

Staff Report 2019-83

Meeting Date: Tuesday, June 18, 2019

Subject: Proposed Zoning By-law Amendment Applications, Hillview Estates Limited, 0 Highway 50 (Ward 4)

Submitted By: Mary T. Nordstrom, Senior Planner, Development, Community Services

RECOMMENDATION

That the By-law attached as Schedule “C” to Staff Report 2019-83 be enacted to amend Comprehensive Zoning By-law 2006-50, as amended, to rezone the subject lands to implement the proposed development.

That applications for minor variances for the lands as identified in Schedule “A” attached to Staff Report 2019-83, 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

- An application for Draft Plan of Subdivision (21T-81003C) was originally filed in January, 1981 and an application for Zoning By-law Amendment (RZ 08-01) was filed in January, 2008. Town of Caledon approved the Zoning By-law Amendment on December 11, 2017 (By-law 2017-84) and granted Draft Plan of Subdivision Approval to permit a 13-lot estate residential subdivision.
- Through detailed design the applicant determined that Block 14 on the Draft Approved Plan of Subdivision was no longer required for stormwater management purposes. The applicant is proposing to rezone the surplus stormwater management block to permit one additional estate residential lot as well as minor refinements to lot lines and structure envelopes.
- The revised Draft Plan of Subdivision attached as Schedule “B” to Staff Report 2019-83 is proposing to create a 14-lot estate residential subdivision with lot sizes ranging from 0.45 ha to 0.65 ha in size. The westerly 12 lots will be accessed by an extension of the existing street, Hillview Place and two easterly lots will be accessed via the existing cul-de-sac at Country Lane Drive. Environmental lands will be dedicated to the Toronto and Region Conservation Authority (TRCA) in the amount of 11.84 ha. The subdivision is proposed to be serviced by municipal water and individual on-site sewage disposal (septic system).

- A formal Public Meeting was held on March 19, 2019 in accordance with the requirements of the Planning Act and the comments derived from the Public Meeting, external agencies and internal departments have been taken into consideration.
- Planning staff is of the opinion that the proposal is consistent with Provincial, Regional and local policy documents.

DISCUSSION

The purpose of this report is to seek approval to repeal existing By-law 2017-84 and replace with a By-law that implements the revised 14-lot estate residential development. The proposed Zoning By-law Amendment maintains the uses and standards of By-law 2017-84, with the exception of a reduction in lot frontage from 22.0m to 19.0m (see Schedule "C" to this report).

Subject Lands

The 20.6 ha (50.9 ac) parcel is located on the east side of Regional Road 50, north of the current terminus of Hillview Place and southeast of an active CPR rail line. A provincially significant wetland and woodlot centrally located comprise the natural features on site. The balance of the site is vacant land.

Surrounding land uses include vacant land and the CPR line to the north, estate residential (Cedar Mills) to the east, and rural residential and vacant land to the south and west.

Proposed Development

The revised Draft Plan of Subdivision would create a 14-lot estate residential subdivision designed in two clusters to maximize protection of the central environmental features on site. The east cluster comprises two estate residential lots accessed by the existing Country Lane Drive cul-de-sac. A 3 metre wide access to the central environmental block is also proposed at the cul-de-sac, between the two estate residential lots. The west cluster consists of 12 estate residential lots and 3 stormwater management blocks all accessed by an extension of Hillview Place, which currently terminates at the subject lands. The estate residential lots range in size from 0.45 to 0.65 ha with structure envelopes ranging from 0.27 to 0.39 ha in size to maximize protection of the site's environmental features and significant slopes.

The proposed Zoning By-law Amendment would implement the Draft Plan of Subdivision by zoning the proposed 14 residential lots as Estate Residential-597-Oak Ridges Moraine (RE-597-ORM), the three stormwater management blocks as Environmental Policy Area 1-405 (EPA1-405), the neighbor reserve block as Environmental Policy Area 2 (EPA2-ORM) and the natural lands to be dedicated to the TRCA as Environmental Policy Area 1 (EPA1-ORM), in accordance with Zoning By-law 2006-50, as amended.

Planning Review

Documents that have been considered by the Town in its review of the subject applications include the applicable provincial policies, Region of Peel Official Plan, the Town's Official Plan and Zoning By-law 2006-50, as amended. Supporting technical studies and reports as well as comments and recommendations provided by internal departments, external review agencies and the public informed the review of these applications.

Provincial Policy Statement (PPS), 2014

The Provincial Policy Statement 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 development represents an appropriate housing type and land use pattern within the context of the Palgrave Estates Secondary Plan and within an area adequately served by existing and planned infrastructure and public service facilities (1.1.1, 1.1.3.2, 1.4.1).

The proposed development is consistent with the natural features policies by identifying and preserving the existing grasslands, wetlands, woodlots and steep slopes within Block 19 and providing an environmental management plan to enhance these features (2.1, 2.1.2, 2.1.8, 2.2.1). After reviewing the material submitted with the application, staff is of the opinion that the proposed subdivision development is consistent with the 2014 PPS.

Place to Grow, Growth Plan for the Greater Golden Horseshoe (2019)

The intent of the Growth Plan is to build compact and complete communities by directing growth to built-up areas and promoting a mix of residential and employment uses. The proposed residential development is appropriate in the context of the Palgrave Estates Residential Community Secondary Plan and achieves key ecological objectives through protection and enhancement of the existing natural heritage system (4.2.1). The proposed development conforms to and does not conflict with A Place to Grow, Growth Plan for the Greater Golden Horseshoe.

Oak Ridges Moraine Conservation Plan (Prescribed Provisions)

The Oak Ridges Moraine Conservation Plan (ORMCP) establishes land use and resource management policies to protect the ecological and hydrological features and functions of the Moraine. As the original Draft Plan of Subdivision application was filed in 1981 with no decision upon approval of the ORMCP, and the subdivision is not yet registered the applications are deemed to be subject to the Prescribed Provisions (Section 48) of the ORMCP as well as the Town of Caledon Official Plan in effect as of November 16, 2001.

The proposed development conforms to the applicable provisions of the ORMCP through the identification, protection and enhancement of existing key natural heritage

and hydrologically sensitive features and their associated buffers. A significant woodlot and wetland together with a minimum 30 metre buffer has been protected from development: these features have been placed in a block to be dedicated to the TRCA and the proposed Zoning By-law applies an environmental protection zone to restrict future alteration or disturbance of these lands (Sections 20, 22, 23).

In accordance with the ORMCP, technical engineering (servicing & stormwater) studies were submitted that support the quality and quantity of groundwater and surface water will be maintained (Section 43).

The TRCA advises on matters related to natural heritage in the context of the Oak Ridges Moraine Conservation Plan and has no objection to the rezoning and revised Draft Plan of Subdivision, subject to conditions of draft approval.

The proposed rezoning and related red-line revisions to the Draft Plan of Subdivision have been carefully designed to protect the significant features and functions identified in the ORMCP, as demonstrated in technical studies, and conform to the Prescribed Provisions of the ORMCP.

Region of Peel Official Plan

The subject lands are shown as Estate Residential Community on Schedule “D” of the Region of Peel Official Plan. The proposed development is consistent with the goals and objectives as set out in the Regional Plan, which directs sustainable development growth that balances ecological, social and economic responsibilities. (1.1, 1.3.6)

The proposed development contributes to the Region of Peel’s objectives and policies for the Palgrave Estate Residential Community, including the provision of estate residences that protect the natural environment and has the necessary servicing (5.4.4). Region of Peel has confirmed that municipal water supply is available and a water connection will be provided from Highway 50 for the westerly 12 lots and from Country Lane Drive for the easterly two lots. Region of Peel staff has no objection to the proposed rezoning and revised Draft Plan of Subdivision and has provided conditions of draft approval.

Town of Caledon Official Plan

Town of Caledon Official Plan, Section 7.1.5.4 directs for applications commenced, but not decided upon, as of November 17, 2001 to be reviewed against the Official Plan policies that would have been applicable on November 16, 2001. The applicable Official Plan designates the subject lands Palgrave Estate Residential Community on Schedule ‘A’ and Policy Area 1 on Schedule ‘G’. Policy Area 1 is intended as the prime area for future estate residential development in the Town provided the rural character and significant ecological features are protected from development (7.1.2, 7.1.5).

At 14 lots, the proposed additional estate lot will not exceed the maximum density limit established by the Official Plan, which would be 18 lots, and each lot will meet the

minimum lot size criteria of 0.45 ha (7.1.6, 7.1.7). In accordance with the Official Plan, Structure Envelopes are proposed for each lot that identifies the optimal area for structures, septic systems, accessory uses and grading and adequately protects environmental features and significant landforms (7.1.9). A portion of each proposed lot outside the Structure Envelope will provide for a natural area and habitat for two species of risk, Bobolink and Eastern Meadowlark. The establishment and protection of these natural areas will be secured through the proposed Zoning By-law Amendment and Conditions of Draft Approval. In addition, almost 60% of the site (11.8 ha) is proposed for protection and dedication to the TRCA.

The revised development will be supported by two stormwater management blocks (15 and 17) that are sized appropriate to retain and infiltrate post-development flow up to and including the 100 year storm, as per the Official Plan (7.1.8.9, 7.1.8.10). As well, all lots will be serviced with municipal water and private sewage disposal systems (septic), in accordance with the Official Plan (7.1.8.1, 7.1.8.4).

The subject lands are located adjacent to an active railway (CPR). The Palgrave Estates Secondary Plan requires setbacks and mitigation measures proximate to railways so as not to prejudice the rural residential character of a subdivision (7.1.9.36). The proposed development has been designed to ensure all structure envelopes are at least 30 metres from the railway right of way and further mitigation will be achieved through local acoustic patio fencing within the structural envelopes for lots 8 to 14, inclusive, warning clauses in the purchase and sale agreement for all dwellings and vibration attenuation construction measures for Lot 9. CPR is agreeable to the recommendations of the noise feasibility study and has no objection to the proposed development.

The considerable environmental site research and design to date demonstrates the proposed development will appropriately preserve and enhance the environmental and rural character of the community while minimizing the potential impacts of construction. Staff is of the opinion that the proposed development is in keeping with the policies of the Town's Official Plan.

Zoning By-Law 2006-50, as amended

The subject lands were recently rezoned to Estate Residential-597-Oak Ridges Moraine (RE-597-ORM), Environmental Policy Area 1 – Oak Ridges Moraine (EPA1-ORM), Environmental Policy Area 1–405 (EPA1-405) via By-law 2017-84.

The applicant is seeking to repeal By-law 2017-84 and propose a new By-law attached as Schedule “C” to Staff Report 2019-83 to zone the subject lands Estate Residential-597-Oak Ridges Moraine (RE-597-ORM), Environmental Policy Area 1 – Oak Ridges Moraine (EPA1-ORM), Environmental Policy Area 1–405 (EPA1-405) and Environmental Policy Area 2 – Oak Ridges Moraine (EPA2-ORM) to implement the revised Draft Plan of Subdivision, in accordance with the Palgrave Estate Residential Community Secondary Plan.

Agency/Department Consultation

The subject applications were circulated to external agencies and internal departments for review and comment. All agencies and departments support draft approval, subject to draft approval conditions.

Public Meeting and Resident Meetings

A public meeting was held on the proposed Zoning By-law Amendment application at the Town of Caledon, Town Hall on March 19, 2019. Notice of the Public Meeting was advertised in the Caledon Citizen and Caledon Enterprise on February 21, 2019. Property owners within 120m (400 ft) of the subject lands were advised of the meeting by direct mail as required by the *Planning Act*.

The purpose of the Public Meeting was to provide the Applicant an opportunity to present the proposal to the Public and Members of Council and to respond to questions on the proposals. The matters raised at this meeting are summarized in the public consultation table below:

	Public Comment	Response
1	Lack of internet infrastructure to support additional housing	The application was circulated to Rogers Communication and Bell and they have no concerns.
2	Impact to view and property value	<p>The lands are proposed to be developed in accordance with the applicable Official Plan policies, which permit estate residential development.</p> <p>Staff have worked closely with the applicant to ensure the Zoning By-law Amendment will secure appropriate dwelling setbacks as well as preservation of trees along the shared property line.</p>

FINANCIAL IMPLICATIONS

This property is currently assessed as residential (\$1.1 mn CVA). The Town's share of taxes levied, based on current value assessments is approximately \$5,900.

If the proposed development were to proceed as planned, (14 estate lots), the taxable assessment value of the property would change to reflect the developments that would have taken place. The following Development Charges would apply to the proposed developments:

- Town of Caledon: \$26,088.02 per single detached/semi-detached dwelling (rates change effective June 25, 2019 to \$29,927 per dwelling).
- Region of Peel: \$54,047.59 per single detached/semi-detached dwelling, where the property has access to the Region's water and sanitary services. 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 except apartments, at the time of subdivision agreement execution.

- Go-transit: \$555.53 per single detached/semi-detached dwelling.
- School Boards: \$4,567 per any residential unit (rates change effective July 1, 2019 to \$4,572 per dwelling).

The Development Charges comments and estimates above are as at June 7, 2019 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

- Connected Community – Preserving natural areas

ATTACHMENTS

Schedule "A" - Location Map
Schedule "B" - Draft Plan of Subdivision
Schedule "C" - Draft Zoning By-law Amendment
Schedule "D" - Comment Sheet