

Staff Report 2019-0169

Meeting: October 22, 2019

Subject: Proposed Zoning By-law Amendment; Mayfield Developments Inc., 12259 Chinguacousy Road

Submitted By: Leilani Lee-Yates, Senior Planner, Development, Community Services

RECOMMENDATIONS

That the By-law attached as Schedule D to Staff Report 2019-0169 be enacted to amend Comprehensive Zoning By-law 2006-50, as amended, to Residential Two Exception 614 (R2 – 614) and Environmental Policy Area 1 (EPA1) to permit the proposed development.

That applications for minor variances for the lands as identified in Schedule D attached to Staff Report 2019-0169, 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

- Applications for Zoning By-law Amendment (RZ 16-07) and Draft Plan of Subdivision (21T-16004C) were filed by Mayfield Developments Inc. on July 11, 2016 and deemed complete by the Town of Caledon staff on August 18, 2016.
- Two revised submissions have since been filed in April 2018, and February 2019 to address staff, agency and public comments.
- The applicant is proposing to rezone the property from Agricultural (A1) to Residential Two Exception 614 (R2 – 614) and Environmental Policy Area 1 (EPA1) to permit a residential plan of subdivision.
- Draft Plan of Subdivision 21T-16004C, attached as Schedule “C” to Staff Report 2019-0169, was draft plan approved on August 16, 2019, and is proposing to create 222 detached residential lots, a woodlot block, a buffer block, an open space block, a trail connection block, and 5 new municipal streets. Environmental and associated open space lands will be dedicated to the Toronto and Region Conservation Authority (TRCA) in the amount of 2.83 ha (7 ac).
- The development proposes full municipal services and access via Chinguacousy Road and a new east-west “Spine Road” within the Mayfield West Phase 2 Secondary Plan Area.
- A formal Public Meeting was held on November 22, 2016 in accordance with the requirements of the *Planning Act*.
- The application complies with the governing Provincial, Regional and Local planning policy documents.

DISCUSSION

The purpose of this report is to recommend Council to enact the proposed Zoning By-law amendment, a condition of the recently draft approved plan of subdivision.

Subject Lands

The subject lands are located on the east side of Chinguacousy Road, north of Mayfield Road, within the Mayfield West Phase 2 Secondary Plan area (OPA 222). The property is approximately 12.75 ha (31.50 ac) in size, is currently vacant and contains a woodland feature with a portion of a Provincially Significant Wetland (PSW). The surrounding land uses consist of farmland, vacant rural lands and rural non-farm residences. There is also a 19th Century timber-frame farm house (i.e. the “Cook House”) on the adjacent lands to the west also owned by the applicant, which is being conserved for its cultural heritage. As a condition of Draft Plan of Subdivision Approval, the Cook House will be moved to a recipient site within the rural area of the Town of Caledon and rehabilitated to be used as a museum and centre for culinary education (please see Schedule “A” – Location Map, and Schedule “B” – Aerial Photograph, attached).

Proposed Development

On July 11, 2016, the Town of Caledon received Draft Plan of Subdivision (21T-16004C) and Zoning By-law Amendment (RZ 16-07) applications from Korsiak Urban Planning on behalf of Mayfield Developments (Mattamy) Inc. for the subject lands. The applications were deemed complete on August 18, 2016.

Draft Plan of Subdivision 21T-16004C, attached as Schedule “C” to Staff Report 2019-0169, was approved on August 16, 2019, and is proposing to create 222 detached residential lots, a woodlot block, a buffer block, an open space block, a trail connection block, and 5 new municipal streets. Environmental and associated open space lands will be dedicated to the Toronto and Region Conservation Authority (TRCA) in the amount of 2.83 ha (7 ac).

Zoning By-law 2018-74, was approved by Town of Caledon Council on July 10, 2018, which establishes a zoning framework for residential development across the Mayfield West Phase 2 Secondary Plan Area (i.e. single, semi-detached and townhouse dwellings) that will implement the development vision for the community as articulated in the Mayfield West Phase 2 Secondary Plan and Community Design Plan. Specifically, the amending By-law consists of two new residential exception zones as follows:

- *Residential Two Exception 614 (R2-614):*
Permits Detached dwellings (conventional, dual frontage and rear-lane housing types) and Semi-detached dwellings (conventional, dual frontage, rear-lane and back-to-back formats);
- *Townhouse Residential Exception 615 (RT-615):*
Permits Townhouse dwellings (conventional, dual-frontage, rear-lane and back-to-back formats).

These exception zones include new definitions, standards and terminology to facilitate the intended range of residential uses and built-form envisioned for the Secondary Plan Area. As a condition of Draft Plan of Subdivision approval, each application site within the community will be individually rezoned to geographically implement above-noted

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zone categories according to the layout of the corresponding draft plan and any other zoning requirements (e.g. institutional, commercial, employment, open space, environmental and affordable housing land uses).

The subject Zoning By-law Amendment application (RZ 16-07) is proposing to rezone the lands to Residential Two Exception 614 (R2 – 614) and Environmental Policy Area 1 (EPA1) in Zoning By-law 2006-50, as amended, to permit the plan of subdivision. The By-law includes site-specific permitted uses and zone standards to permit the proposed development (please see the attached Schedule “D” for details).

Planning Review

Documents that have been considered by the Town in its review of the proposed applications include the Provincial Policy Statement, 2014, 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 (PPS), 2014

The PPS, 2014, 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 proposed development is consistent with the PPS, 2014, by contributing to the mix of housing types featured in Mayfield West Phase 2 community that will make efficient use of existing and planned infrastructure. The proposed road pattern is designed to encourage use by pedestrians and cyclists, contributing to the promotion of healthy, active communities. The proposed development will contribute to population growth in Mayfield West Phase 2 that is compact and transit-supportive and provides an opportunity to plan and design a complete community with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local amenities and services (Sections 1.1.1, 1.1.3.2, 1.1.3.6, 1.2, 1.4, 1.5, 1.6, 1.8, 2.6).

The proposed development is consistent with the PPS, 2014, natural heritage policies by identifying and preserving the existing woodland, PSW and buffers within Blocks 223-226 and conforming to an overall Mayfield West Phase 2 community restoration plan to enhance these features (Sections 2.1, 2.2). After reviewing the material submitted with the application, staff is of the opinion that the proposed residential development within the Mayfield West Phase 2 Secondary Plan Area is consistent with the PPS, 2014, sections as referenced above.

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

“A Place to Grow”, Growth Plan for the Greater Golden Horseshoe, 2019, builds upon the progress that has been made towards the achievement of complete communities that are compact, transit-supportive, and make effective use of investments in infrastructure and public service facilities. At the same time, A Place to Grow will continue to ensure protection of agricultural and natural areas and support climate change mitigation and adaptation as Ontario moves towards the goal of environmentally sustainable communities. The Mayfield West Phase 2 Secondary Plan was designed using an

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integrated design process and has been planned as a complete community that is compact, pedestrian and cyclist friendly, and transit-oriented. Collectively, these attributes support the development of a healthy, safe and balanced community.

The proposed development conforms to A Place to Grow, 2019, by achieving the Provincial interest to create complete communities that are well designed to meet people's needs for daily living throughout by providing convenient access to an appropriate mix of jobs, local service, public service facilities, and a full range of housing to accommodate incomes, and household sizes. The proposed development will provide for 222 detached residential units of which 158 units will have a frontage of 11 m (36 ft) and 64 units will have a frontage of 9.15 m (30 ft), thereby offering housing variety for single detached dwellings. Overall, the Mayfield West Phase 2 Secondary Plan will provide for a mix of 61.5% Low Density, 33.2% Medium Density, 5.1% High Density and 0.2% Live-Work. The proposed development will also be in close proximity to new schools, parks and commercial uses.

The proposed development provides for a trail connection to the adjacent draft plan of subdivision to the south (i.e. 21T-16006C, draft approved August 19, 2019), and protects 2.83 ha (7 ac) of natural heritage features and their buffers through restrictive zoning and TRCA ownership. 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.

After reviewing the material submitted with the application, staff is of the opinion that the proposed residential development within the Mayfield West Phase 2 Secondary Plan Area conforms to A Place to Grow (Sections 2.2.1, 2.2.2, 2.2.6, 2.2.7, 3.2.1, 3.2.2, 3.2.3, 3.2.6, 3.2.7, 4.2.1, 4.2.2, 4.2.5, 4.2.7, 4.2.9, 4.2.10, and 5).

Region of Peel Official Plan

The subject lands are located within the Mayfield West Rural Service Centre as shown on Schedule "D" – Regional Structure, of the Region of Peel Official Plan. The proposed residential development conforms to the goals and objectives for Rural Service Centres as set out in policies 5.4.3 – Rural Settlement Areas, 5.4.3.2.8 – Mayfield West Phase 2 Settlement Area, and 2.3 – Greenlands System in Peel.

Town of Caledon Official Plan (OPA 222)

The subject lands are designated "Low Density Residential" and "Environmental Policy Area", as identified on Schedule "B-2" – Mayfield West Phase 2 Secondary Plan: 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. Compliance with these numbers is to be achieved through the approval of a community wide Development Staging and Sequencing Plan (DSSP), which must be approved by Council prior to the registration of the first plan of subdivision within the Secondary Plan Area. The draft DSSP was received by Town staff in July 2017, and staff continue to refine the DSSP with the Secondary Plan landowner group to reflect the draft plans and municipal Environmental Assessment outcomes.

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To demonstrate that the proposed plan of subdivision conforms to the population and employment density for the Secondary Plan Area, Section 5 of the DSSP (Community Statistics and Development Schedule) was updated to the satisfaction of Town staff on April 22, 2019. The DSSP demonstrates that the proposed development will generate an estimated 716 people and contribute to a total population estimate of 10,373 people, and a total density of 68.3 people and jobs per net hectare, which is slightly more than the minimum target within the Secondary Plan.

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). The CDP was approved by Council in March 2016, and the FSR and EIR were approved by Council in April 2019. The other important element in the planning of the community is a Financial Agreement that was executed with members of the Mayfield Station Developers Group, dated November 2015, which identifies the group's financial commitments for implementing the Secondary Plan.

Staff has reviewed the proposal against the above referenced policies and documents. The proposed zoning standards conform with section 7.14 – Mayfield West Phase 2 Secondary Plan, of the Town of Caledon Official Plan.

Zoning By-Law 2006-50, as Amended

The subject lands are currently zoned Agricultural (A1). The applicant is proposing to rezone the property Residential Two Exception 614 (R2 – 614) and Environmental Policy Area 1 (EPA-1) to implement the proposed development shown in the approved Draft Plan of Subdivision (see attached Schedule "C") and protect the woodland, Provincially Significant Wetland and buffers.

The proposed Zoning By-law Amendment (see attached Schedule "D") will implement the proposed development by permitting the proposed uses, and establishing development-specific definitions, regulations, standards and encroachment provisions through the R2-614 zone special standards. The EPA 1 zone will apply to areas which contain the natural heritage features and buffers. The proposed By-law is in keeping with the uses permitted in the Official Plan and adequately implements the proposed development.

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 in order to be allowed.

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 the Notice was posted on the Town's website and advertised in the Caledon Citizen and Caledon Enterprise newspapers on Thursday September 1, 2016.

Agency/Department Consultation

The subject applications were circulated to external agencies and internal departments for review and comment. All agencies and departments support approval of the Zoning By-law Amendment (please refer to the Comment Sheet attached to this report as Schedule "E").

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 Thursday October 27, 2016.

A statutory Public Meeting was held on November 22, 2016, in accordance with the requirements of the *Planning Act*. The following questions and comments were raised at the Public Meeting and/or received during the processing of this proposed amendments:

Question/Comment	Response
Does the proposed subdivision plan include cycling lanes and connections to other trail systems?	Cycling plans were included as part of the Master Transportation Plan for the community. The master plan prescribes certain road right-of-way widths to allow for cycling that the individual plans will have to adhere to. The community-wide master plan will funnel down into the detailed design for the application. The draft approved plan of subdivision has taken into consideration the above matters.
Will there be a connection to get across to the east side of Highway 10?	The "Spine Road" alignment and ultimate connection to the east is going through a municipal Environmental Assessment exercise, which includes a connection with Highway 10 and Highway 410. This process is ongoing.
Will the new development impact property taxes on the surrounding properties?	The Municipal Property Assessment Corporation (MPAC) bases property taxes on current uses of the property. If the use does not change, the property tax stays the same. If the use of the property changes, MPAC changes the tax

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Question/Comment	Response
	assessment accordingly.
Is high density development, particularly high-rise apartments and condominiums, being included in the proposed application in order to meet the Province's proposed density target of 80 people per hectare? It would appear that the density for this development will be more like 50 people per hectare. There is too much urban sprawl along Mayfield Rd. Why are we not going up instead of out? Will the Town be developing high rise apartments and condominiums as part of future growth plans?	The Mayfield West Phase 2 approved density target is 68.2 people and jobs per hectare. The Secondary Plan includes high-density development at the corner of the "Spine Road" and McLaughlin Road. More intensification is provided along Spine Road and McLaughlin Road. This particular development is designated in the Secondary Plan for low-density. The proposed lots are smaller than what has typically been seen in past developments and the density is at the upper end of a low-density range. In Mayfield West/Southfields, as an example, the low-density housing developed first, which is now being followed by the high-density development. This area is the first phase of a number of projects where over time the higher densities will follow.

FINANCIAL IMPLICATIONS

The property at 12259 Chinguacousy Road is currently assessed as mostly Farmland (\$1.88 million CVA). The Town's share of taxes levied, based on current value assessment is approximately \$2,300. As at September 13, 2019, the property tax account is determined to be current.

If the proposed development (includes 222 single family dwellings) were to proceed as planned, the property's taxable assessment value would change to reflect the developments that would have taken place.

Any future development would be subject to Development Charges as follows:

1. Town of Caledon: \$30,435.76 per single, or semi-detached dwelling;
2. Region of Peel: \$54,966.42 per single or semi-detached dwelling. Effective February 1, 2016, the Region began collecting directly for hard service Development Charges (i.e. water, wastewater and roads) for all residential subdivisions, except for apartments, at the time of subdivision agreement execution;
3. School Boards: \$4,572 per any residential dwelling; and
4. Go-transit: \$564.97 per single or semi-detached residential dwelling.

The Development Charges comments and estimates above are as at September 13, 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

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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

ATTACHMENTS

Schedule A - Location Map

Schedule B - Aerial Map

Schedule C - Approved Draft Plan of Subdivision

Schedule D - Draft Zoning By-law Amendment

Schedule E - Comment Sheet