

Staff Report 2021-0155

Meeting Date: April 20, 2021

Subject: Proposed Zoning By-law Amendment Application, Caledon Developments LP and Caledon Development General Partner Ltd. (Brookvalley), 12324 and 12502 McLaughlin Road, Ward 2

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 the By-law attached as Schedule “C” to Staff Report 2021-0155 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 2021-0155, 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 (RZ 16-08) application was submitted by Malone Given Partners Ltd. on behalf of Caledon Development #2 LP on July 26, 2016 and deemed ‘complete’ by staff on August 9, 2016.
- The application was submitted to support the development of a residential plan of subdivision consisting of 323 single detached dwellings, 153 townhouse units, 8 live-work townhouse units, two medium density blocks totalling 209 residential units, an block for Region of Peel affordable housing totalling 56 units, a commercial block, an environmental block (woodlot), walkway blocks, road widening and 0.3 m reserve blocks.
- The owner is proceeding to register the draft approved plan in two phases: Phase 1A being those lands south of the future Tim Manley Avenue (Spine Road) and Phase 2A being those lands north of the future Tim Manley Avenue (Spine Road).
- The application proposes to rezone a portion of the lands from Agricultural (A1) to Residential Two Exception 614 (R2-614), Townhouse Residential Exception 615 (RT-615) and Environmental Policy Area 1 Zone (EPA1), with the remaining lands to be zoned by a separate Zoning By-law Amendment prior to registration of the second phase.
- A statutory Public Meeting was held on November 22, 2016 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 12324 and 12502 McLaughlin Road and is located on the west side of McLaughlin Road, north of Mayfield Road. The entire landholdings is approximately 79.6 ha (195.7 ac), with approximately 35.2 ha (87 ac) of the lands being located within the Mayfield West Phase 2, Stage 1 settlement area. The lands previously contained a detached dwelling and accessory buildings and was used for agricultural purposes; however, the buildings have now been removed and the lands are currently vacant. There is a woodlot located at the south-west and north-west corners of the property. Existing uses surrounding the subject lands consist of farmland and rural residential uses. The lands surrounding the property are subject to draft plan of subdivision applications which are currently under review or have been draft approved. See Schedule 'A' – Location Map.

Proposed Development

On July 26, 2016, the Town received Draft Plan of Subdivision (21T-16005C) and Zoning By-law Amendment (RZ 16-08) applications from Malone Given Parsons Ltd. on behalf of Caledon Development #2 LP for the subject lands. The applications were deemed complete on August 9, 2016. Since that time, the owner of the lands has changed to Caledon Developments LP and Caledon Development General Partner Ltd.

The Draft Plan of Subdivision application was draft approved on August 16, 2019 to permit the development of a residential plan of subdivision with 323 single detached dwellings, 153 townhouse units, 8 live-work townhouse units, two medium density blocks totalling 209 residential units, an block for Region of Peel affordable housing totalling 56 units, a commercial block, an environmental block (woodlot), walkway blocks, road widening and 0.3 m reserve blocks. See attached Schedule "B" Draft Plan of Subdivision. The owner is proceeding to register the draft approved plan in two phases: Phase 1A being those lands south of the future Tim Manley Avenue (Spine Road) and Phase 2A being those lands north of the future Tim Manley Avenue (Spine Road).

The Zoning By-law Amendment application (RZ 16-08) is proposing to rezone the lands to accommodate the residential subdivision. The amendment is being considered in two phases, aligning with registration of the plan, with the content of this staff report speaking to Phase 1A (north of Tim Manley Avenue). The amendment proposes to rezone the lands from Agricultural (A1) to Residential Two Exception 614 (R2-614), Townhouse Residential

Exception 615 (RT-615) and Environmental Policy Area 1 Zone (EPA1). 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 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 proposed amendment provides a block to protect the woodlot at the south-west of the plan, protecting 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, 2014, contains similar, although refined, policy direction to the PPS, 2014. 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, 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 protects the natural heritage feature (woodlot) along the northerly limit 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, Medium Density Residential, Live-Work Units, General Commercial and Environmental Policy Area 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 and street alignment.

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.

The Medium Density Residential designation permits, various forms of townhouse dwellings with a maximum height of four storeys. Within the Medium Density designation, the draft approved plan identifies that townhouse dwellings are to be constructed. More specifically, within the lands subject to this Amendment, the lands are intended to be developed as rear-lane townhouses. The Zoning By-law Amendment proposes to rezone these same lands to Townhouse Residential Exception 615 (RT-615) to permit these dwellings.

The Environmental Policy Area designation provides 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 along the northerly of the plan which is proposed to be zoned Environmental Policy Area 1 (EPA1), restricting development of the lands. The TRCA has reviewed the proposed amendment and has no concerns.

The remaining lands designated Medium Density as well as those lands designated Live-Work and General Commercial will be rezoned through a subsequent Zoning By-law Amendment which will also include the remainder of lands within Phase 2A. The future amendment will be required prior to registration of Phase 2A.

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 16-08) is proposing to rezone a portion of the lands in Phase 1A to accommodate the residential subdivision. The amendment proposes to rezone the lands from Agricultural (A1) to Residential Two Exception 614 (R2-614), Townhouse Residential Exception 615 (RT-615) and Environmental Policy Area 1 Zone (EPA1). 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 RT-615) 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 and Caledon Enterprise newspapers on August 25, 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 and Caledon Enterprise newspapers on October 26, 2016.

A statutory Public Meeting was held on November 22, 2016 in accordance with the requirements of the *Planning Act*. The following questions 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.

Does the Mayfield West Phase 2 Secondary Plan include a recreation centre?	Yes, there is a recreation facility planned for at the south-east corner of McLaughlin Road and the future Tim Manley Avenue (Spine Road).
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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. 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

- 0 McLaughlin Road - Sunset Hill Developments
- 0 McLaughlin Road - Sunset Hill Developments
- 12324 McLaughlin Road – Caledon Development General Partner Ltd.
- 12502 McLaughlin Road - Sunset Hill Developments

For property tax purposes, the above-mentioned four properties are collectively assessed as mostly Farmland (\$3.7 million CVA). The Town's share of taxes levied, based on current value assessments total approximately \$6,200. As at April 6, 2021 the property tax accounts are determined to be current.

If the proposed developments were to proceed as planned (includes a residential subdivision), the taxable assessment value of the properties would change to reflect the developments that would have taken place.

The following Development Charges would apply:

Town of Caledon: (a) \$31,656.69 per single detached dwelling; (b) \$24,100.85 per townhouse dwelling; (c) \$58.41 per m² of commercial floor space.

Region of Peel: (a) \$60,093.31 per single detached dwelling; (b) \$47,594.15 per townhouse dwelling; and (c) \$226.98 per m² of commercial floor space. Effective February 1, 2016, the Region of Peel began collecting directly for most hard service development charges (i.e. water, wastewater and roads) for residential developments, at the time of subdivision agreement execution.

Go-transit: (a) \$587.64 per single detached dwelling. The same rate applies to per townhouse dwelling.

School Boards: (a) \$4,572 per any residential unit; and (b) \$9.69 per m² of commercial floor space.

The Development Charges comments and estimates above are as at April 6, 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. 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

Not Applicable

Subject matter is not relevant to the Council Workplan.

ATTACHMENTS

Schedule A: Location Map

Schedule B: Draft Plan of Subdivision

Schedule C: Draft Zoning By-law Amendment with Schedule

Schedule D: Agency and Department Comment Sheet