trailer storage (accessory) use of 1.5 m. See attached Schedule 'C', Draft Zoning By-law Amendment.

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 and Caledon Enterprise newspapers on October 3, 2019.

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 and Caledon Enterprise newspapers on October 24, 2019.

A statutory Public Meeting was held on November 19, 2019 in accordance with the requirements of the *Planning Act*. The following questions/comments were raised at the Public Meeting and/or received during the processing of this proposed amendment:

Question/Comment	Response
Landscape Setbacks	Through the related Site Plan application, landscape buffers are proposed along Coleraine Drive and the extension of George Bolton Parkway, in accordance with the requirements of the Zoning By-law. As to the proposed rezoning, landscaping is proposed adjacent to the additional trailer parking.
Proposed Changes to the Prestige Industrial Designation and Zoning	There are no changes proposed to the Prestige Industrial designation in the Official Plan, and there are no proposed changes to the permitted uses of the Zoning By-law.

Question/Comment	Response
GTA West Corridor Implications	The proposed application is not impacted by the GTA West Study Area as the lands subject to the application are outside of the Focused Analysis Area and the area that was considered for a possible interchange.
Disclosure of Tenants	Tenants for Buildings B and C have not been confirmed at this time. Planning staff can be apprised as to the tenants once confirmed.
Stormwater Management and Drainage	The stormwater management pond has been sized for the overall BoltCol lands under the full development. The BoltCol lands north of the George Bolton Parkway extension will drain into the stormwater management pond, with a connection under the new roadway.
Climate Change Initiatives	<p>The TRCA and Town have reviewed the stormwater management strategy and are satisfied with the proposal.</p> <p>Building A is being targeted as being LEED Certified.</p>

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 landowner 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 the Zoning By-law Amendment, minor refinements to the draft by-law has occurred as follows:

- Introduction of a vehicular trailer parking area setback to an EPA1 zone
- Determination of zone exception numbers

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

For property tax purposes, this property, is currently assessed as Farmland (\$1.62 mn CVA). The Town's share of taxes levied, based on the current value assessment is approximately \$2,000. The property tax account as at February 18, 2021 is determined to be current.

If the proposed development were to proceed as planned (includes additional truck parking on sites, without including new or additional buildings), the property's taxable assessment value may change to reflect the developments that would have taken place.

If no additional or new floor space are proposed under this application, then Development Charges would not be applicable.

The Development Charges comments and estimates above are as at February 18, 2021 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. For site plan or rezoning applications dated prior to January 1, 2020, Development Charges are calculated and payable at building permit issuance date. 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 changes in 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: Proposed Concept Plan
- Schedule C: Draft Zoning By-law Amendment with Schedule
- Schedule D: Agency and Department Comment Sheet