

**TOWN OF CALEDON
PLANNING
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October 29, 2020

PLANNING JUSTIFICATION REPORT

ZONING BY-LAW AMENDMENT (Minor)

**TO PERMIT A RANGE OF CHB
CHB SITE SPECIFIC
SPECIAL SECTION**

12476 HIGHWAY 50, THE TOWN OF CALEDON, ONTARIO

OWNER: BVD Bolton Hospitality Inc.

**Prepared for:
Planning and Building Department
THE TOWN OF CALEDON**

**Prepared by:
Deanlee Management Inc.
c/o 6537 Cedar Rapids Crescent, Mississauga, ON L5N 7P5**

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1.0 Introduction

Deanlee Management Inc. (DMI) has been retained by BVD Bolton Hospitality Inc. to provide a planning justification report in support of a Site Plan Application (SPA) and minor Zoning By-law Amendment Application (ZBL). The proposed development of the property, located at 12476 Highway 50, Town of Caledon, Ontario, is for a five storey hotel and associated parking area, while allowing the existing use of the Retail Fuel Outlet (Gas Station) and associated convenience store.

2.0 The Subject Lands

The following provides an overview of the subject lands and their physical context within the surrounding neighbourhood.

2.1 Physical Description

The subject property is located at 12476 Highway 50, on a rectangular shaped lot, on the southwest corner of the Highway 50 and George Bolton Parkway intersection. The property is approximately 10,517 m² (1.05 hectares) in size. The subject property consists of one building; Retail Fuel Outlet and its associated convenience store in the southeast corner of the property, along with vacant unoccupied land in the remaining portions of the property.

2.2 Adjacent Uses

Bolton Land Use Plan

The property is located in a Highway Commercial/Prestige Industrial area, bound as follows: Robinson Creek to the north, George Bolton Parkway to the south, an existing Industrial development to the west and an existing Retail Fuel Outlet and Highway 50 to the east.

2.3 Existing Use

The site retains the one building, the Retail Fuel Outlet and associated convenience store in the southeast corner of the property.

3.0 Planning Proposal

It is proposed that the subject lands be developed in order to permit a range of Bolton Highway Commercial uses and to incorporate site specific setbacks for the legal non-conforming existing uses Retail Fuel Outlet, more specifically a proposed five storey hotel, and existing Retail Fuel Outlet and associated convenience store.

3.1 Existing Official Plan Policies

Highway Commercial areas within Industrial/Commercial centres provides for a wide range of service opportunities for the travelling public. Section 5.4.5.1 of The Town of Caledon Official Plan indicates such areas shall be located at key points along major highways and arterial roads for accessibility and visibility. Highway Commercial uses include tourist accommodation and automotive.

The intent of the Minor Zoning By-law Amendment is to bring into conformity, the portion of the lands that are nonconforming to the Highway Commercial Official Plan policies, and to allow for additional height to a proposed hotel, which can be achieved this through a Site Specific - Special Section Minor Zoning By-law Amendment.

5.4.5.2 Highway Commercial uses shall be permitted in the Bolton Highway 50 Commercial area on Bolton Land Use Zone Map-01a.

Part of the subject lands are designated Prestige Industrial. Uses will be located within closed buildings with no outside storage and uses shall be encouraged to occupy prominent locations along major roads and highways. Section 5.5.4 of The Town of Caledon Official Plan.

3.2 Existing Zoning

Bolton Land Use Zone Map-01a

The Town of Caledon Zoning By-Law 2006-50 currently designates the subjected lands as zoned CHB Highway Commercial Bolton which recognizes the vacant lands and the Retail Fuel Outlet and permits both the Retail Fuel Outlet and the proposed hotel use.

The application proposes to amend the Zoning By-Law 2006-50 for the subject lands to CHB Site Specific – Special Section in compliance with the Highway Commercial and Prestige Industrial designations of the Official Plan.

The intent of the Minor Zoning By-Law Amendment is to: identify and permit specific CHB uses; identify and exclude CHB uses, to allow special consideration for an additional two storeys of height on the hotel, and to allow a reduction in the zoning landscape buffer setbacks and minimum parking spaces, setback from any street line associated with the Retail Fuel Outlet and associated convenience store.

The definition of Hotel in the Zoning By-law 2006-50 means a premises in which temporary lodging or sleeping accommodation are provided to the public and may include accessory services such as restaurants, meeting facilities, recreation facilities, convention, banquet facilities and staff accommodations.

The proposed CHB Site Specific - Special Section will permit a range Highway Commercial and Prestige Industrial uses; hotel, retail store accessory and Retail Fuel Outlet and associated convenience store, various other motor vehicle establishments and repair facilities.

The proposal will exclude uses such as animal hospital, business office, drive-through service, factory outlet, farmers market, fitness centre (unless accessory within the hotel), industrial use, place of religious assembly, commercial parking lot, open storage area accessory, place of entertainment, private club, restaurant, warehouse.

3.4 Site Plan Concept

The lands that are designated Prestige Industrial recognizes emerging trends of providing space for a variety of businesses while achieving a high-quality business image. Prestige uses will be located within closed building, no outside storage and uses will be encouraged to occupy prominent locations along major roads and highways. They shall be developed on full regional piped water and sewer services. Section 5.5.4. Prestige Industrial.

Building and Site Plan evaluations are being included with the development application. The building evaluations will be reviewed further through the Site Plan Approval process.

The proposed development includes:

- Hotel with total GFA 6098.4m²

- 119 guest rooms in the hotel

Antrix Architects Inc. prepared the Site Plan, Zoning information and parking calculations for the proposed hotel and existing Retail Fuel Outlet. The proposed buildings, structures and site layout have been designed in compliance with the provisions of the CHB zoning; permitted uses and regulations except:

a) Zoning Regulations; Max Building Height & Landscape Buffer Exemptions

The maximum building height is 10.5m in a CHB Zoning designation. The proposal is requesting an increase of maximum building height to be 20.3m (to allow an additional two storeys).

The proposal is requesting to allow a technical exemption from the required minimum exterior side yard (George Bolton Parkway) of 18.0m, proposing 3.0m. already existing for the Retail Fuel Outlet.

The proposal will also require a technical exemption from the required minimum planting strip width of 6.0m, proposing 3.0m already existing for the Retail Fuel Outlet.

The proposal will also require a technical exemption from the required 6.0m for minimum parking spaces from any street line, proposing 3.0m already existing for the Retail Fuel Outlet.

Parking required for all uses complies to the appropriate parking standards.

4.0 Technical Studies

- 4.1 Traffic Impact Study (Terms of Reference with Region of Peel)**
- 4.2 Noise Study**
- 4.3 Storm Water Management Report & Functional Servicing Report**
- 4.4 Environment Impact Study (TRCA Requirements)**
- 4.5 Phase Two Environment Site Assessment**
- 4.6 Urban Design Brief**
- 4.7 Landscaping Plan/Planting List**

4.1 Traffic Impact Study (Terms of Reference with Region of Peel)

C.F. Crozier & Associates Inc. (Crozier) was retained by BVD Petroleum Inc. to undertake a Traffic Impact Study in support of a Site Plan Application for the proposed development addition to the site located at 12476 Highway 50, Bolton, Town of Caledon. The study was completed in accordance with the procedures set out in the Region of Peel Traffic Impact (TIS) Study guideline.

The site plan proposes the addition of a five storey hotel, with the existing 8-pump Retail Fuel Outlet and convenience store located on the southeast corner to remain. A combined total of 124 parking spaces are proposed at grade, 119 spaces for the hotel and five existing spaces for the Retail Fuel Outlet. The existing full moves access and right-in only access will remain to serve the entire site, no additional accesses are proposed. The proposed hotel is projected to add a total of 52 and 67 two-way trips, to the boundary road network during the weekday a.m. and p.m. peak hours, respectively.

The existing full moves access at George Bolton Parkway and the right-in only access at Highway 50 are expected to continue to serve the site effectively, without safety issues related to sightlines, corner clearances, access conflicts, access blocking or transit operational conflicts.

The traffic generated from the proposed hotel at 12476 Highway 50, Town of Caledon will not materially impact the operations of the boundary road network. The Site Plan Application can be supported from a

traffic operations perspective as the boundary road system can accommodate the increase in traffic volumes attributable to the proposed development.

4.2. Noise Study

SLR Consulting (Canada) Ltd., including Novus Environmental Inc. (SLR-Novus), conducted an Environmental Noise Assessment for the proposed Marriott Hotel located at 12476 Highway 50 in Bolton, Town of Caledon, Ontario.

The potential for noise impacts on and from the proposed development have been assessed. Impacts of the environment on the development, the development on the surrounding area and the development on itself have been considered. An assessment of transportation noise impacts from surrounding roadways has been completed. As outlined in Section 2.5, Ontario Building Code (OBC) building components are anticipated to be sufficient for all the guestrooms in the development, in order to meet the MECP Publication NPC-300 Building Component Requirements and the Marriot Brand Standards for acoustic control. As outlined in Section 2.6, Forced air heating with provisions for future installation of central air conditioning, and a Type C warning is recommended for all the guestrooms in the development. As the proposed hotel is expected to include air conditioning for all guest suites, this condition is considered to be met. Sealed windows are to be incorporated for all noise sensitive spaces, which is an acceptable noise control measure for a noise sensitive commercial use under MECP NPC-300. As no significant stationary noise was observed by SLR-Novus personnel, windows meeting minimum OBC requirements will be adequate to ensure an acceptable indoor acoustical environment. No additional noise mitigation is required for the proposed development or the surrounding industry and commercial properties. Impacts of the environment on the proposed development can be adequately controlled without additional noise control measures. Impacts of the proposed development on the surrounding area are not anticipated to be a concern and can be adequately controlled by following the design guidance outlined in Part 2 of the noise report. Impacts of the proposed development on itself are not anticipated to be concern and can be adequately controlled by following the design guidance outlined in Part 3 of the report.

4.3 Storm Water Management Report and Functional Servicing Report

Flora Designs Inc. has prepared a Site Servicing and Stormwater Management Report in support for the proposed development addition of five storey hotel development in accordance with the Engineering Design Standards provided by the Town of Caledon, the Region of Peel, and MOE Stormwater Management Planning and Design Manual 2003 (SWMPD).

4.4 Environment Impact Study (TRCA)

Azimuth Environmental Consulting, Inc. (Azimuth) was retained by Crozier to complete an Environmental Impact Study (EIS) pertaining to the proposed development of the property at 12476 Highway 50, Town of Caledon. The Toronto and Region Conservation Authority (TRCA) indicated an EIS would be required to evaluate direct and indirect impacts to natural heritage features and functions (NHFFs) on and/or adjacent to the property. The property is located within the Regulation Area of the TRCA.

The proposed development results in no negative direct or indirect impacts to natural features or their ecological functions (Sections 2.1.4 and 2.1.5), including impacts to fish and fish habitat (Section 2.1.6),

and can be achieved with no impact to habitat of END or THR species (Section 2.1.7). Development can be achieved with no impacts to adjacent natural heritage features (Section 2.1.8).

The proposed development can be constructed without impacting individuals or habitat of END or THR Ontario species.

The development plan does not propose encroachment into the 15m TRCA watercourse easement buffer. The project is not anticipated to result in a HADD, providing mitigation for property disturbances and ESCs, as well as water quantity/quality protection provisions for runoff, are implemented.

Section 7.1.9.29 The proposed development will require rehabilitation plantings installed within the available 30m watercourse vegetation buffer to the satisfaction of the Town of Caledon and TRCA.

The proposed development can be achieved with no negative impacts to NHFFs on the property, adjacent lands or on Robinson Creek, providing recommendations for mitigation and habitat rehabilitation are included in the proposal for development. Consultation and approvals may be required from the TRCA for works that occur in or near TRCA-regulated lands.

4.5 Phase Two Environment Site Assessment

A & A Environmental Consultants Inc. conducted a Phase II Environmental Site Assessment (ESA), which documents existing site conditions. The assessment was performed in compliance with Canadian Standard CSA Z-769-00 (R2018) with results of analysis compared to the standards outlined in Part XV.1 of the Environmental Protection Act. The recommendations from the Report indicate that no additional Environmental Site Assessment is recommended for 12476 Highway 50 at this time. A&A however recommends that all monitoring wells should be maintained in accordance with the provisions of Ontario Regulation 903 including particular attention to ensuring surface casings are properly sealed and protected from damage due to winter maintenance.

4.6 Urban Design Brief

The proposal is supported by a detailed Urban Design Brief that addresses the design principles and guidelines the proposed development. According to the brief the proposed development is designated as Highway Commercial Prestige Industrial and is located in a priority location. It will enhance the appearance of George Bolton Parkway and the Highway 50 intersection through attractive architecture and continuous front yard landscape. The hotel entrance is visible from the street. The core design considerations of the site and building are to provide a high-profile architectural design for the proposed hotel, while enhancing the streetscape quality of George Bolton Parkway.

As part of the multidisciplinary submission of the Town of Caledon, this Urban Design Brief indicates how the proposal is consistent with the relevant regulatory land use and urban design framework and addresses the applicable industrial/commercial design guidelines.

4.7 Landscaping Plan

Crozier prepared a landscaping plan in support of the proposed developed. Details of the plant list are provided in the drawings LD01-02-LD1.

5.0 Planning Justification

5.1 The Town of Caledon Official Plan Policies

The proposal for a Minor Zoning By-law Amendment will allow the subject lands to be brought into conformity with the Caledon Official Plan Policies for Highway Commercial and Prestige Industrial and land use permissions for CHB.

The proposal achieves several of the Industrial General Design Policy objectives in the Official Plan Subsection 5.5.7 which promotes to achieve a high standard of building design, landscape and streetscape through the following attributes and in conjunction with a site plan approval. Section 5.5.7.1 (a) Buildings and streetscapes in the industrial areas will be designed to provide for quality settings through the treatment of features, forms, massing, scale, site layout orientation, landscaping, ingress and egress (b) Innovative building forms.

The proposed hotel concept plan provides for an upgraded façade facing George Bolton Parkway. The building exterior materials are enhanced and visually appealing from all roadway viewpoints meeting the design guidelines and site plan requirements. There is a landscaping buffer provided fronting the property boundary to George Bolton Parkway. The front elevation of the hotel will be of an upgraded form, with regards to detail and design. Access to the front of the hotel is introduced by a one-way sweeping drop off and pick up driveway under a canopy. Provisions have been made for accessible parking spaces that comply with the Zoning By-law. There are also ample parking facilities to meet the demands of the five storey, 119 room hotel. Access into and out of the property is being maintained by the existing driveway of the abutting Retail Fuel Outlet. There is a landscaping buffer surrounding the perimeter of the subject lands.

The proposal achieves the Highway Commercial initiatives Section 5.4.5.1 that provides for a wide range of service opportunities for the travelling public. Such areas shall be located at key points along major highway/arterials for accessibility and visibility. Highway Commercial uses shall include tourist accommodation. The General Design Policies guidelines within Highway Commercial Section 5.4.9 (b) the development shall have, whenever possible, consolidated access/egress on the site and with adjacent developments and also integrated parking vehicular/pedestrian circulation.

The subject lands are appropriately positioned to facilitate the development of the hotel and maintain the function of the existing Retail Fuel Outlet.

6.0 Conclusion

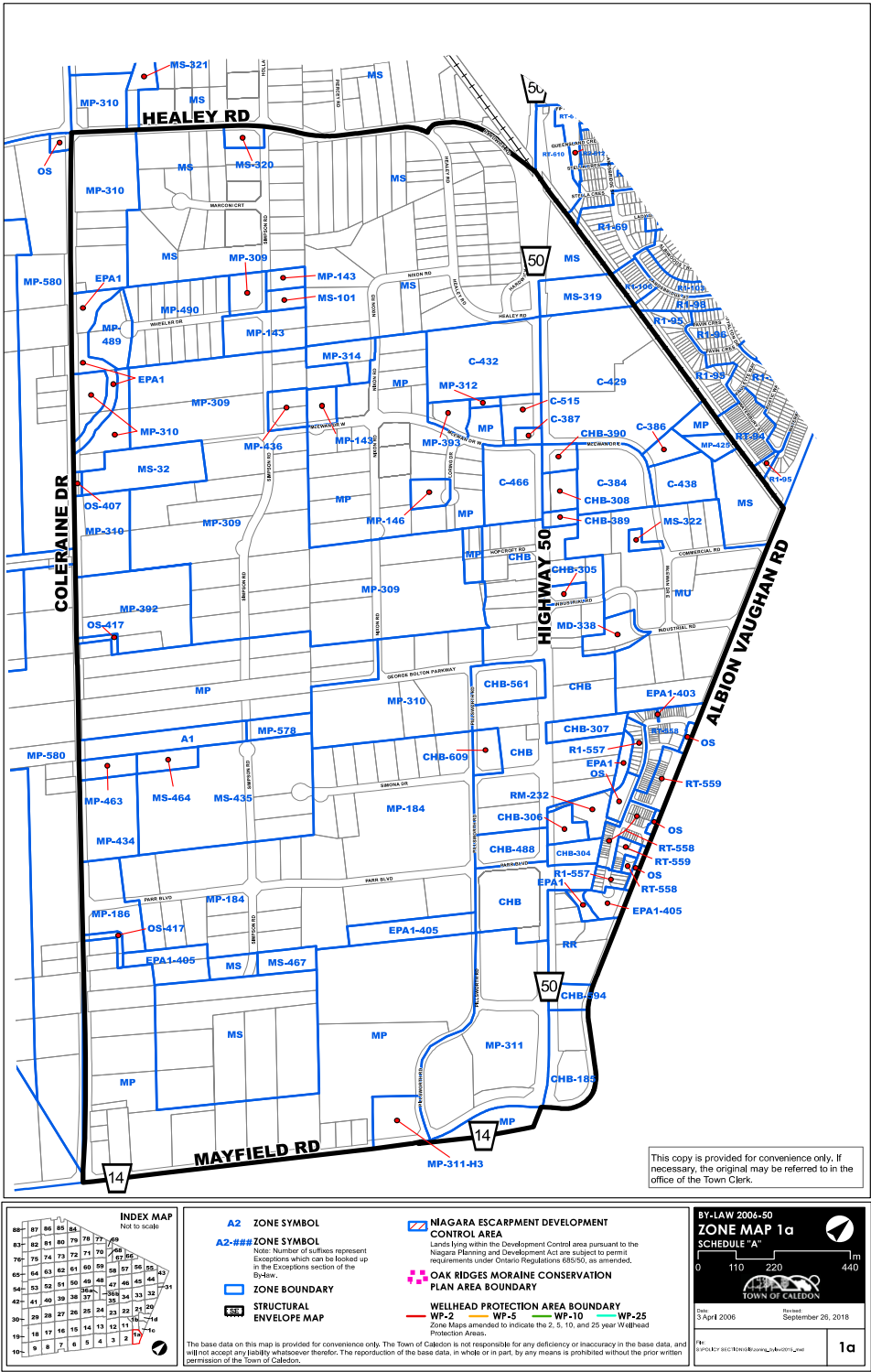
The proposal:

- Is in conformity with the Highway Commercial and Prestige Industrial designation in the Policies of the Caledon Official Plan.
- Provides appropriate development opportunities, which are compatible with the surrounding neighbourhood developments.
- The CHB Site Specific - Special Section proposal allows for a variety of Highway Commercial and Prestige Industrial uses while eliminating non-compatible uses.
- The site is serviced by transit routes, Highway 50 and George Bolton Parkway.

- The site is conveniently accessed by an existing entrance abutting a Retail Fuel Outlet from George Bolton Parkway.
- Engineering infrastructure is available to serve the proposed development without a major upgrade.

7.0 Appendices

7.1 S-1 Bolton Land Use Map 1a



7.2



7.3 Draft Zoning By-Law

THE CORPORATION OF THE TOWN OF CALEDON

BY-LAW NUMBER _____

A By-law to amend By-law Number 2006-50, as amended.

Whereas pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, the council of a local municipality may pass a zoning by-law:

NOW THEREFORE the Council of the Corporation of the Town of Caledon ENACTS as follows:

1. By-law Number 2006-50, as amended, being a Town of Caledon Zoning By-law is amended by adding CHB Special Section XXX as detailed below:

XXX Notwithstanding their CHB Site Specific – Special Section will permit a range Highway Commercial and Prestige Industrial uses; hotel, retail store accessory and Retail Fuel Outlet (Gas Station) and associated convenience store, various other motor vehicle establishments and repair facilities.

Notwithstanding their CHB Site Specific – Special Section will excluded uses such as; animal hospital, business office, drive-through service, factory outlet, farmers market, fitness centre (unless accessory within the hotel), industrial use, place of religious assembly, commercial parking lot, open storage area accessory, place of entertainment, private club, restaurant, warehouse.

An increase of maximum building height to be 20.3 m (additional 2 storeys).

Technical exemption from the required minimum exterior side yard (George Bolton Parkway) of 18.0 m, proposing 3.0 m. already existing for the Retail Fuel Outlet (Gas Station).

Technical exemption from the required minimum planting strip width of 6.0 m, proposing 3.0 m already existing for the Retail Fuel Outlet (Gas Station).

Technical exemption from the required 6.0 m for minimum parking spaces from any street line proposing 3.0 m already existing for the Retail Fuel Outlet (Gas Station).

Motor vehicle parking spaces shall be provided and maintained on the site for the designated uses, in compliance with the current standards.

Map - Schedule "D" to By-law 2006-50, is amended by changing thereon from "CHB" to "CHB Special Section XXX", the zoning of Range described as _____, in the Town of Caledon, PROVIDED HOWEVER THAT the above noted zoning shall only apply to the lands shown attached Schedule "D".

ENACTED and PASSED this _____ day of _____, 2020.

Mayor

Clerk

7.4 Site Plan



7.5 Land Use Map Identifying Special CHB-xxx section Schedule D

