

Staff Report 2024-0054

Meeting Date: March 19, 2024

Subject: Proposed Official Plan Amendment and Zoning By-law Amendment Application, Glen Schnarr and Associates Inc. on behalf of Argo Summer Valley Ltd., 12211, 12213 and 12231 Hurontario Street, Ward 2

Submitted By: Tanjot Bal, Acting Manager, Development, Planning & Development Department

RECOMMENDATION

That no further notice is required to be provided on the proposed Official Plan Amendment and Zoning By-law Amendment;

That the By-law attached as Schedule 'C' to Staff Report 2024-0054 be enacted to adopt Official Plan Amendment No. 275 to redesignate the subject lands from *Residential Policy Area B* to *Residential Area*, to permit the development of a residential subdivision; and

That the By-law attached as Schedule 'D' to Staff Report 2024-0054 be enacted to amend Comprehensive Zoning By-law 2006-50, as amended, to rezone the lands to *R1-680*, *R1-681*, *R1-682* and *OS* to permit the development of a residential subdivision.

REPORT HIGHLIGHTS

- Draft Plan of Subdivision (21T-22005C), Official Plan Amendment (POPA 2022-0005) and Zoning By-law Amendment (RZ2022-0008) applications were submitted by Glen Schnarr and Associates Inc. on behalf of Argo Summer Valley Ltd on June 21, 2022 and deemed complete by staff on July 26, 2022.
- The subject lands are located on the east side of Hurontario Street, on the border of the Town of Caledon and City of Brampton.
- The proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment applications seek to facilitate the development of 57 single detached dwellings and an open space block adjacent to Hurontario Street in the Town of Caledon.
- An additional 8 lots are proposed through separate development applications in the City of Brampton.
- Access to the proposed subdivision is proposed through a City of Brampton local road (Highwood Road).
- The Official Plan Amendment application proposes to redesignate the lands from *Residential Policy Area B* to *Residential Area*.
- The Zoning By-law Amendment application proposes to rezone the lands from *Agricultural (A1)* and *Highway Commercial (CH)* to appropriate residential and open space zone categories to support the development with site specific zone provisions relating to encroachments, height, and yards.
- A Statutory Public Meeting was held on February 21, 2023 in accordance with the requirements of the Planning Act.

- Staff has reviewed the proposed Official Plan Amendment and Zoning By-law Amendment in conjunction with the applicable policies and is of the opinion that the proposal is consistent with the Provincial Policy Statement, 2020, and conforms to the Growth Plan for the Greater Golden Horseshoe, Region of Peel Official Plan and general intent and long-term goals and objectives of the Town of Caledon Official Plan. The proposal represents good planning and is in the public interest, and it is recommended to be approved.
- Planning staff recommends that Council enact the draft Official Plan Amendment and Zoning By-law Amendment, attached as Schedule 'C' and 'D' to this report.

DISCUSSION

The purpose of this Report is to recommend that Council adopt the proposed Official Plan Amendment and approve the proposed Zoning By-law Amendment to permit the development of a residential subdivision.

Subject Lands

The subject lands are located on the east side of Hurontario, south of Highway 410 on the border of the Town of Caledon and the City of Brampton. The municipal addresses are 12211, 12213 and 12231 Hurontario Street (See Schedule 'A' – Aerial Map). The site is approximately 3.1 hectares (7.6 acres) in size, has approximately 118 metres of frontage on Hurontario Street and is currently vacant. This site will be developed in conjunction with the lands to the south located in the City of Brampton. The surrounding land uses are as follows:

- South: Vacant land and single detached dwellings in the City of Brampton
- West: Hurontario Street, beyond is vacant land
- East: Single detached dwellings
- North: Highway 410

Proposed Development

On June 21, 2022, the Town of Caledon received proposed Official Plan Amendment (POPA 2022-0005) and Zoning By-law Amendment (RZ 2022-0008) applications from Glen Schnarr and Associates on behalf of Argo Summer Valley Ltd. for the subject lands. A related Draft Plan of Subdivision (21T-22005C) application was also submitted to the Town. The applications were deemed complete on July 26, 2022.

The subject lands are located within the Mayfield Rural Service Centre and are designated *Residential Policy Area B* and zoned *Agricultural (A1)* and *Highway Commercial (CH)*. The proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment seek to facilitate the development of a residential subdivision by redesignating the lands to *Residential Area* and rezoning the lands to appropriate zone categories.

The original proposal was for 73 residential units, comprised of 28 single detached dwellings and 45 townhouse units, accessed by an internal road off Highwood Road in the City of Brampton. In response to public, agency and department comments, the applicant revised the proposal to reduce the total number of units to 57 single detached dwellings and to extend Lighthouse Drive from the subdivision to the east, into this development (see attached Schedule 'B' Draft Plan of Subdivision). Town staff has delegated authority for draft approval and once the Official Plan amendment is in force and effect, and the draft plan conditions are finalized, Town staff will issue draft approval in accordance with the *Planning Act*.

Consultation

Agency and Department Review

The proposed amendments were circulated to external agencies and internal departments for review and comment. Comments are included on Schedule 'E', attached. No objection to the proposed Official Plan Amendment and Zoning By-law Amendment were received. There are technical comments which will be addressed through conditions of draft plan approval and detailed design.

Public Consultation

A Statutory Public Meeting was held on February 21, 2023 to present the proposal and obtain feedback from the public and Council. In accordance with the *Planning Act*, notice of the Public Meeting was placed in the Caledon Citizen and the Brampton Guardian on January 26, 2023 and in the Caledon Enterprise on February 2, 2023. Notice of the Public Meeting was mailed to all landowners within 120 metres (393.7 ft.) of the site on January 26, 2023. The sign on the property was updated on January 30, 2023 to indicate the Public Meeting information. The Notice of Public meeting was also posted on the Town's website.

The applicant also convened a non-statutory public meeting on November 23, 2022. The following comments were raised at the Public Meeting and/or during processing of these applications:

Comment	Response
Safety concerns with the intersection of Hurontario Street, Highwood Road and Collingwood Drive and request consideration for direct access onto Hurontario Street	A Traffic Impact and Parking Study completed by BA Group was submitted in support of these applications. The study presented existing conditions and projected traffic generated by this development. In response to public, Council and staff comments and concerns, the proposal was revised to reduce the proposed density and in turn, reduce the traffic generated by this site. The study concludes that based on current and future conditions, the intersection will continue to

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Comment	Response
	operate under acceptable conditions and does not require any upgrades.
Concerns with the road or walkway connection between the proposal and the subdivision to the east	<p>During the review of the subdivision to the east, it was anticipated that through the development of these lands, a future road connection would be required to Lighthouse Drive.</p> <p>As such, the development agreement for the development to the east, includes a provision for the conveyance of Block 80, if and when the Town and/or City of Brampton determine that a road is to be constructed.</p>
Request for compensation and no services adjacent to the resident's property	As mentioned above, the extension of Lighthouse Drive was contemplated during the review and approval of the development to the east.
Concerns regarding the traffic generated by the original proposal for townhomes	In response to public, Council and staff concerns with the original density, the applicant has revised the proposal to a development more sensitive to the surrounding neighbourhoods.
Questions regarding the maintenance of the existing driveways within the future road extension block	Maintenance of driveways is the responsibility of the private landowner who uses said driveway to access their property.
Comments received from KLM Planning on behalf of West Mayfield Developments Ltd. Requesting that the Town and City of Brampton require the applicants to compensate their clients for land and construction costs (cost sharing).	<p>West Mayfield Developments Ltd. is the developer of 43M-1276, which is located to the south and east of this application, within the City of Brampton. The subdivision agreement includes a termination date of 15 years from the date of registration (December 19, 1997).</p> <p>Further, there is a cost sharing agreement within the Town of Caledon for Mayfield West (Mayfield West Community Cost Sharing Agreement). The Town received a letter dated May 11, 2023 from the Trustee, confirming these lands were never included in the cost sharing agreement and therefore have no cost sharing obligations as it concerns the Mayfield West Developers Group.</p>

The comments from the public have been reviewed by town staff and the applicant. All comments related to the applications have been considered.

Planning Review

Documents that have been considered by the Town in its review of the proposed applications include the Provincial Policy Statement, 2020, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020, the Region of Peel Official Plan and the Town of Caledon Official Plan.

Provincial Policy Statement, 2020 (PPS) and A Places to Grow, 2020: Growth Plan for the Greater Golden Horseshoe (Growth Plan)

All planning decisions are required to be consistent with the applicable policies of the PPS and conform to the applicable policies of the Growth Plan. In the event of a conflict between the PPS and Growth Plan, the Growth Plan prevails.

Both the PPS (Policy 1.1.3.1) and Growth Plan require the focus of growth and development to be within settlement areas, which include urban areas and rural settlement areas. Further, Policy 2.2.1.2.a) of the Growth Plan directs forecasted growth to settlement areas that have a delineated built boundary; have existing or planned municipal water and wastewater systems; and can support the achievement of complete communities. The proposed development is within the settlement area of Mayfield West and will connect to existing services.

Further, Policy 2.2.1.4 c) of the Growth Plan supports the achievement of complete communities that provide a diverse range and mix of housing options, including additional residential units to accommodate people at all stages of life and to accommodate the needs of all household sizes and incomes. The applicant is proposing to offer prospective purchasers with the option of finished basements, to be rented as separate units from the main dwelling.

The proposal is consistent with both the PPS and conforms to the Growth Plan.

Region of Peel and Town of Caledon Official Plan

The subject lands are designated Urban System within the Region's Official Plan. Urban development and redevelopment are directed to the Urban System, where there are existing or planned services and infrastructure.

Within the Town of Caledon Official Plan, the subject lands are designated as Residential Policy Area B within Mayfield West, a Rural Service Centre. Lands within Residential Policy Area B require certain studies to be completed prior to releasing land for development. The applicant has provided the necessary studies to evaluate the proposal in accordance with Section 5.10.3.27.7 of the Official Plan.

Development within Residential Policy Area B must also integrate with adjacent residential proposals in the City of Brampton. The proposed development extends into the City of Brampton and therefore Town staff have been working with Brampton staff on the coordinated review of this development.

Consistent Streetscape

The applicant has submitted applications for Draft Plan Approval (21T-22011B) and Zoning By-law Amendment (OZS-2022-0030) to the City of Brampton, as a portion of the

lands owned by the applicant are within Brampton's boundaries. To ensure a seamless transition between the development within Caledon and Brampton, as the proposals will function as one, Town and Brampton staff have required the applicant to have consistent zoning provisions from maximum height, to the minimum front and side yards.

Sensitive to Adjacent Developments

Based on concerns raised by area residents, the applicant revised the proposal to reduce the proposed density from townhomes and single detached dwellings, to single detached dwellings only.

The applicant also revised the proposal to include a road connection to Lighthouse Drive. During the review of the subdivision to the east, it was anticipated that through the development of these lands, a future road connection would be required to Lighthouse Drive. To protect for this future connection, the development agreement for the lands to the east included a provision for conveyance of Block 80, if and when the Town and/or Brampton determined that a road is to be constructed. Following Draft Approval, the Town will begin the application process to acquire Block 80 from the Province, to allow for the road connection.

The revisions made to the proposal will provide for a development that is compatible with the existing neighbourhood.

Stormwater Management

Under existing conditions, the site drains to an existing stormwater management (SWM) pond within the City of Brampton. Town staff have confirmed that Brampton has no concerns with the proposed SWM strategy and as a condition of draft plan approval, will require the developer to provide a letter of consent from the City of Brampton that stormwater from Caledon can enter into Brampton's network.

Ministry of Transportation Requirements

The Region's Official Plan requires the municipality to work with the Province to plan for and protect for the GTA West Transportation Corridor and its connections to the existing highway within Mayfield (Highway 410). Further, the Town's Official Plan requires the Residential Policy Area B to protect the right-of-way (ROW) requirements of Highway 410. The applicant has worked with the Ministry of Transportation (MTO) to ensure the proposed subdivision is outside of the planned ROW limits of the Highway 410/Hurontario interchange and proposed new road intersection (Spine Road and Tim Manly Boulevard) intersecting Hurontario Street from the west. In addition, MTO requires a 14-metre setback measured from the future ROW limit. This buffer is identified as Block 58 on the Draft Plan of Subdivision and will be transferred to the Town through the subdivision process. Any revisions made to MTOs ROW may require an amendment to the Draft Plan of Subdivision.

As the proposal complies with the specific policies in place to ensure the future development of these lands are integrate with adjacent developments within Caledon and Brampton and protect the ROW requirements of Highway 410, staff are of the opinion that the development complies with the Town's Official Plan policies.

Noise Mitigation Measures

The applicant has submitted an Environmental Noise Feasibility Study to determine if any noise mitigation measures need to be implemented given the proximity of the site to Highway 410 and Hurontario Street. The study has determined that in order to achieve sound levels within the limits of the Ministry of the Environment, Conservation and Parks (MECP) noise guidelines, a 2.4 metre high acoustical fence on top of berms will be required along the rear of the lots backing onto Highway 410 and Hurontario Street, in addition to noise warning clauses within the purchase and sale agreements. The recommendations of the study will be implemented through the subdivision process, as conditions of Draft Approval.

Requirements for Cost Sharing

The Town of Caledon and City of Brampton have received comments from KLM Planning Partners Inc. on behalf of West Mayfield Developments Ltd., requesting the applicant to compensate their client for front-ending the construction of servicing for this area. West Mayfield Developments Ltd. is the developer of 43M-1276, which is located to the south and east of this application, within the City of Brampton. The subdivision agreement includes a termination date of 15 years from the date of registration (December 19, 1997). As this agreement is between the City of Brampton and the developer, the City of Brampton will respond to this matter.

Further, there is a cost sharing agreement within the Town of Caledon for Mayfield West (Mayfield West Community Cost Sharing Agreement). The Town received a letter dated May 11, 2023 from the Trustee, confirming these lands were never included in the cost sharing agreement and therefore have no cost sharing obligations as it concerns the Mayfield West Developers Group.

Conclusion

Planning staff are recommending that Council approve the applications for Official Plan Amendment and Zoning By-law Amendment and that the draft implementing by-laws be forwarded for Council enactment because it is consistent with the Provincial Policy Statement, conforms to the Growth Plan, Regional Official Plan and the long-term goals of the Caledon Official Plan.

FINANCIAL IMPLICATIONS

If the amended proposed development (includes a residential subdivision with 57 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.

Development Charges will be levied at the Residential rates that will be effect on the date of building permit issuance. Those rates are currently:

Town of Caledon: \$56,605.27 per single or semi-detached dwelling.

Region of Peel: \$72,122.63 per single or semi-detached dwelling. 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.

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Transit: \$810.24 per single or semi-detached dwelling.

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

The Development Charges comments and estimates above are as at March 7, 2024, 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 determined to be complete on or after January 1, 2020, Development Charges are calculated at rates that are in effect on the date that the application is deemed complete (the application completion date) and are payable at the time of building permit issuance. That determination of rates is valid for two (2) years after the application completion date. Interest charges will apply for such applications. For site plan or rezoning applications where two years as described above has elapsed, or those dated prior to January 1, 2020, Development Charges are calculated and payable based on the indexed rates in effect at the 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

Strategic Plan 2023-2035

This report is directly related to the following priority in Caledon's 2023-2035 Strategic Plan:

Community Vitality and Livability: Building complete communities for all ages and abilities.

ATTACHMENTS

Schedule A: Aerial Map

Schedule B: Draft Plan of Subdivision

Schedule C: Draft Official Plan Amendment

Schedule D: Proposed Zoning By-law Amendment

Schedule E: Agency and Department Comments