

Staff Report 2024-0250

Meeting Date: May 14, 2024

Subject: Proposed Official Plan Amendment and Zoning By-law Amendment, WSP Canada Inc. on behalf of Bolton Summit Developments Inc., 13290 Nunnville Road, File No. POPA 2022-0003 and RZ 2022-0004, Ward 5

Submitted By: Dan Currie and Aleah Clarke, MHBC on behalf of Development, Planning & Development Department

RECOMMENDATION

That the By-law attached as Schedule “B” to Staff Report 2024-0250 be enacted to adopt Official Plan Amendment No. 278 to redesignate the subject lands from Low Density Residential to Medium Density Residential with site specific provisions, and to amend the limits of the Environmental Policy Area designation;

That the By-law attached as Schedule “C” to Staff Report 2024-0250 be enacted to amend Comprehensive Zoning By-law 2006-50, as amended to rezone the subject lands from Residential One Exception 56 (R1-56) to Residential Townhouse Exception 711 (RT-711) to permit site specific uses and standards, and to amend the limits of the Environmental Policy Area 1 Zone (EPA1); and,

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.

REPORT HIGHLIGHTS

- An Official Plan Amendment (POPA 2022-0003), Draft Plan of Subdivision (21T-22003C), Draft Plan of Condominium (21CDM-22003C) and Zoning By-law Amendment (RZ 2022-0004) application were submitted by WSP Canada Inc. on behalf of Bolton Summit Development Inc. on May 5, 2022 and deemed ‘complete’ by staff on June 28, 2022.
- The subject property is located on a private driveway with access to the northern extent of Nunnville Road, North of Bateman Lane in Bolton.
- The proposed Official Plan Amendment, Draft Plan of Subdivision, Draft Plan of Condominium and Zoning By-law Amendment seek to facilitate the development of three townhouse blocks (15 townhouse units), a common element road, sidewalk and parking areas, and establish environmental lands.
- The purpose of the Official Plan Amendment application is to redesignate the lands from Low Density Residential to Medium Density Residential with site specific provisions. The Environmental Policy Area designation on the subject lands is intends to be expanded to reflect the limits of the proposed Long-term Stable Top of Slope and average dripline buffers.
- The purpose of the Zoning By-law Amendment application is to rezone the subject lands from Residential One Exception 56 (R1-56) to Residential Townhouse Exception 711 (RT-711) to permit site specific uses and standards relating to permitted uses, definitions, lot frontage, access regulations, air conditioners and

- heat pumps, encroachments, sight triangles, illumination regulations, lot area, building area, yards, amenity area, building height, landscape area and driveway setbacks. The application also proposes to amend the limits of the Environmental Policy Area 1 Zone (EPA1) to reflect the findings of the Environmental Impact Study.
- A related Site Plan Application is currently under review by Town staff and will establish the site's detailed design.
 - A statutory Public Meeting was held on July 18, 2023 in accordance with the requirements of the *Planning Act*.
 - This site is located within a Rural Service Centre of Bolton on Schedule 'A1' Town Structure and is designated Low Density Residential and Environmental Policy Area on Schedule 'C-2' Bolton South Hill Land Use Plan in the Town of Caledon Official Plan.
 - 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 Provincial, Regional and local planning policy documents and represents good planning.
 - Planning staff recommends that Council enact the draft Official Plan Amendment, attached as Schedule "B" to this report, and the draft Zoning By-law Amendment, attached as Schedule "C" to this report.

DISCUSSION

The purpose of this report is to recommend that Council adopt the proposed Official Plan Amendment to redesignate the property and to enact the proposed Zoning By-law Amendment to rezone the property to permit the development of a residential subdivision and draft plan of condominium.

Subject Lands

The subject land is located at 13290 Nunnville Road, on a private driveway with access to the northern extent of Nunnville Road, North of Bateman Lane in Bolton. The property is 0.86 ha (2.13 ac) in size and is currently occupied by one detached dwelling, a shed, a gazebo, and vegetated environmental policy areas. Lands to the north and west are occupied by vegetated environmental policy areas and single detached dwellings. Lands to the south and east are occupied by single detached dwellings, Hubert Corless Park, Sant Farm Community Park, Allan Drive School and Fountain Bridge Community Park. Further east is Albion Vaughan Road and the Township of King. Please see Schedule "A" – Location Map, attached.

Proposed Development

On May 5, 2022, the Town received Official Plan Amendment (POPA 2022-0003), Zoning By-law Amendment (RZ 2022-0004), Draft Plan of Subdivision (21T-22003C) and a comment element Draft Plan of Condominium (21CDM-22003C) applications from WSP Canada Inc. on behalf of Bolton Summit Developments Inc. for the subject lands. The applications were deemed complete on June 28, 2022.

The subject lands are located within the Bolton Rural Service Centre and are designated and zoned for environmental policy area and low density residential uses. The proposed Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision and Draft Plan of Condominium seek to facilitate the development of three townhouse blocks (15 townhouse units), a common element road, sidewalk and surface parking areas. Detailed design will be established through the separate site plan application. The surrounding land uses are single detached dwellings and environmental protection areas. See attached Schedule “D” – Draft Plan of Subdivision and Schedule “E” – Draft Plan of Condominium, attached. Town staff has delegated authority for draft plan approval and once conditions are finalized, Town staff will issue draft approval in accordance with the *Planning Act*.

The purpose of the Official Plan Amendment application is to redesignate the lands from Low Density Residential to Medium Density Residential with site specific provisions. In consultation with the Toronto and Region Conservation Authority and Town Natural Heritage staff, the amendment will expand the limits of the Environmental Policy Area designation to reflect the limits of the proposed Long-term Stable Top of Slope and average dripline buffers. See attached Schedule “B” – Draft Official Plan Amendment.

The purpose of the Zoning By-law Amendment application is to rezone the lands from Residential One Exception 56 (R1-56) to Residential Townhouse Exception 711 (RT-711) and Environmental Policy Area 1 Zone (EPA1). The proposed RT-711 zone will permit the residential development with site specific zone provisions relating to permitted uses, definitions, lot frontage, access regulations, air conditioners and heat pumps, encroachments, sight triangles, illumination regulations, lot area, building area, yards, amenity area, building height, landscape area and driveway setbacks. The EPA1 zone is expanded to reflect the findings of the Environmental Impact Study. The Amendment will also include a Structure Envelope to further identify zone standards. 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, Future 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, livable and complete communities. The PPS, 2020 directs growth to settlement areas as per Section 1.1.3.1. The PPS speaks to:

- promoting efficient land use patterns that are financially sustainable;
- accommodating a range of affordable and market-based residential types;
- avoiding development that could cause environmental or public health and safety concerns;
- promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns;
- optimization of transit investments and standards to minimize land consumption and servicing costs;
- improving accessibility for persons with disabilities and older persons;
- ensuring that infrastructure and public service facilities are available to meet projected needs; and,
- preparing for the regional and local impacts of a changing climate.

The PPS also identifies that a land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips, and support current and future use of transit and active transportation. Housing shall be provided for a range and mix of housing options and densities to meet projected market-based and affordable housing needs.

The PPS, 2020 directs the development of new housing to locations where appropriate levels of infrastructure and public service facilities exist or is planned. Publicly accessible built and natural settings for recreation, including parklands are identified as a way to promote healthy, active communities.

The subject lands are located within the Bolton Rural Service Centre in an established residential community. The development does not include a variety of unit types or uses; however, it contributes to the Town's available housing stock, the variety of unit types in the community and is appropriate in the context of the surrounding area. The development will make efficient use of existing infrastructure including active transportation, roads, public service facilities, and sewage, water and stormwater services. The development application is consistent with the Provincial Policy Statement.

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

The Growth Plan, in conformity to the PPS, 2020, contains similar, although refined, policy direction to the PPS, 2020. The policies of the plan support complete communities which feature:

- a diverse mix of land uses;
- improve social equity and quality of life;
- provide a diverse range of housing options;

- expand convenient access to transportation including active transportation, public service facilities, an appropriate supply of safe and publicly accessible parks and trails, and healthy, local, and affordable food options;
- provide for a more compact built form; mitigate and adapt to the impacts of a changing climate; and
- integrate green infrastructure.

The Growth Plan identifies that by the time the next municipal comprehensive review is approved and in effect, a minimum of 50 percent of all residential development in the Region of Peel will be within the delineated built-up area. The Growth Plan also identifies specific goals for housing, including supporting housing choice through minimum intensification targets.

The subject lands are located within the Delineated Built-Up Area identified on Figure 1 of the Town of Caledon Official Plan. The proposed development will provide additional housing units in an existing residential area with convenient access to parks and schools. The development application conforms to The Growth Plan.

Region of Peel Official Plan

The Region of Peel Official Plan designates the subject property within the Urban System (Bolton) on Schedule “E-1”, Regional Structure. Section 1.4 requires that all new development be consistent with the provincial plans, and regional and local official plans. 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.

The Region has submitted comments which support the applications and they have no specific concerns with the Official Plan Amendment or Zoning By-law Amendment. The Region’s further detailed design comments and requested conditions will be addressed through the Draft Plan of Subdivision, Draft Plan of Condominium and Site Plan application processes.

The proposed Official Plan Amendment and Zoning By-law Amendment conforms to the Region of Peel Official Plan.

Town of Caledon Official Plan

The Town of Caledon Official Plan designates the subject property:

- Settlement Area (Bolton) on Schedule ‘A’, Town of Caledon Land Use Plan
- Rural Service Centre (Bolton) on Schedule ‘A1’, Town of Caledon Town Structure
- Low Density Residential and Environmental Policy Area on Schedule ‘C-2’, Bolton South Hill Land Use Plan

The Bolton South Hill Secondary Plan is outlined in Section 7.2 of the Town’s Official Plan. Section 7.2.4.5 of the Secondary Plan requires a housing mix of 70% single-detached and

30% medium and high density, supporting a total population of approximately 7,379 people. The Plan identifies that the actual number of units by type will be determined at the time of subdivision submission and minor adjustments in population, building height and dwelling unit counts will not require a further amendment to the Official Plan (Section 7.2.4.7).

The Low Density Residential designation applies to residential lands which provide for development at a density up to 16 units per net hectare. Net hectare is exclusive of public rights-of-way, parks, school sites, environmental policy area and open space policy area. Permitted uses include detached and multiple housing, including single detached residential units, semi-detached residential units, link units, and townhouse units.

The Environmental Policy Area (EPA) designation applies to lands, which are composed of Natural Core Areas and Natural Corridors, whose primary function is conservation. Section 5.7.3.1.4 of the Official Plan identifies that minor refinements to the limits of lands designated EPA, including minor additions or deletions, may be permitted without an amendment to this Plan, provided such minor refinements are satisfactory to the Town and other relevant agencies, and is based on more detailed environmental information.

The proposed development will achieve a residential density of 40.5 units per net hectare and includes townhouse dwellings. The proposed Official Plan Amendment seeks to redesignate the lands to Medium Density Residential with site-specific permissions for a maximum density of 41 units per net hectare. The limits of the EPA area are proposed to be expended to reflect the limits of the proposed Long-term Stable Top of Slope and average dripline buffers.

The proposed Zoning By-law Amendment seeks to rezone lands to Residential Townhouse Exception 711 (RT-711) to permit common element townhouse dwellings with site specific standards. The Zoning By-law Amendment will also refine the limits of the Environmental Policy Area 1 (EPA1) zone to reflect the revised limits of the Environmental Policy Area designation.

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

Future Caledon Official Plan

The Future Caledon Official Plan designates the subject property Urban System/ Urban Area on Schedule 'B1 – Town Structure' and Delineated Built-up Area on Schedule 'B2 – Growth Management'. The detailed land use policies and plans for the Bolton Secondary Plan will be included in future phases of the Official Plan Review and are not yet available.

The subject lands are located in the Urban System, which is where the majority of the Town's growth is planned to occur. Land use designations will be assigned to lands

throughout the urban system through amendments to the Official Plan to enable a range of urban land uses. The second phase of the Future Caledon Official Plan Review will include the Bolton Secondary Plan Review. The Secondary Plan Review will recommend new policies to be added to the Official Plan and will include new Land Use Schedules for Bolton.

Staff is of the opinion that the proposed Official Plan Amendment is in keeping with the intent of the Future Caledon Official Plan.

Comprehensive Zoning By-law 2006-50, as amended

The subject lands are zoned Residential One Exception 56 (R1-56) and Environmental Policy Area 1 Zone (EPA1).

The Zoning By-law Amendment application (RZ 2022-0004) is proposing to rezone the lands from Residential One Exception 56 (R1-56) to Residential Townhouse Exception 711 (RT-711) to permit site specific uses and standards. The limits of the Environmental Policy Area 1 Zone (EPA1) are also proposed to be expanded to reflect the findings of the Environmental Impact Study and confirmed by the TRCA and Town Natural Heritage staff. See attached Schedule “C” – Draft Zoning By-law Amendment.

The Residential Townhouse Exception 711 (RT-711) zone proposes to establish site-specific permissions for the Common Element Townhouse Dwelling, freehold Townhouse Dwelling and Private Home Daycare uses. The zone will also include site-specific definitions and amend various zone standards and regulations, including but not limited to, setbacks, encroachments, access, lot area and frontages, building heights, building area, and landscape area, etc.

The proposed By-law is in keeping with the uses permitted in the Official Plan, and the site specific exceptions are appropriate in the context of the surrounding area and maintain the intent of the parent Residential One zone.

Consultation

Notice of Application

In accordance with the Planning Act, a Notice of Application was placed in the Caledon Citizen and Caledon Enterprise on July 7, 2022. In addition, the Notice was mailed to all landowners within 120 m (393.7 ft) and a sign was posted on the property on July 7, 2022. The Notice was also posted on the Town’s website.

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 ‘E’ – Agency

and Department Comment Sheet. No objections to the proposed Official Plan Amendment and Zoning By-law Amendment Applications were received.

Public Meeting

In accordance with the Planning Act, a Notice of Public Meeting was placed in the Caledon Citizen and Caledon Enterprise on June 22, 2023. In addition, the Notice was mailed to all landowners within 120 m (393.7 ft) on June 22, 2023 and the sign was updated on the property on June 14, 2023. The Notice was also posted on the Town's website.

A statutory Public Meeting was held on July 18, 2023 in accordance with the requirements of the *Planning Act*. Questions and comments were raised at the Public Meeting and/or received during the processing of proposed development applications and are summarized in Schedule 'G' – Public Comment and Response Document.

The questions and comments from the public have been reviewed by town staff and the applicant. All comments related to the Official Plan Amendment and Zoning By-law Amendment application have been addressed. Specific comments related to the design and layout of the development will be addressed through the Draft Plan of Subdivision, Draft Plan of Condominium and Site Plan approval process.

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. 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

If the proposed development (includes 15 common element townhouse dwellings in 3 blocks) 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 applicable at the Residential rates for Other Residential Dwellings that will be in effect on the dates of building permit issuance. If the zoning By-law amendment application is determined to be the first such application for the subject property, then Development Charges will be determined on the date when the zoning By-law amendment application is determined to be complete (the application completion date). Those determined rates will be applicable to building permits that will be issued within two years, starting on the application completion date.

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Interest on Development Charges will apply for the period commencing one day after the application completion date through to the date on which those charges are received by the Town.

On May 01, 2024, the relevant Other Residential Dwellings Development Charge rates are:

- Town of Caledon: \$43,094.36 per Townhouse Dwelling.
- Region of Peel: \$57,121.45 per Townhouse Dwelling. 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. Region of Peel discounts may apply for lots with no regional wastewater, or water & wastewater servicing.
- School Boards: \$4,572 per any residential unit.
- GO Transit: \$810.24 per Townhouse Dwelling.

The applicant may receive credit for development charges previously paid relating to any existing dwelling that may be demolished to support the new project.

The Development Charges comments and estimates above are as at May 01, 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 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 (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 application approval date. 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

Strategic Plan 2023-2035

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



Community Vitality and Livability: Supporting complete communities that support opportunities for people of all ages and abilities to access the necessities for daily living and play an active role.

ATTACHMENTS

Schedule A: Aerial Map

Schedule B: Official Plan Amendment

Schedule C: Zoning By-law Amendment

Schedule D: Proposed Draft Plan of Subdivision

Schedule E: Proposed Draft Plan of Condominium

Schedule F: Agency and Department Comment Sheet

Schedule G: Public Comment and Response Document