

# **Planning Justification Report**

## **Official Plan Amendment**

## **Zoning By-law Amendment**

## **Site Plan Application**

**Proposed Day Nursery Facility**  
**15867 Airport Road,**  
**Town of Caledon**

**Date: January 9, 2024**  
**Prepared for:**  
**Ruksana Asghar ( the “Owner”)**

**Prepared by:**  
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## 1. Introduction

Fas Consultants has been retained Ms. Rukhsana Asghar (the “Owner”) to prepare the Planning Justification Report for the rezoning and plan amendment application for 15867 Airport Road, Caledon.

The subject property is located within Caledon East Neighbourhood, designated as “Special Use Area” in the Official Plan and zoned as Rural Residential.

The property is approximately 1907.72 sq.m area with the lot frontage of 28.55m to Airport Road. The Site is currently uses for residential purposes and consist of two storey single detached and a detached garage.

A PARC meeting was held to discuss the requirements of a complete application for the official plan amendment and rezoning. A Planning Justification Report was identified as a requirement of a complete application.

The purpose of this Planning Justification Report is to provide:

- A description of the Site and its context;
- An overview of the relevant planning policy and regulations that affect the Proposed Application, including Provincial, Regional and City policies, regulations and guidelines;
- Address adequate parking and compatibility with the surrounding land uses;
- Demonstrate that there are no adverse impacts to the existing land uses that surround the subject property;
- A planning opinion and justification for the Proposed Application.

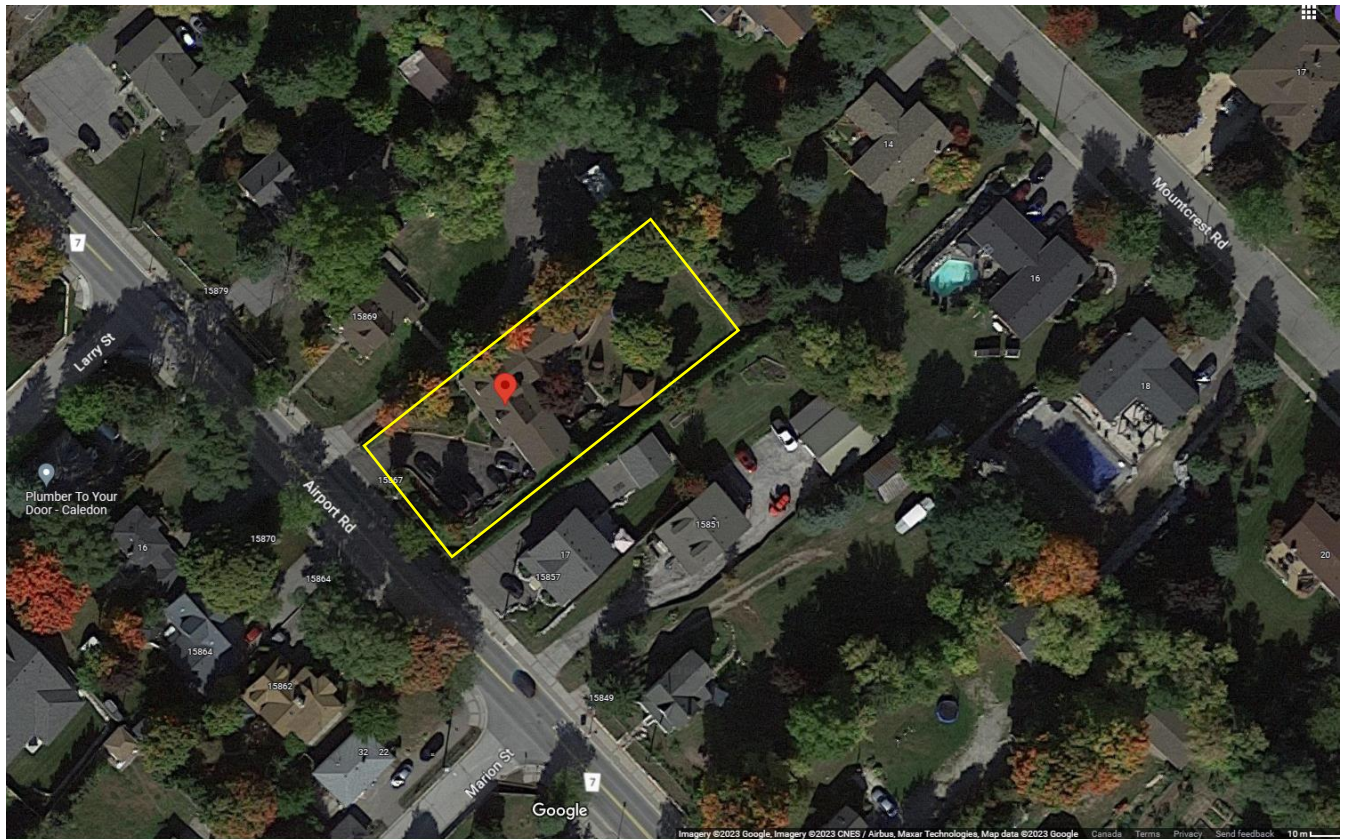
## 2. Site Description

The subject property is located at east of Airport Road, municipally known as 15867 Airport Road, Caledon, as shown on the location map below.

The property is approximately 1907.72 sq.m area with the lot frontage of 28.55m to Airport Road.

The subject property is situated within Caledon East neighbourhood. Surrounding land uses are primarily residential, commercial, and institutional uses.

The subject property consists of two storey dwelling and a detached garage.



### **3- PROPOSED OFFICIAL PLAN AMENDMENT, SITE SPECIFIC ZONING BY-LAW AMENDMENT, AND SITE PLAN**

#### **3.1 Proposed Official Plan Amendment**

The proposed development is to convert the existing two storey dwelling into Day Nursery facility, as shown in the attached Site Plan with this Planning Justification Brief.

The property is approximately 1907.72 sq.m with the lot frontage of 28.55m to Airport Road.

As per Schedule-D of the Official Plan, the subject property is designated as Special Use Area. Policy 7.7.8.2 of the Official Plan states that uses permitted within the Special Use Areas designation shall be a limited range of commercial uses and limited residential uses.

7.7.8.4 – Special Use Area B: of the Official Plan states that further changes in land use will not be permitted until a study is completed to determine the suitability if this area to evolve as a mixed commercial/residential district. The study will identify appropriate criteria for permitted commercial uses, including access and parking provisions and compatibility with adjacent residential uses.

The Official Plan Amendment is required from Special Use Area to Institutional Use which allow Day Nursery facility.

#### **3.2 Proposed Zoning By-law Amendment and Site Plan**

The subject property is zoned as Rural Residential - RR, primarily permit single detached dwelling and other uses including Daycare which defined as the use of dwelling unit for temporary care of five or fewer children.

The subject property is proposed to be converted from existing two storey dwelling to primarily Day Nursery, which defined in the Day Nursery Act as *“a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours.”*

The current zoning does not allow the proposed Day Nursery. A Zoning By-law amendment is required to rezone the subject property from Rural Residential to Institutional Zone.

Providing the Official Plan Amendment and Zoning Bylaw Amendment Application is approved, a Site Plan Application will be submitted.

As shown on the proposed Site Plan and attached Floor Plan, the proposed Day Nursery consist of two storey. The majority of the site will remain unchanged.

The ground floor of the proposed Day Nursery is proposed to be admin office, two toddler rooms, lunchroom, washroom, laundry, and storage facility. The remaining property is proposed to be outdoor play area and landscaped.

The second floor is proposed to be Room 3/preschool with existing washroom.

As shown on the Site Plan below, a total of 11 parking spaces are proposed, including existing 2 car garage, and 8 parking spaces are proposed in the parking lot for Staff and pick up drop off services for Childrens, 1 accessible parking, and 1 delivery space. A total of five staff is anticipated for the proposed Day Nursery facility.



**1** SITE PLAN  
1/32"=1'-0"

### **3.3 Integration of the Proposed Development with Surrounding Land Uses and properties**

The surrounding land uses are primarily residential, commercial, and institutional in nature. As shown on the Schedule 'D' of the Town's Official Plan, within 100m of the subject property, a land designated as Institutional use.

The proposed conversion of the existing residential dwelling to a Day Nursery facility will contribute to the mixed land uses in the community.

The Day Nursery use provides services for children and their families to meet residents' needs, in a location that can be conveniently accessed by the surrounding community.

### **3.4 Traffic Impact and Adequate Parking**

The proposed Day Nursery Facility comprises an existing home with a building area of 1,850 ft<sup>2</sup> (172 m<sup>2</sup>) that will accommodate approximately 28 students with the help of five (5) staff members. The proposed Day Nursery Facility will provide ten (10) parking spaces.

As per the Town of Caledon's Comprehensive Zoning By-Law 2006-50, the minimum parking rate for a day nursery is "1 parking space per staff member + 1 parking space per 30 m<sup>2</sup> of net floor area or portion thereof". Therefore, the proposed Day Nursery Facility will require 11 parking spaces; resulting in a deficiency of one (1) parking space.

Traffic Impact and Parking Study, prepared by Candevcon Group, Inc, dated December 18, 2023, concluded that in the parking utilization survey, a peak parking demand of seven (7) parking spaces was observed; resulting in a parking rate of 0.12 parking spaces per student and 1.14 parking spaces per staff member.

Therefore, with 28 students and five (5) staff members, using the parking rates observed in the parking utilization survey, the demand for the proposed Day Nursery Facility is anticipated to be four (4) parking spaces when considering the number of students and six (6) parking spaces when considering the number of staff members.

Under the worst-case scenario, the proposed Day Nursery Facility will have a surplus of three (3) parking spaces.

The proposed development will not create any negative impact on the traffic flow.

### **3.5 Noise Impact**

A Noise Impact brief was conducted by Candevcon Group, Inc. dated December 18, 2023. The study concluded that the proposed Day Nursery Facility is not situated near railways or major industrial facilities and is therefore not affected by rail or industrial noise sources. In addition, the proposed Day Nursery Facility is well outside the NEF 25 contours (the lowest threshold of Noise Exposure Forecast) from the Brampton Flight Center and the Lester B. Pearson International Airport.

Therefore, there are no specific noise concerns or requirements in relation to the attenuation of aircraft noise. The principal noise source impacting the proposed Day Nursery Facility is the vehicular traffic on Airport Road to the west. Given the large separation distance (approximately 450 metres) and the protection provided by the existing buildings and trees, the impacts from the vehicular traffic on Old Church Road to the north will be minimal.

## **4 LEGAL FRAMEWORK**

### **4.1 Provincial Policy Statement (PPS) 2022**

The following PPS policies support the proposed Day Nursery facility:

1.3.1 (a) Planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs.

One of the key themes of the PPS is building strong, healthy communities and achieving efficient and resilient development patterns. Section 1.1.1 of the PPS provides that healthy, liveable and safe communities are sustained by:

- promoting efficient development and land use patterns;
- accommodating institutional uses;
- avoiding development which may cause environmental or public health and safety concerns;
- avoiding development and land use patterns that would prevent the efficient expansion of settlement areas; and
- promoting cost effective development patterns to minimize land consumption and servicing costs.

The proposal to convert the existing residential to Day Nursery facility within the community is consistent with the PPS, and the reuse of an existing building, with existing services, represents both an efficient use of land and infrastructure.

Section 1.1.3.1 of the PPS states that Settlement Areas shall be the focus of growth and development, and that their vitality and regeneration shall be promoted. The proposed Day Nursery is located within the Settlement Area of the Town of Caledon. Accommodating the Day Nursery use within a Settlement Area is consistent with the PPS.



Section 1.6 of the PPS provides policy direction for the development of new public infrastructure, and identifies that the use of existing infrastructure and public service facilities should be optimized and opportunities for adaptive re-use should be considered, wherever feasible.

The subject lands and the existing building are already connected to services. No new buildings are proposed. The existing building is proposed to be converted from residential to a Day Nursery facility. The existing building and existing services, including municipal services, the road and access.

#### **4.2 Regional Official Plan**

As shown on Schedule E-1 Regional Structure and Schedule E-2 Strategic Growth Plan, the subject property is identified within the Caledon East Settlement Area and designated as Urban System. Policy 2.11.13 (d) Land Use Designation states that Settlement Areas are intended to focus and contain urban growth. In Peel, the only Settlement Areas is the urban Settlement of Caledon East.

#### **4.3 Town of Caledon Official Plan**

The Official Plan Amendment is proposed from Special Use Area to Institutional to allow Day Nursery facility. The following Official Plan policies support the proposed development.

As per policy 5.6.2.1, the predominant use of land designated Institutional as per Schedule D, Caledon East Land Use Plan shall be for institutional purposes and shall include schools, hospitals, medical offices, government buildings, libraries, senior citizens homes, Day care centres, cemeteries and places of worship.

The property is located within Caledon East. Section 5 of the Official Plan states that Development within settlements will take place only within the designated boundaries including Caledon East.

As per policy 5.10.4.4.1, Caledon East has been designated as a Rural Service Centre and will serve as a focus for growth and service provision in the central part of the Town. Caledon East is also the administrative centre for the Town as a whole. In addition to the Town's administrative office, Caledon East is the location of major educational, recreational and commercial facilities.

In order for Caledon East to fully realize the Rural Service Centre function, an appropriate range of opportunities related to service provision, housing mix and employment are necessary.

The proposed conversion of the existing residential dwelling to a Day Nursery facility will contribute to the mixed land uses in the community.

The Day Nursery use provides services for children and their families to meet residents' needs, in a location that can be conveniently accessed by the surrounding community.

As shown on the Official Plan excerpt on the next page, the northern property to the subject property is also designated as Institutional.

Section 7.7.8.4 As per Schedule-D of the Official Plan, the subject property is designated as Special Use Area. Policy 7.7.8.2 of the Official Plan states that uses permitted within the Special Use Areas designation shall be a limited range of commercial uses and limited residential uses.

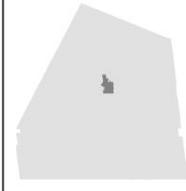
7.7.8.4 – Special Use Area B: of the Official Plan states that further changes in land use will not be permitted until a study is completed to determine the suitability if this area to evolve as a mixed commercial/residential district. The study will identify appropriate criteria for permitted commercial uses, including access and parking provisions and compatibility with adjacent residential uses.

A Noise Impact Brief and Traffic Impact Study and Parking Study conducted by Candevcon Group, Inc. (December 18, 2023) as a part of the complete application. The studies concluded that the proposed development will not create any negative impact to the surrounding uses and neighbouring properties.

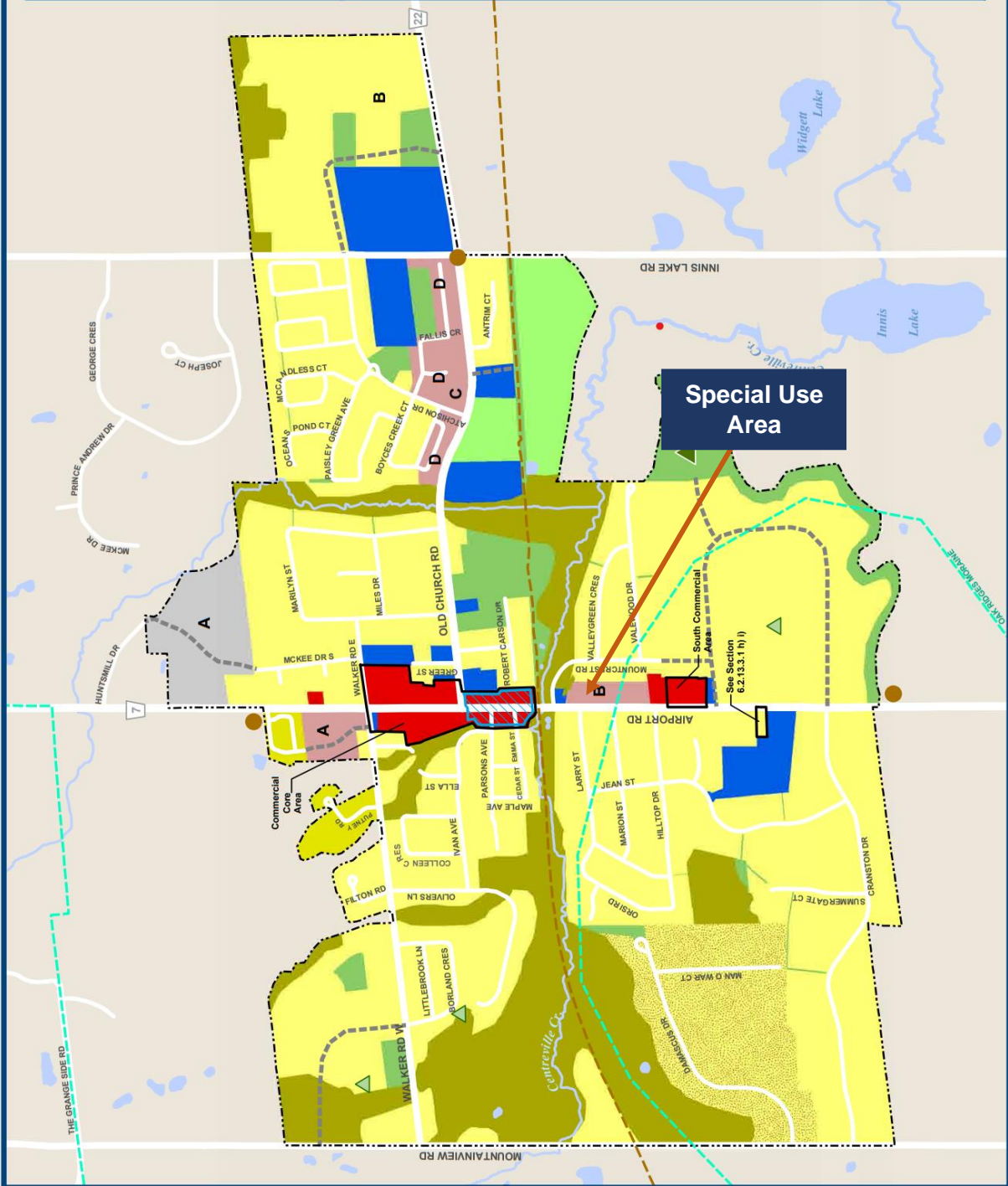


# Schedule D CALEDON EAST LAND USE PLAN

- Low Density Residential
- Medium Density Residential
- Special Residential
- Policy Area - Residential
- General Commercial
- Special Study Area
- Flood Potential Study Area
- Institutional
- Special Use Area
- Environmental Policy Area
- Open Space/Institutional Policy Area
- Open Space Policy Area
- Oak Ridges Moraine Conservation Plan Area
- 2021 Settlement Boundary
- Open Space Link
- Conceptual Vehicle Connection
- Caledon Railway
- Conceptual Parkette Location
- Conceptual Neighbourhood Park Location
- Gateway Feature
- Regional Road
- Local Road



Base Data Source: Town of Caledon



**Special Use Area**

See Section 6.2.13.3.1 (h)

South Commercial Area

Commercial Core Area

#### 4.4 Town Zoning By-law

The subject property is currently zoned as Rural Residential (RR), as shown on the zoning map excerpt below.

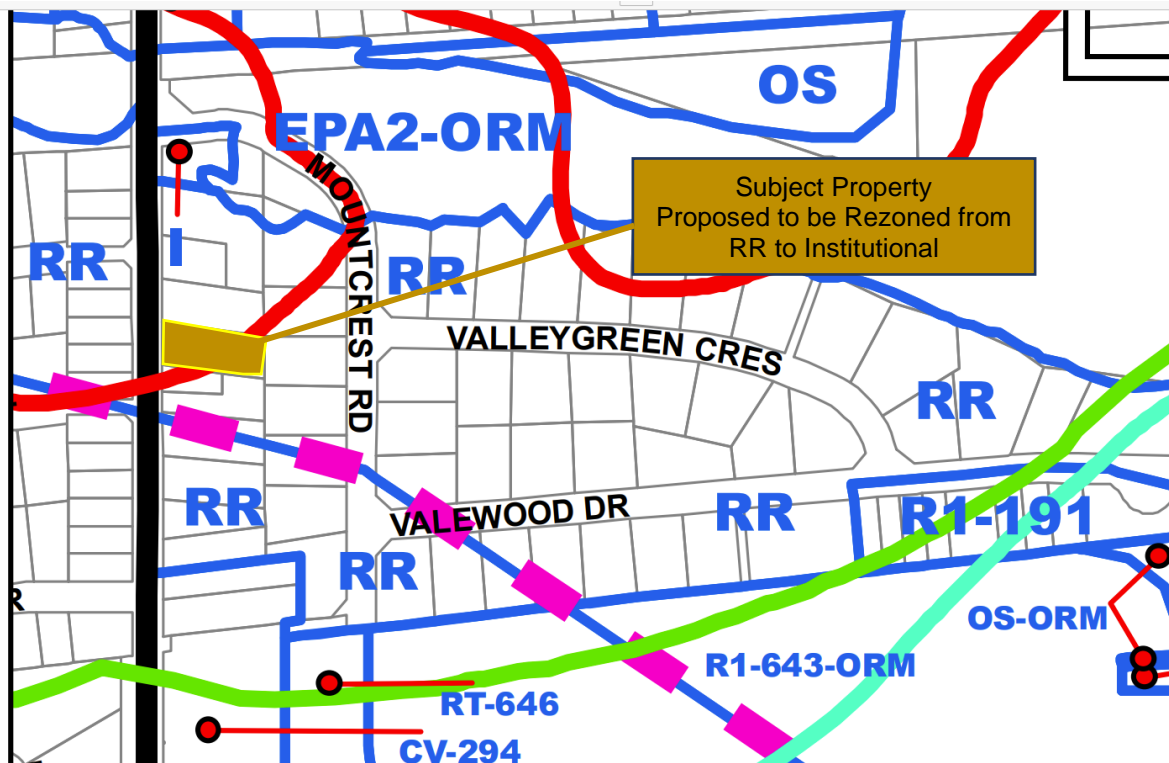
The RR zone permit Daycare, Private Home. Daycare defined in the zoning bylaw *“the use of a dwelling unit for the temporary care of five or fewer children who are under ten years of age, in exchange for reward or compensation and where such care is provided in a private residence, other than the home of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours.”*

The proposed development is to convert the existing residential unit to primarily Day Nursery. Day Nursery defined in the zoning bylaw as *“day nursery as defined in, and which is subject to the provisions of the Day Nurseries Act.”*

The Day Nurseries Act defined the proposed Day Nursery facility as *“a premises that receives more than five children who are not of common parentage, primarily for the purpose of providing temporary care, or guidance, or both temporary care and guidance, for a continuous period not exceeding twenty-four hours.”*

The subject property required rezoning from the Rural Residential to Institutional Zone, which permit the Day Nursery facility.

The Norther end of the block also zoned as Institutional Zone. Therefore, the proposed development will be compatible with the surrounding properties and land uses.



## 5. Conclusion

It is our understanding, the following key facts support the proposed Day Nursery facilities.

- The subject property is located within settlement area. PPS states the settlement area will be the focus of development. The proposed Day Nursery will contribute to meet the community needs in the area.
- The proposed Day Nursery will create an employment opportunity for the Town.
- The proposed alternation in the proposed Site Plan meets all the requirements for Day Nursery facility.
- The proposed development will not create any adverse impact and compatible with the surrounding uses.
- The proposed Day Nursery is in proximity to public amenities and facilities in the area such as school, foodland, community complex, park, etc.
- The proposed development will contribute to increase the tax collection for the City.
- Permitting a Day Nursery as a primary use will serve the needs of the surrounding residential uses in the area. The building will be converted to accommodate the new use and will remain compatible with surrounding uses.
- The proposed development will make use of existing infrastructure, including existing services, and the existing entrance/exit from Airport Road.
- The proposed development will provide much needed childcare spaces to support the community.
- The northern end of the block designated as institutional by Town Official Plan and also zoned as Institutional zone. The proposed Day Nursery facility will be compatible with surrounding Official Plan designations and land uses.
- A Noise Impact Brief and Traffic Impact Study and Parking Study conducted by Candevcon Group, Inc. (December 18, 2023) concluded that the proposed development will not create any negative impact to the surrounding uses and neighbouring properties.