

**AMENDMENT NO. 220
TO THE OFFICIAL PLAN FOR
THE TOWN OF CALEDON PLANNING AREA**

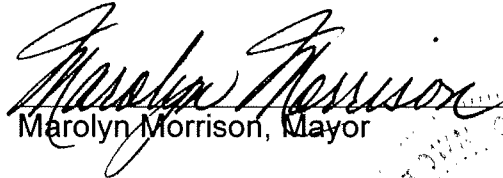
**THE CORPORATION OF THE TOWN OF CALEDON
BY-LAW NO. 2009-072**

A By-law to adopt Amendment No. 220 to the Official Plan for the Town of Caledon.

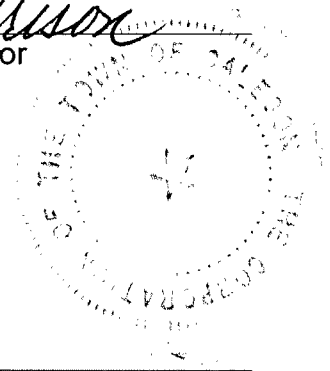
WHEREAS the Council of the Corporation of the Town of Caledon, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, HEREBY ENACTS AS FOLLOWS:

1. Amendment No. 220 to the Official Plan for the Town of Caledon Planning Area shall be and is hereby adopted.

Read three times and finally passed in open Council this 9th day of June, 2009.


Marilyn Morrison, Mayor


Karen Landry, Clerk



THE CONSTITUTIONAL STATEMENT

- PART A – THE PREAMBLE - does not constitute part of this amendment.
- PART B – THE AMENDMENT - consisting of the following text constitutes Amendment No. 220 to the Town of Caledon Official Plan.

**AMENDMENT NO. 220
OF THE TOWN OF CALEDON OFFICIAL PLAN**

PART A – THE PREAMBLE

Purpose of the Amendment:

The purpose of this amendment is to remove the ambiguity and inaccuracies contained in the existing text of Local Commercial Policy 7.4.6 of the Official Plan and replace it with language designed to facilitate the establishment of the neighbourhood commercial development intended within the area designated Local Commercial on Schedule C-3, West Bolton Secondary Plan, of the Official Plan.

The Amendment will delete the existing Policy 7.4.6 and replace it with a new Policy 7.4.6. Whereas the neighbourhood commercial objectives of the old Policy will be maintained, the new Policy will provide clearer direction as to the scale, form and function of the intended development. The Amendment does not change the location, configuration or size of the area shown as Local Commercial on Schedule C-3, West Bolton Secondary Plan, of the Official Plan.

Location:

The Amendment applies to the area designated Local Commercial at the northwest corner of Harvest Moon Drive and Coleraine Drive, Bolton as shown on Schedule C-3, West Bolton Secondary Plan, of the Official Plan. The area designated Local Commercial contains two properties within Part of the East Half of Lot 9, Concession 5 (Albion), municipally known as 13656 and 13668 Coleraine Drive, respectively.

Basis:

The basis for the Amendment is contained in Planning and Development Report 2009-048, as adopted by Council on June 9, 2009. Further background information is contained in Planning and Development Report 2008-081, as adopted by Council on December 9, 2008 which sought the permission of Council to proceed with a Town-initiated Official Plan amendment to address the inaccuracies contained in Local Commercial Policy 7.4.6 of the Official Plan.

Report PD-2009-048 indicates that the Local Commercial designation at the northwest corner of Harvest Moon Drive and Coleraine Drive is actually 0.86 ha in size, not the 0.5 ha referred to in the original Policy 7.4.6. The original Policy limits the amount of commercial floor space that can be developed within the Local Commercial designation to 1,300 m² (14,000 ft²). However, this is based on an assumed development area of 0.5 ha (1.2 ac). As the size of the Local Commercial area is actually 0.86 ha (2.12 ac), a proportional increase in the amount of floor space that can be developed is considered reasonable. This would allow the development of approximately 2,228 m² (23,975 ft²) of floor space. The Town's primary economic consultant for the Commercial Land Needs component of the South Albion-Bolton Community Plan advised that neighbourhood commercial development on that scale in this location would not have a negative impact on Bolton's established commercial structure or planned function.

The size of the Local Commercial area and the commercial floor area that may be developed within it is not specified in the new Policy 7.4.6. The intent here is to avoid repeating the difficulties encountered by previous development applications in this location which failed due to the precise and inaccurate specifications contained in the previous Policy. Instead, the new Policy 7.4.6 simply refers to a Local Commercial area at the northwest quadrant of Harvest Moon Drive and Coleraine Drive. Similarly, the new Policy indicates that the total commercial floor space that may be developed is to be determined by the applicable zoning provisions in effect rather than specifying a precise developable floor area.

Previous Policy 7.4.6 limited the maximum floor area for any one retail store to 465 m² (5,000 ft²). This provision is carried over in the new Policy 7.4.6 to encourage a variety of retail uses.

The new Policy 7.4.6 contains an added provision limiting building height within the Local Commercial area to two storeys. This is intended to indicate that while two storey development is permissible, subject to compliance with all other applicable zoning provisions, building height must be consistent and compatible with immediately adjacent residential development.

Previous Policy 7.4.6 did not acknowledge that there are two properties contained within the Local Commercial designation nor that there should be a proportional distribution of developable floor space between them. This omission has been corrected in the new Policy 7.4.6 where it is explicitly stated that the total developable floor area within the Local Commercial designation shall be distributed proportionately between the two properties based on their respective sizes.

In order that neighbourhood commercial development of the two properties within the Local Commercial area can function efficiently as a whole, reciprocal access easements between and across both properties will be required for access to Harvest Moon Drive. This requirement is specified in the new Policy 7.4.6.

Neighbourhood commercial development within the Local Commercial area will be subject to Site Plan Control and the design principles of Section 7.4.4, as currently set out in existing Policy 7.4.6. Similarly, the previous requirement for enhanced landscaping in this location is reflected in the new Policy 7.4.6.

PART B – THE AMENDMENT

This part of the document entitled “Part B – The Amendment” and consisting of the following text constitutes Amendment No. 220 to the Town of Caledon Official Plan.

Details of the Amendment

The Town of Caledon Official Plan is amended as follows:

1. Section 7.4.6 is hereby deleted and replaced with the following:

7.4.6 Local Commercial

The northwest quadrant of the Harvest Moon Drive – Coleraine Drive intersection is designated for Local Commercial use and its design shall be co-ordinated and integrated with the adjacent High Density Residential designation as a community design focal point. The total neighbourhood commercial floor space available for development within the Local Commercial designation shall be determined by the applicable zoning provisions in effect and shall be distributed proportionately between the two properties contained within this designation based on their respective sizes.

The maximum building height shall be no more than two storeys.

The maximum gross floor area permitted for any one retail store shall not exceed 465 m² (5,000 ft²).

Site Plan Control and the design principles contained in Section 7.4.4 shall apply to this area. In recognition of the importance of the Harvest Moon Drive – Coleraine Drive intersection as a gateway to the residential neighbourhood beyond, development within the Local Commercial area shall incorporate a high standard of urban design. Enhanced landscaping shall be provided consistent with the provisions of the Town’s Comprehensive Zoning By-law and the Town’s Industrial/Commercial Design Guidelines.

Reciprocal access easements between and across the properties contained within the Local Commercial area shall be secured through the Site Plan approval process to ensure that their commercial development functions efficiently as an integrated whole and to ensure that access to Harvest Moon Drive is available to the northerly of the two properties in this location.

Implementation and Interpretation

The implementation and interpretation of this amendment shall be in accordance with the policies of the Town of Caledon Official Plan.