

Staff Report 2022-0205

Meeting Date: June 21, 2022

Subject: Proposed Zoning By-law Amendment Application, Glen Schnarr and Associates Inc. on behalf of Caledon 410 Developments Inc., 12290 Hutchinson Farm Lane, Ward 2

Submitted By: Stephanie McVittie, Manager of Development and Design, 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 2021-0205 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 2022-0205, 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 2017-0011) application was submitted by Glen Schnarr and Associates Inc. on behalf of Caledon 410 Developments Inc. on December 1, 2017 and December 12, 2017 and deemed 'complete' by staff on December 14, 2017.
- The related subdivision was draft approved on May 20, 2021, creating 522 residential dwellings (single detached and a mix of townhouses), a commercial block, a transit hub block, an institutional block, a park, environmental blocks, greenway corridors, open space blocks, a stormwater management pond, roads, reserves and right of ways.
- On December 14, 2021, Council passed an Interim Control By-law which applied to the transit hub and commercial blocks, to undertake a land use study to examine the uses, transit service and connections on the lands.
- 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), Townhouse Residential – Exception 663 (RT-663), Institutional (I), Open Space (OS), Environmental Policy Area 1 Zone – Exception 405 (EPA1-405) and Environmental Policy Area 1 Zone (EPA1), with the remaining commercial and transit hub lands to be zoned by a separate Zoning By-law Amendment after completion of the Major Transit Station Area (MTSA) land use study.
- A statutory Public Meeting was held on March 6, 2018 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 12290 Hutchinson Farm Lane and is located on the west side of Highway 10/Hutchinson Farm Lane, north of Mayfield Road. The subject lands are approximately 38.14 hectares (94.25 acres) in area and contain an agricultural field with wooded areas within the northwest and southwest portions of the site. Existing uses surrounding the subject lands consist of farmland to the west and north; the Hurontario Street/Highway 410 Interchange to the east and low-density residential dwellings in the City of Brampton to the south. See Schedule ‘A’ – Location Map.

Proposed Development

On December 1, 2017 and December 12, 2017, the Town received Draft Plan of Subdivision (21T-17007C) and Zoning By-law Amendment (RZ 2017-0011) applications from Glen Schnarr and Associates Inc. on behalf of Caledon 410 Developments Inc. for the subject lands. The applications were deemed complete on December 14, 2017.

The Draft Plan of Subdivision application was draft approved on May 20, 2021, creating 522 residential dwellings (single detached and a mix of townhouses), a commercial block, a transit hub block, an institutional block, a park, environmental blocks, greenway corridors, open space blocks, a stormwater management pond, roads, reserves and right of ways. See attached Schedule “B” Draft Plan of Subdivision. The owner is working on grading and servicing the lands.

On December 14, 2021, Council passed an Interim Control By-law which applies to the transit hub and commercial blocks, to undertake a land use study to examine the uses, transit service and connections on the lands, ensuring that proposed development will support the planned transit station. Upon completion of and resulting from the study, a Staff Report will be brought forward recommending appropriate zoning for the transit hub and commercial blocks.

The Zoning By-law Amendment application is proposing to rezone a portion of the lands from Agricultural (A1) to Residential Two - Exception 614 (R2-614), Townhouse Residential - Exception 615 (RT-615), Townhouse Residential – Exception 663 (RT-663), Institutional (I), Open Space (OS), Environmental Policy Area 1 Zone – Exception 405

(EPA1-405) 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, 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 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 to implement the development is consistent with the Provincial Policy Statement, 2020.

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

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) 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 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, General Commercial, Institutional, Transit Hub, Open Space Policy Area, Environmental 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 approved DSSP. 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 single detached dwellings, semi-detached dwellings, and townhouses with a maximum height of three storeys. 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 these uses.

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 street townhouses and rear-lane townhouses. The Zoning By-law Amendment proposes to rezone these same lands to Townhouse Residential - Exception 615 (RT-615) and Townhouse Residential - Exception 663 (RT-663) to permit these dwellings.

The lands designated Institutional are intended to be owned by the Region of Peel to be developed for a Peel Regional Police facility. The Zoning By-law proposes to zone the same lands Institutional (I) which permits an Emergency Service Facility.

The lands designated Environmental Policy Area are intended to protect the natural heritage features (woodlands) on site. The same area is proposed to be zoned Environmental Policy Area 1 Zone (EPA1) in the proposed Zoning By-law Amendment.

The lands designated Stormwater Pond Facility are intended to be used for that very purpose and will be zoned Environmental Policy Area 1 Zone – Exception 405 (EPA1-405) in the proposed amendment, which permits stormwater management.

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, as amended

The subject property is zoned Agricultural (A1) by By-law 2006-50, as amended.

The Zoning By-law Amendment application is proposing to rezone a portion of the lands from Agricultural (A1) to Residential Two - Exception 614 (R2-614), Townhouse Residential - Exception 615 (RT-615), Townhouse Residential – Exception 663 (RT-663),

Institutional (I), Open Space (OS), Environmental Policy Area 1 Zone – Exception 405 (EPA1-405) 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 Open Space zone will permit the park block. The site specific zones contain specific uses 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 December 21, 2017.

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 February 8, 2018.

A statutory Public Meeting was held on March 6, 2018 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 provide for appropriate buffering and minimum distance requirements to allow agricultural operations surrounding the lands to continue? | Through the Secondary Plan for Mayfield West Phase 2, the requirements for Minimum Distance Separation was reviewed. The plan conforms to the policies and requirements, allowing the existing agricultural operations in the area to continue. |

| Question/Comment | Response |
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| Will the plan provide for access to Highway 410? | The Mayfield West Phase 2 community provides for a new east-west collector road known as Tim Manley Avenue. This road will be connecting with the existing interchange of Hurontario Street/Highway 10/Highway 410/Valleywood Boulevard. |

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 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.

Although some time has passed since the Public Meeting was held, the Town has issued draft approval to the plan of subdivision and notice has been provided. In addition, through the draft plan approval and associated conditions, signs are required to be posted on blocks within the plan that identify the land uses proposed through the subdivision.

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, 12290 Hutchinson Farm Road is currently assessed as farm (\$1.65 million CVA) and residential (\$285,700). The Town's share of taxes levied, based on current value assessment is approximately \$2,150. As at May 24, 2022, the property tax account is determined to be current.

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

Town of Caledon: (a) \$46,006.56 per single/semi unit; (b) \$35,025.42 per townhouse unit.

Region of Peel: (a) \$67,556.58 per single/semi unit; (b) \$53,505.11 per townhouse unit

School Boards: \$4,572 per any residential unit.

GO Transit: (a) \$657.09 per single/semi unit; (b) \$657.09 per townhouse unit.

The development charges listed above are effective for the period February 01, 2022 to July 31, 2022 or as otherwise directed by Council. Town of Caledon, Region of Peel and Transit charges are subject to indexing on August 1, 2022. Effective February 1, 2016, the Region of Peel began collecting directly for hard service development charges (i.e. water, wastewater and roads) for residential developments, except apartments, at the time of subdivision agreement execution.

In accordance with the Regional development charges and GO Transit development charge policy, the Regional charges are required to be adjusted twice yearly in accordance to Statistics Canada Building Construction Price Index, by Type of Building (Table 18-10-0135-01). The Regional rates reflects an increase of 9.56% from the August 1, 2021 base rates for the Regional Development Charges By-law #77-2020 and the GO Transit Development Charges By-law #45-2001. The adjusted rates are effective as of February 01, 2022.

The development charges comments and estimates above and attached, are as at May 24, 2022 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 on or after January 1, 2020, development charges are calculated at rates applicable on the date when an application is determined to be complete; and are payable at the time of building permit issuance. Interest charges will apply for affected applications. 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

Sustainable Growth: Pursue intensification in concert with accessibility and public transit, Caledon GO Station and other transit hubs

Connected Community: Preserve heritage and natural areas

Improved Service Delivery: Plan for improved stormwater management to reduce drainage issues; Build and maintain parks and green spaces

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