



Regular Meeting Agenda
Planning & Development Committee
The Corporation of the City of Brampton

Date: Monday, December 7, 2020
Time: 7:00 p.m.
Location: Council Chambers - 4th Floor, City Hall - Webex Electronic Meeting

Members:

Mayor Patrick Brown (ex officio)	
Regional Councillor R. Santos	Wards 1 and 5
Regional Councillor P. Vicente	Wards 1 and 5
City Councillor D. Whillans	Wards 2 and 6
Regional Councillor M. Palleschi	Wards 2 and 6
City Councillor J. Bowman	Wards 3 and 4
Regional Councillor M. Medeiros	Wards 3 and 4
City Councillor C. Williams	Wards 7 and 8
Regional Councillor P. Fortini	Wards 7 and 8
City Councillor H. Singh	Wards 9 and 10
Regional Councillor G. Dhillon	Wards 9 and 10

NOTICE: In consideration of the current COVID-19 public health orders prohibiting large public gatherings and requiring physical distancing, in-person attendance at Council and Committee meetings will be limited to Members of Council and essential City staff.

As of September 16, 2020, limited public attendance at meetings will be permitted by pre-registration only (subject to occupancy limits). It is strongly recommended that all persons continue to observe meetings online or participate remotely. To register to attend a meeting in-person, please [complete this form](#).

For inquiries about this agenda, or to make arrangements for accessibility accommodations for persons attending (some advance notice may be required), please contact:
Shauna Danton, Legislative Coordinator, Telephone 905.874.2116, TTY 905.874.2130, or email cityclerksoffice@brampton.ca

1. Call to Order

2. Approval of Agenda

3. Declarations of Interest under the Municipal Conflict of Interest Act

4. Consent Motion

All items listed with a caret (^) are considered to be routine and non-controversial by Committee and will be approved by one resolution. There will be no separate discussion of these items unless a Council Member requests it in which case the item will be removed from the consent resolution and considered in its normal sequence on the agenda.

(7.7, 7.8, 7.9, 8.1, 11.1)

5. Statutory Public Meeting Reports

5.1. Staff report re: City-Initiated Supportive Housing Policy Review

Staff presentation by Mirella Palermo, Policy Planner, Planning, Building and Economic Development

5.2. Staff report re: Application to Amend the Official Plan and Zoning By-law (to permit a residential development with a total of 1089 dwelling units) - Great Gulf Homes - Scottish Heather Developments Inc. - Brampton G&H Holdings Inc. - File OZS-2020-0011

Location: West side of Mississauga Road, between Embleton Road and Lionhead Golf Club Road - Ward 6

Staff presentation by Rob Nykyforchyn, Development Planner, Planning, Building and Economic Development

See Item 6.1

- 5.3. Staff report re: Application to Amend the Zoning By-law and Draft Plan of Subdivision (to permit 5 single detached residential dwellings) - Gagnon Walker Domes Ltd. - Gurpreet Gill - File OZS-2020-0018

Location: 9058 Creditview Road - Ward 5

Staff presentation by Nitika Jagtiani, Development Planner, Planning, Building and Economic Development

See item 11.3

- 5.4. Staff report re: Application to Amend the Official Plan and Zoning By-law (to permit a 12-storey mixed-use building) - 2613497 Ontario Inc. - Evans Planning Inc. - File OZS-2020-0014

Location: 1107 and 1119 Queen Street West - Ward 4

Staff presentation by Nicholas Deibler, Development Planner, Planning, Building and Economic Development

See Item 11.2

6. Public Delegations (5 minutes maximum)

- 6.1. Delegations re: Application to Amend the Official Plan and Zoning By-law (to permit a residential development with a total of 1089 dwelling units) - Great Gulf Homes - Scottish Heather Developments Inc. - Brampton G&H Holdings Inc. - File OZS-2020-0011

1. Prashanth Panda and Karmbir Singh, Brampton residents

2. Shridhar Shah and Shilpa Shah, Brampton residents

3. Gloria Shan, Brampton resident

See Item 5.2

7. Staff Presentations and Planning Reports

- 7.1. Presentation by Andrew McNeil, Manager, Official Plan and Growth Management, Planning, Building and Economic Development, re: Brampton Plan – Growth Forecasts

See Item 7.2

7.2. Staff report re: Brampton Plan Update

To be received

See Item 7.1

7.3. Staff report re: Driveway Design Specifications in Development Approval Process

Recommendation

See Item 10.1

7.4. Staff report re: City-Initiated Zoning By-law Amendment to Modernize Parking Standards - City-wide

Recommendation

7.5. Staff report re: Residential Driveway Widenings Review and Recommendations

Recommendation

7.6. Staff report re: Housekeeping Amendment to By-law 280-2012 (A by-law to change the street names of a portion of Creditview Road, Earnest Parr Gate, Butterfield Drive, Omaha Drive Magnotta Lane) to Change a Street Name

Recommendation

7.7. ^Staff report re: Proposed Draft Plan of Subdivision - Candevcon Limited - Navjot Brar - OZS-2020-0017

Location: 10764 Bramalea Road, West side of Bramalea Road and South of Father Tobin Road - Ward 9

Recommendation

7.8. ^Staff report re: Application for a Proposed Draft Plan of Subdivision (to create a block on a plan of subdivision in order to register a common element condominium) - Candevcon Ltd. - Sunfield Investments (McMurchy) Inc. - File OZS-2020-0006

Location: 57 McMurchy Ave. South, West side of McMurchy Ave. South, South of Queen Street West - Ward 3

Recommendation

- 7.9. ^Staff report re: Application to Amend the Zoning By-Law (to permit two hotels, a banquet hall, and office/retail uses) - 1942411 Ontario Inc. – Henry Chiu Architect Ltd. - File T05W15.004

Location: 2009 Steeles Avenue West & 7920 Mississauga Road - South-west corner of Mississauga Road and Steeles Avenue West - Ward 6

Recommendation

8. Committee Minutes

- 8.1. ^Minutes - Brampton Age-Friendly Advisory Committee - November 3, 2020

To be approved

- 8.2. Minutes - Brampton Heritage Board - November 17, 2020

Note: to be distributed prior to the meeting

9. Other Business/New Business

10. Referred/Deferred Matters

Note: In accordance with the Procedure By-law and Council Resolution, the Referred Matters List will be published quarterly on a meeting agenda for reference and consideration. A copy of the current Referred Matters List for Council and its committees, including original and updated reporting dates, is publicly available on the City's website.

- 10.1. Discussion Item at the Request of Regional Councillor Dhillon re: Driveway Design Specifications in Development Approval Process

See Item 7.3

Note: Referred from the Council Meeting of October 28, 2020, pursuant to Council Resolution C407-2020, as follows:

C407-2020 That the following item be referred to the Planning and Development Committee meeting of December 7, 2020:

Discussion Item at the Request of Regional Councillor Dhillon re: Driveway Design Specifications in Development Approval Process

11. Correspondence

- 11.1. ^Correspondence from Stephanie Jurrius, Legislative Specialist, Region of Peel, dated November 20, 2020, re: Resolution Number 2020-926 - Update on the Development Service Fee Review

To be received

- 11.2. Correspondence re: Application to Amend the Official Plan and Zoning By-law (to permit a 12-storey mixed-use building) - 2613497 Ontario Inc. - Evans Planning Inc. - File OZS-2020-0014

1. Anthony D'Costa, Brampton resident, dated August 7, 2020
2. Arun Sahni, Real Estate Broker, dated October 13, 2020
3. Harb Hundal, Brampton resident, dated August 28, 2020
4. Jeven Tumber, Brampton resident, dated September 8, 2020
5. Navdeep Dhaliwal, Brampton resident, dated November 18, 2020
6. Randy Sampath, Brampton resident, dated August 4, 2020

See Item 5.4

- 11.3. Correspondence re: Application to Amend the Zoning By-law and Draft Plan of Subdivision (to permit 5 single detached residential dwellings) - Gagnon Walker Domes Ltd. - Gurpreet Gill - File OZS-2020-0018

1. Gina Ruocco-Osborne, Brampton resident, dated November 16, 2020

See Item 5.3

12. Councillor Question Period

13. Public Question Period

15 Minute Limit (regarding any decision made at this meeting)

During the meeting, the public may submit questions regarding recommendations made at the meeting via email to the City Clerk at cityclerksoffice@brampton.ca, to be introduced during the Public Question Period section of the meeting.

14. Closed Session

Note: A separate package regarding this agenda item is provided to Members of Council and senior staff only.

14.1. Open Meeting exception under Section 239 (2) (h) and (k) of the Municipal Act, 2001:

Information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them; and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

15. Adjournment

Next Meeting: Monday, January 18, 2021, at 7:00 p.m.

Date: 2020-10-13

Subject: **Information Report - City-Initiated Supportive Housing Policy Review (RM 104/2019)**

Contact: Mirella Palermo, Policy Planner, Planning, Building and Economic Development, mirella.palermo@brampton.ca, 905-874-2457, and Jeffrey Humble Manager, Land Use Policy, Planning, Building and Economic Development, jeffrey.humble@brampton.ca, 905-874-5179

Report Number: Planning, Building and Economic Development-2020-266

Recommendations:

1. **THAT** the report titled **Information Report: City-Initiated Supportive Housing Policy Review (RM 104/2019)**, to the Planning & Development Committee Meeting of September 14, 2020, be received; and,
2. **THAT Planning, Building and Economic Development Department** staff be directed to report back to Planning & Development Committee with the results of the Public Meeting and final recommendations.

Overview:

- On September 25, 2019, Council directed staff through Resolution C364-2019 to review the City's policies and regulations with respect to supportive housing, particularly Group Homes, to ensure the policies and provisions have regard for Provincial legislation and regulatory bodies.
- Council passed Interim Control By-Law 286-2019 (ICBL) (see Appendix 1) on November 20, 2019, prohibiting all lands, buildings and structures within a residential zone category within the area set-out in Area 10 of Schedule A of Zoning By-Law 270-2004 from being used for a Supportive Housing Facility, including a Group Home Type 1 and Group Home Type 2, for a six month period. Retirement Home, Nursing Home and Senior Citizen's Residence, along with existing Group Homes were exempt from the ICBL.

- Due to the COVID-19 pandemic and the State of Emergency declared by the Province on March 17, 2020, the second open house was put on hold. Ontario Regulation 149/20 froze a number of timelines under the *Planning Act*, including the expiry of ICBLs.
- On June 15, 2020, the Province passed Ontario Regulation 278-20, which ended the suspension of *Planning Act* timelines under O. Reg 149/20 as of June 22, 2020. Under this regulation, the ICBL expired on August 24, 2020.
- WSP was retained to undertake the City's Supportive Housing Policy Review. WSP's draft recommendations align with the recommendations outlined 'In the Zone' guide prepared by the Ontario Human Rights Commission. Some recommendations for the non-correctional Group Homes include; supportive housing providers not being subject to additional restrictions; not limiting the number of homes in a specific area (such as Wards, ; removing the requirement for additional non-statutory public meetings; removing minimum separation distance; and, not providing restrictions on where certain housing forms can be located.
- Group Homes are regulated and licenced through the Province and are permitted 'as of right' provided they satisfy the Zoning By-Law provisions. The City's role is to ensure group homes are registered and satisfy the City's zoning by-law provisions pertaining to group home registration and annual inspections.
- Two public information centres were held on March 11, 2020, and July 29, 2020, to present WSP's findings and draft recommendations for public input.
- The purpose of this statutory public meeting is to present proposed amendments to the City's Official Plan and Zoning By-Law as it pertains to Supportive Housing Facilities.
- This Information Report and associated public consultation meetings facilitate compliance with the Term of Council "A Well-run City (Good Government)" priority with respect to encouraging public participations by actively engaging the community.

Background:

On November 4, 2019, staff presented a report to Planning & Development Committee that outlined the Group Home registration process, the City's role in the Provincial review of Group Home applications and the status of the Group Home registration application for 23 Hillside Drive. The City of Brampton requires that Group Homes Type 1 and Type 2 be registered with the City in accordance with the City's Group Home Registration By-Laws (244-82, 240-93 and 106-95) and Section 166 of the Municipal Act before the Group Home can commence operation. The registration of a Group Home is not a planning application under the Planning Act and is not subject to a statutory public process or appeal. Group homes are supported, regulated and licenced by the Provincial government through the

Ministry of Children, Community and Social Services or the Retirement Home Regulatory Authority depending on the clients being served. The City renews registrations on an annual basis and requires clearance from Property Standards and Fire & Emergency Services.

The Region of Peel's *Supportive Housing Demand and Supply Analysis and Action Plan* report dated March 28, 2016, outlined the demand and supply of supportive housing between August and October of 2015 from a survey distributed to known agencies providing supports and/or supportive housing in the Region of Peel. The survey results indicated there are 2,396 individuals on the wait list for supportive housing and only 1,645 units operating in the Region of Peel. Population groups captured on the wait list include those with physical disabilities, acquired brain injury, intellectual disabilities, autism spectrum disorder, frail health, mental illness, substance abuse/addictions, dual diagnosis and disorders.

Official Plan Policies

The City's Official Plan (OP), Section 4.2.6 – Special Housing Needs, supports and promotes provisions of specialized housing for a diverse population, including persons with disabilities and having special housing needs. Special housing is to be strategically located and integrated in the community to provide access to all public amenities, including transportation, parks and open space. The City shall have regard for the need for Group Homes and other forms of supportive housing and shall provide opportunities for their establishment.

Group Homes

Section 4.2.6.6 of the OP supports the principle of integrating Group Homes into existing and new residential communities as approved by the City and the appropriate government regulatory agency, subject to zoning and registration requirements.

A Group Home Type 1 as defined in the OP is a supportive housing facility located in a single detached dwelling unit occupied by four (4) to six (6) persons, exclusive of staff or receiving family, who live as a unit under responsible supervision consistent with the requirements of its residents and which is licenced or approved pursuant to Provincial Statute.

A Group Home Type 2 similar to Type 1 provides supportive housing however, is occupied by four (4) to ten (10) persons, exclusive of staff and can be located in a single detached dwelling or a dwelling within a commercial building for persons that have been placed on probation under the Probation Act, the Criminal Code of Canada or persons requiring treatment and rehabilitation for addiction to drugs or alcohol.

The City currently permits Group Homes within areas designated for residential use subject to the following criteria:

- i. Group Homes shall occupy part or the whole of the dwelling unit;
- ii. Group Homes shall conform in size, height and general appearance with other dwellings in the host neighbourhood;
- iii. To prevent the concentration of Group Homes in any one area, standards, including

- a minimum distance separation, shall be adopted by the City; and,
- iv. All Group Homes shall comply with the relevant zoning and registration requirements.

Auxiliary Group Homes

An Auxiliary Group Home is a supportive housing facility located within a dwelling unit occupied by no more than three persons in need of supervision or guidance but shall not have full time staff attending the home. Section 4.2.6.8 of the OP permits auxiliary Group Homes in single detached, semi-detached and multiple dwelling units within residential designations. This section of the OP currently notes that in addition to zoning compliance the home is to comply with registration and separation distances requirements adopted by the City.

Supportive Housing Facilities

A Supportive Housing Facility is an accommodation for persons by reason of their emotional, mental, social or physical condition, or legal status require a supervised group living arrangement for their wellbeing. Section 4.2.6.10 of the OP states that the City shall permit supportive housing facilities for more than 10 persons (i.e. retirement homes) located in any areas designated Major Institutional on Schedule A of the OP and in the applicable Secondary Plan, subject to the policies of these documents, in particular to the Institutional and Public Uses section of the OP.

Retirement Housing

A Retirement Home is a place or dwelling for the accommodation of persons by reason of their emotional, mental, social or physical condition, or legal status require a supervised living arrangement for their wellbeing, in which: dwelling units, rooms or room and board are supplied for hire or gain; more than eight (8) persons in addition to staff are accommodated in the retirement; there is a common dining and sitting room for residents, but does not include, a group home, an auxiliary group home, nursing home, supportive housing facility, supportive lodging house, or a place maintained and operated primarily for the treatment and rehabilitation with addictions. The City shall permit retirement housing in residential, commercial, institutional and public use designations of the OP subject to compliance with the zoning requirements set out in the City's By-Law.

Staff recognizes the need to update various policies within Section 4.2.6 Special Housing Needs of the Official Plan to align with Provincial legislation, the Ontario Human Rights Code and address inconsistencies with the provisions of the Comprehensive Zoning By-Law.

Zoning By-Law

The City's Comprehensive Zoning By-Law (270-2004) provides more detail in regards to definitions and the requirements for Group Home Type 1, Group Home Type 2, Retirement Home and Supportive Housing Facilities.

Group Homes (Type 1 and 2) are differentiated by the number of individuals occupying the home and the needs of the clientele. Should the proposed use not satisfy the definition of Group Homes it may fall within the scope of the definition for a Supportive Housing or a Retirement Home.

Group Homes (Type 1 and 2) must comply with the provisions in Sections 10.14 and 20.7 of the Comprehensive Zoning By-Law that outline the type of dwelling unit where the use is permitted, separation distance requirements and maximum number of Group Homes per planning area .

The City's Zoning By-Law currently permits Group Home Type 1 as of right in all residential zone categories. A Group Home Type 2 is permitted only in specific higher density residential districts and, some commercial and institutional zones.

Retirement Homes and other Supportive Housing Facilities are permitted only on a site-specific basis where the applicable use is supported in the OP.

The review of the provisions in the Zoning By-Law with respect to Supportive Housing Facilities, particularly Group Homes, will provide the opportunity to update definitions and provisions as needed. Schedule D of Section 10.14 of the Comprehensive Zoning By-Law (270-2004) also needs to be reviewed as the boundaries of the planning areas have changed because of the City-wide Secondary Plan Review amending the City's Official Plan that took effect in 2019.

Provincial Role

The Province is responsible for regulating Supportive Housing Facilities. The Ministry of Children, Community and Social Services is responsible for licensing Group Homes, foster homes, provincially operated facilities and youth justice open and secure custody/detention facilities. The Ministry for Seniors and Accessibility provides information on programs and services, healthy lifestyles and aging, including overseeing the Retirement Home Regulatory Authority (RHRA). Under the Retirement Homes Act (2010) the RHRA is responsible for licensing and regulating retirement homes on behalf of the government.

Provincial and Regional Policy Framework

The *Planning Act* and Provincial policy framework are consistent in their direction to municipalities regarding housing related matters. The provision states providing an appropriate mix and range of housing options for current and future residents, including housing for those with special needs requirements. Housing policies should contribute to the creation of safe and healthy communities, where all residents can benefit from access to transit, amenities and employment opportunities, and for those who require it, specific support services.

The Provincial Policy Statement 2020 (PPS 2020) that came into effect on May 1, 2020, specifically highlights requirements for planning authorities to permit and facilitate housing options to meet the “social, health, economic well-being requirements” of residents, including “special needs requirements”.

The Regional Official Plan (ROP) encourages municipalities to “explicitly identify special needs housing as permitted uses in residential or other suitably zoned lands where appropriate in area municipal zoning by-laws” and that Official Plan policies should support special needs housing in locations with convenient access to existing or planned amenities and support services. The ROP permits supportive housing forms in residential areas without restrictions, such as minimum separation distances or limits on the number of Group Homes per area, aligning with provincial and regional policy framework.

Current Situation:

Interim Control By-Law

On September 25, 2019, Council directed staff through Resolution C364-2019 to review the City’s policies and regulations with respect to supportive housing, particularly Group Homes, to ensure the policies and provisions have regard for Provincial legislation and regulatory bodies. Council passed Interim Control By-Law 286-2019 (ICBL) on November 20, 2019, that prohibited all lands, buildings and structures within a residential zone category within the area set-out in Area 10 of Schedule A of Zoning By-Law 270-2004 from being used for a Supportive Housing Facility, including a Group Home Type 1 and Group Home Type 2, for a six month period (see Appendix 1). Retirement Home, Nursing Home and Senior Citizen’s Residence, along with existing Group Homes were exempt from the ICBL.

However, due to the COVID-19 pandemic and the State of Emergency declared by the Province on March 17, 2020, the second open house was put on hold. Ontario Regulation 149/20 froze a number of timelines under the *Planning Act*, including the expiry of ICBLs.

On June 15, 2020, the Province passed Ontario Regulation 278-20, which ended the suspension of *Planning Act* timelines under O. Reg 149/20 as of June 22, 2020. Under this regulation, the ICBL expired on August 24, 2020, prior to the endorsement of any proposed amendments. Since the expiry of the ICBL staff have been proceeding with the registration of group home applications if they satisfy the requirements under the current registration process.

To date, the City received one minor variance application that was considered by the Committee of Adjustment on two occasions, in early March 2020 and at the end of July 2020, requesting an exemption from the ICBL. Most recently (November 2020) the applicant requested that the item be deferred to August 2021, which was granted by the Committee.

Supportive Housing Policy Review

In January 2020 the City retained WSP to undertake the review of the supportive housing policies, including focusing on the City’s Group Home policies and process.

The purpose of the City's supportive housing policy review included:

- Updating the City's policies in accordance with current provincial legislation and regulations, including Building and Fire Codes;
- Complying with the Ontario Human Rights Code;
- Simplifying the Group Home registration process;
- Providing clarity to the City's supportive housing terms;
- Aligning with current practices; and,
- Increasing the availability of supportive housing options for vulnerable populations to align with Regional initiatives.

As part of the study's review an internal steering committee was established to review the consultant's work and address the business needs of other departments/divisions including Zoning, By-Law Enforcement, Building, Fire & Emergency Services, Legal Services and Policy Planning.

To date the consultant has completed the background review, benchmarked the policies and regulations of other municipalities, undertaken stakeholder and public consultations, and prepared a draft report including a recommended approach for the City.

Benchmarking

WSP reviewed the supportive housing policies of twelve Southern Ontario municipalities including, City of Toronto, City of Mississauga, City of Vaughan, City of Kitchener, and Town of Oakville, to establish a baseline of current best practices. All municipalities permitted Group Homes in all designations where residential uses are permitted in the Official Plan. The approach of applying a minimum separation distance varied amongst municipalities. However, municipalities that have recently updated their Zoning By-Laws (i.e. City of Vaughan, Town of Oakville, and Town of Caledon) have removed minimum separation distances to comply with the direction from the Ontario Human Rights Commission. The majority of municipalities did not require Public Information Meetings as part of the Group Home registration process, except for the City of Burlington which updated their Zoning By-Law in 2005. Five of the twelve municipalities reviewed required Group Homes (non-correctional) to be registered or licensed.

Proposed Official Plan and Zoning By-Law Amendments:

WSP considered the above-noted Provincial and Regional policy framework, the Ontario Human Rights Code and best practices, and has recommended amendments to the Official Plan and Comprehensive Zoning By-law which:

- Simplifies the Supportive Housing definitions to align with Provincial legislation (i.e. Municipal Act) and removing outdated references;
- Complies with the Ontario Human Rights Code by removing the restrictions on Group Homes per planning area and separation distances;

- Allows non-correctional Supportive Housing as a permitted use in all residential districts;
- Removes the requirement for the open house as part of the registration process; and,
- Increases the availability of Supportive Housing options for vulnerable populations to align with the Region of Peel's Supportive Housing initiatives.

The charts below outlines the proposed amendments recommended by our consultant to update the City's Official Plan and Comprehensive Zoning By-Law.

Official Plan	Current Policies	Proposed Amendments
Section 5 – Implementation Definitions	Auxiliary Group Home shall mean a supportive housing facility located within a dwelling unit occupied by no more than three (3) persons in need of supervision or guidance but shall not have full time staff attending the home. An auxiliary group home shall not include: group home type 1; group home type 2; supportive lodging house; foster home.	Delete definition Auxiliary Group Home shall mean a supportive housing facility located within a dwelling unit occupied by no more than three (3) persons in need of supervision or guidance but shall not have full time staff attending the home. An auxiliary group home shall not include: group home type 1; group home type 2; supportive lodging house; foster home.
Section 5 – Implementation Definitions	Group Home Type 1 shall mean a supportive housing facility located within a detached dwelling unit that is occupied by four (4) to six (6) persons, exclusive of staff and/ or receiving family, who live as a unit under responsible supervision consistent with the requirements of its residents and which is licensed or approved pursuant to Provincial Statute within the jurisdiction of the Ontario Ministry of Community and Social Services or the Ministry of Health. A Group Home Type 1 may provide accommodation, supervision and treatment for: the mentally retarded pursuant to the <i>Homes for Retarded Persons Act</i> , or the <i>Development Services Act</i> ; individuals over 60 years of age as a satellite residence under the <i>Homes for the Aged and Rest Homes Act</i> ; children under the <i>Child and Family Services Act</i> ; persons under the <i>Mental Hospitals Act and Homes for</i>	Delete Group Home Type 1 definition and replace with: Supportive Housing Type 1 A single housekeeping unit in a residential dwelling licensed, approved or funded under Federal or Provincial statute for the accommodation of 3 to 10 residents, exclusive of staff, that provides a group living arrangement under responsible supervision. Supportive Housing Type 1 shall not have any correctional purpose.

	<p><i>Special Care Act</i>, and persons under the <i>Charitable Institutions Act</i>. No supervision or treatment shall be provided to any person not residing in the group home. A group home type 1 shall not include a residence defined as a group home type 2, supportive lodging house, lodging house, a foster home, or a supportive housing facility.</p>	
<p>Section 5 – Implementation</p> <p>Definitions</p>	<p>Group Home Type 2 shall mean a supportive housing facility occupied by four (4) to ten (10) persons, exclusive of staff located within a single detached dwelling, or a dwelling within a commercial building which shall be maintained and operated primarily for: persons who have been placed on probation under the provisions of the <i>Probation Act</i>, the Criminal Code of Canada, or any Act passed to replace the foregoing Acts; persons who have been released on parole under the provisions of the <i>Ministry of Correctional Services Act</i>, or Parole Board of Canada or any Act passed to replace the foregoing Acts; persons who have been charged under the <i>Young Offenders Act</i> but who have been placed in open or secure custody; persons requiring treatment and rehabilitation for addiction to drugs or alcohol; persons housed in a group home that satisfies all of the requirements of a Group Home Type 1 except that it accommodates in excess of six (6) residents. A group home type 2 shall not include a residence defined as a group home type 1, supportive lodging house, lodging house, foster home, or a supportive housing facility. No supervision or treatment shall be provided to any person not residing in the group home.</p>	<p>Delete Group Home Type 2 definition and replace with:</p> <p>Supportive Housing Type 2</p> <p>A single housekeeping unit licensed, approved or funded under Federal or Provincial statute for the accommodation of 3 to 10 residents, exclusive of staff, that provides housing and rehabilitation for persons on probation, parole, early or re-release, or any other form of executive, judicial or administrative release from a penal institution. Supportive Housing Type 2 shall not include Supportive Housing Type 1.</p>
<p>Section 5 – Implementation</p>	<p>Long Term Care Home refers to a residential facility, approved either under the <i>Nursing Act</i>, <i>Charitable</i></p>	<p>Delete Long Term Care Home definition and replace with:</p>

Definitions	<i>Institution Act, Home for the Aged and Rest Home Act, or any other applicable Province of Ontario Act, which provides 24 hour supervision and nursing care and services in a private or semi private accommodation for persons who are no longer able to live independently. Residential accommodation is provided along with shared facilities including dining rooms and common rooms, and other amenities such as lounge, gift shop, beauty salon, chapel, and garden.</i>	Residential Care Home Supervised living accommodation that may include associated support services, and: <ul style="list-style-type: none"> (a) Is licensed or funded under Federal or Provincial legislation; (b) Is for persons requiring semi-independent or supervised group living arrangements; and (c) Is for more than 10 residents, exclusive of staff.
Section 5 – Implementation Definitions	Rest Home means a place or dwelling for the accommodation of persons, who, by reason of their emotional, mental, social or physical condition, or legal status, require a supervised living arrangement for their well-being, in which: <ul style="list-style-type: none"> (i) Rooms or room and board are supplied for hire or gain; (ii) No less than 3, and no more than 8 persons, exclusive of staff, can be accommodated; (iii) There is a common dining room and common sitting room there is for the residents, but shall not include: <ul style="list-style-type: none"> a) A group home; b) An auxiliary group home; c) A nursing home; d) A place maintained and operated primarily for, and occupied by, persons placed on parole or inmates; e) A place maintained and operated primarily for the temporary care of, and occupied by, transient or homeless persons; or f) A place maintained and operated primarily for the treatment and rehabilitation of, and occupied by, persons who are addicted to drugs or alcohol. 	Delete Rest Home definition and replace with: Residential Care Home Supervised living accommodation that may include associated support services, and: <ul style="list-style-type: none"> (a) Is licensed or funded under Federal or Provincial legislation; (b) Is for persons requiring semi-independent or supervised group living arrangements; and (c) Is for more than 10 residents, exclusive of staff.
Section 5 – Implementation	Retirement Home means a place or dwelling for the accommodation of persons, who, by reason of their	Delete Retirement Home definition and replace with:

Definitions	<p>emotional, mental, social or physical condition, or legal status, require a supervised living arrangement for their well-being, in which:</p> <ul style="list-style-type: none"> (i) Dwelling units, rooms or room and board are supplied for hire or gain; (ii) More than 8 persons in addition to the staff and operator are accommodated in the retirement home; (iii) There is a common dining room and common sitting room for the residents, but shall not include, <ul style="list-style-type: none"> a) A group home; b) An auxiliary group home; c) A nursing home; d) A supportive housing facility; e) A supportive lodging house; <p>or,</p> <ul style="list-style-type: none"> f) A place maintained and operated primarily for the treatment and rehabilitation of, and occupied by, persons who are addicted to drugs or alcohol. 	<p>Residential Care Home</p> <p>Supervised living accommodation that may include associated support services, and:</p> <ul style="list-style-type: none"> (a) Is licensed or funded under Federal or Provincial legislation; (b) Is for persons requiring semi-independent or supervised group living arrangements; and (c) Is for more than 10 residents, exclusive of staff.
<p>Section 5 – Implementation</p> <p>Definitions</p>	<p>Supportive Housing Facilities shall mean a place for the accommodation of persons, who, by reason of their emotional, mental, social or physical condition, or legal status require a supervised group living arrangement for their well being, but shall exclude foster homes as defined in the <i>Child and Family Services Act</i> or successor legislation.</p>	<p>Delete Supportive Housing Facilities definition and replaced with:</p> <p>Residential Care Home</p> <p>Supervised living accommodation that may include associated support services, and:</p> <ul style="list-style-type: none"> (a) Is licensed or funded under Federal or Provincial legislation; (b) Is for persons requiring semi-independent or supervised group living arrangements; and (c) Is for more than 10 residents, exclusive of staff.
Policy 4.2.6.6	<p>Group Homes</p> <p>The City supports the principle of integrating Group Homes into existing and new residential communities as approved by the City and the appropriate government regulatory agency, subject to zoning and</p>	<p>Replace Group Homes with:</p> <p>Group Homes Supportive Housing</p> <p>The City supports the principle of integrating Group Homes supportive housing into existing and new residential communities as approved by the City and the appropriate</p>

	registration requirements.	government regulatory agency, subject to zoning and registration requirements.
Policy 4.2.6.7	<p>The City shall permit group homes in dwellings within areas designated as Estate Residential, Village Residential, Residential, Major Institutional, Business Corridor, Regional Retail, and Office on Schedule "A" to this Plan subject to the following criteria:</p> <p>(i) Group homes shall occupy part or the whole of the dwelling unit;</p> <p>(ii) Group homes shall conform in size, height and general appearance with other dwellings in the host neighbourhood;</p> <p>(iii) To prevent a concentration of group homes in any one area, standards, including a minimum distance separation, shall be adopted by the City of Brampton; and,</p> <p>(iv) All group homes shall comply with the relevant zoning and registration requirements.</p>	<p>Revise Policy 4.2.6.7 to read as follows:</p> <p>The City shall permit group homes supportive housing in dwellings within areas designated as Estate Residential, Village Residential, Residential, Major Institutional, Business Corridor, Regional Retail, and Office on Schedule "A" to this Plan subject to the following criteria:</p> <p>(i) Group homes shall occupy part or the whole of the dwelling unit;</p> <p>(ii) Group homes Supportive housing shall generally conform in size, height and general appearance with other dwellings in the host neighbourhood;</p> <p>(iii) To prevent a concentration of group homes in any one area, standards, including a minimum distance separation, shall be adopted by the City of Brampton; and,</p> <p>(iiiiv) All group homes Supportive housing shall comply with the relevant zoning and registration requirements.</p> <p>(iv) When reviewing any proposal for the purposes of establishing, through new construction or conversion of existing structures, a correctional form of supportive housing, due regard will be given to:</p> <p>a) Siting and landscaping to minimize any adverse impact on adjacent uses;</p> <p>b) Appropriate integration of the proposed use with adjacent uses and the host neighbourhood;</p> <p>c) Locating away from hazardous lands or hazardous sites; and,</p> <p>d) Accessibility for persons with disabilities.</p>
Policy 4.2.6.8	<p>Auxiliary Group Homes</p> <p>The City shall permit auxiliary group homes in single detached dwellings,</p>	<p>Delete Policy 4.2.6.8</p> <p>Auxiliary Group Homes</p>

	<p>semi-detached dwelling units and multiple dwelling units, all to be within areas designated Estate Residential, Village Residential, Residential and Major Institutional on Schedule "A" to this Plan subject to the following criteria:</p> <p>(i) All auxiliary group homes shall comply with the relevant zoning and registration requirements; and,</p> <p>(ii) To prevent a concentration of group homes and auxiliary group homes in any one area, standards, including a minimum distance separation, shall be adopted by the City.</p>	<p>Policy 4.2.6.8 states that the City shall permit auxiliary group homes in single detached dwellings, semi-detached dwelling units and multiple dwelling units, all to be within areas designated Estate Residential, Village Residential, Residential and Major Institutional on Schedule "A" to this Plan subject to the following criteria:</p> <p>(i) All auxiliary group homes shall comply with the relevant zoning and registration requirements; and,</p> <p>(ii) To prevent a concentration of group homes and auxiliary group homes in any one area, standards, including a minimum distance separation, shall be adopted by the City.</p>
Policy 4.2.6.10	<p>Supportive Housing Facilities The City shall permit supportive housing facilities for more than 10 persons (i.e. retirement homes) located in any area designated Major Institutional on Schedule "A" to this Plan and in the applicable Secondary Plan, subject to the policies of these documents, in particular the Institutional and Public Uses section of this Plan. No supportive housing facilities shall be permitted to locate in hazardous lands or hazardous sites.</p>	<p>Replace Supportive Housing Facilities with:</p> <p>Residential Care Homes Supportive Housing Facilities The City shall permit supportive housing facilities residential care homes for more than 10 persons (i.e. retirement homes) located in any area designated Major Institutional on Schedule "A" to this Plan and in the applicable Secondary Plan, subject to the policies of these documents, in particular the Institutional and Public Uses section of this Plan. No supportive housing facilities residential care homes shall be permitted to locate in hazardous lands or hazardous sites.</p> <p>When reviewing any proposal for the purposes of establishing, through new construction or conversion of existing structures, a residential care home, due regard will be given to:</p> <p>a) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities;</p>

		<ul style="list-style-type: none"> b) Adequate vehicular ingress/egress and on-site parking; c) Adequate on-site landscaped open space suitable for passive recreational use by the residents of the home; d) Siting and landscaping to minimize any adverse impact on adjacent uses; e) Impact of the development on the ecosystem and natural environmental features; f) Appropriate integration of the proposed use with adjacent uses and the host neighbourhood; g) Access to municipal water and sanitary waste; h) Locating away from hazardous lands or hazardous sites; and, i) Accessibility for persons with disabilities.
Policy 4.2.6.11	The City shall have regard for the need for group homes, and other forms of supportive housing and shall provide opportunities for their establishment. In this regard, the City may create these opportunities on a planning area basis.	<p>Delete Policy 4.2.6.11</p> <p>The City shall have regard for the need for group homes, and other forms of supportive housing and shall provide opportunities for their establishment. In this regard, the City may create these opportunities on a planning area basis.</p>
Policy 4.2.6.12	The City will monitor applications for, and the establishment of group homes in order to ensure available opportunities for additional group homes.	<p>Delete Policy 4.2.6.12</p> <p>The City will monitor applications for, and the establishment of group homes in order to ensure available opportunities for additional group homes.</p>
Policy 4.2.6.13	Council shall direct staff to review opportunities for the development of group homes when 60 percent of the potential opportunities in the City	<p>Delete Policy 4.2.6.13</p> <p>Council shall direct staff to review opportunities for the development of group homes when 60 percent of the potential</p>

	have been utilized. Staff will report to Council within one year of this direction and recommend appropriate strategies regarding adequate opportunities for this type of housing.	opportunities in the City have been utilized. Staff will report to Council within one year of this direction and recommend appropriate strategies regarding adequate opportunities for this type of housing.
Policy 4.2.6.14	<p>Notwithstanding Sections 4.2.6.7(iii) and 4.2.6.8(i) above:</p> <p>a) Where a zoning by-law sets a limit on the number of group homes permitted within a planning area; and,</p> <p>b) Where the said limit has been reached, an application for a minor variance to this provision of the zoning by-law, permitting the creation of an additional group home within the subject planning area will not be unfavourably considered by staff solely on the basis that the limit within the subject planning area will thereby be exceeded, or that there are opportunities available elsewhere in the City.</p>	<p>Delete Policy 4.2.6.14</p> <p>Notwithstanding Sections 4.2.6.7(iii) and 4.2.6.8(i) above:</p> <p>a) Where a zoning by-law sets a limit on the number of group homes permitted within a planning area; and,</p> <p>b) Where the said limit has been reached, an application for a minor variance to this provision of the zoning by-law, permitting the creation of an additional group home within the subject planning area will not be unfavourably considered by staff solely on the basis that the limit within the subject planning area will thereby be exceeded, or that there are opportunities available elsewhere in the City.</p>
Policy 4.2.6.15	<p>Retirement Housing</p> <p>The City shall permit Retirement Housing in Residential, Commercial and Institutional and Public Uses designations in the Official Plan, subject to the following provisions:</p> <p>(i) Retirement home shall comply with all zoning requirements set out in the City's By-law;</p> <p>(ii) In determining the suitability of a site for use as retirement housing, due regard shall be given to:</p> <p>a) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities;</p>	<p>Delete Policy 4.2.6.15</p> <p>Retirement Housing</p> <p>The City shall permit Retirement Housing in Residential, Commercial and Institutional and Public Uses designations in the Official Plan, subject to the following provisions:</p> <p>(i) Retirement home shall comply with all zoning requirements set out in the City's By-law;</p> <p>(ii) In determining the suitability of a site for use as retirement housing, due regard shall be given to:</p> <p>a) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities;</p> <p>b) Adequate vehicular ingress/egress and on-site parking;</p> <p>c) Adequate on-site landscaped open space suitable for</p>

	<ul style="list-style-type: none"> b) Adequate vehicular ingress/egress and on-site parking; c) Adequate on-site landscaped open space suitable for passive recreational use by the residents of the home; d) Siting and landscaping to minimize any adverse impact on adjacent uses; e) Impact of the development on the ecosystem and natural environmental features; f) Appropriate integration of the proposed use with adjacent uses and the host neighbourhood; g) Access to municipal water and sanitary waste; h) Locating away from hazardous lands or hazardous sites; and, i) Accessibility for persons with disabilities. 	<ul style="list-style-type: none"> passive recreational use by the residents of the home; d) Siting and landscaping to minimize any adverse impact on adjacent uses; e) Impact of the development on the ecosystem and natural environmental features; f) Appropriate integration of the proposed use with adjacent uses and the host neighbourhood; g) Access to municipal water and sanitary waste; h) Locating away from hazardous lands or hazardous sites; and, i) Accessibility for persons with disabilities.
Policy 4.2.6.16	The City shall encourage the use of the City of Brampton Accessibility Technical Standards in the design and improvement of Retirement Housing.	<p>Replace Retirement Housing with: Residential Care Home</p> <p>The City shall encourage the use of the City of Brampton Accessibility Technical Standards in the design and improvement of Retirement Housing Residential Care Homes.</p>
<p>Section 4.4 Employment</p> <p>Policy 4.4.1.5</p>	<p>The City shall also permit Supportive Housing Facilities to be permitted within areas designated as Business Corridor that are not within the Lester B. Pearson International Airport (LBPIA) Operating Area subject to the following criteria:</p> <ul style="list-style-type: none"> (i) The supportive housing facility shall have direct access or frontage on an arterial or collector road; (ii) The supportive housing facility may occupy a single detached dwelling or any building converted or newly constructed for that purpose but in every case shall occupy the whole of such buildings; and, 	<p>Delete Policy 4.4.1.5</p> <p>The City shall also permit Supportive Housing Facilities to be permitted within areas designated as Business Corridor that are not within the Lester B. Pearson International Airport (LBPIA) Operating Area subject to the following criteria:</p> <ul style="list-style-type: none"> (i) The supportive housing facility shall have direct access or frontage on an arterial or collector road; (ii) The supportive housing facility may occupy a single detached dwelling or any building converted or newly constructed for that purpose but in every case shall occupy the whole of such buildings; and,

	(iii) To prevent a concentration of supportive housing facilities in any one area, the City shall adopt standards including a minimum distance separation between crisis care facilities, group homes or other residential care facilities.	(iii) To prevent a concentration of supportive housing facilities in any one area, the City shall adopt standards including a minimum distance separation between crisis care facilities, group homes or other residential care facilities.
Section 4.9.4	Long Term Care Centres The demand for special needs housing including long term care centres and retirement homes is growing as the population of Brampton matures. In opting for these types of housing, there is a strong tendency for Brampton residents to remain in the community closer to areas and places that are familiar to them. The provision of special housing in appropriate locations throughout the City is essential to improving access to these facilities and enhancing the range of choice of location available to older residents with special housing needs.	Delete Policy 4.9.4 Section 4.9.4 Long Term Care Centres The demand for special needs housing including long term care centres and retirement homes is growing as the population of Brampton matures. In opting for these types of housing, there is a strong tendency for Brampton residents to remain in the community closer to areas and places that are familiar to them. The provision of special housing in appropriate locations throughout the City is essential to improving access to these facilities and enhancing the range of choice of location available to older residents with special housing needs.
Policy 4.9.4.1	The City shall permit Long Term Care Centres in Institutional and Public Uses, Residential and Commercial designations in the Official Plan, subject to the following provisions: (i) The long term care centre shall comply with all zoning requirements set out in the City's Zoning By-law; (ii) In determining the suitability of a site for use as a long term care centre, due regard shall be given to: (a) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities; (b) Adequate vehicular ingress/egress and on-site parking;	Delete Policy 4.9.4.1 4.9.4.1 The City shall permit Long Term Care Centres in Institutional and Public Uses, Residential and Commercial designations in the Official Plan, subject to the following provisions: (i) The long term care centre shall comply with all zoning requirements set out in the City's Zoning By-law; (ii) In determining the suitability of a site for use as a long term care centre, due regard shall be given to: a) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities; b) Adequate vehicular ingress/egress and on-site parking;

	<p>(c) Adequate on-site landscaped open space suitable for passive recreational use by the residents of the home;</p> <p>(d) Siting and landscaping to minimize any adverse impact on adjacent uses;</p> <p>(e) Impact of the development on the ecosystem and natural environmental features;</p> <p>(f) Appropriate integration of the proposed use with adjacent uses and the host neighbourhood;</p> <p>(g) Access to municipal water and sanitary waste; and,</p> <p>(h) Accessibility for persons with disabilities.</p>	<p>c) Adequate on-site landscaped open space suitable for passive recreational use by the residents of the home;</p> <p>d) Siting and landscaping to minimize any adverse impact on adjacent uses;</p> <p>e) Impact of the development on the ecosystem and natural environmental features;</p> <p>f) Appropriate integration of the proposed use with adjacent uses and the host neighbourhood;</p> <p>g) Access to municipal water and sanitary waste; and,</p> <p>h) Accessibility for persons with disabilities.</p>
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Zoning By-Law	Current Provisions	Proposed Amendments
Section 5 – Definitions	<p>AUXILIARY GROUP HOME shall mean a supportive housing facility located within a dwelling unit occupied by no more than three (3) person in need of supervision or guidance but shall not have full time staff attending the home. An auxiliary group home shall not include:</p> <ul style="list-style-type: none"> • A Group Home Type 1 • A Group Home Type 2 • A Foster Home 	<p>Delete definition</p> <p>Auxiliary Group Home shall mean a supportive housing facility located within a dwelling unit occupied by no more than three (3) persons in need of supervision or guidance but shall not have full time staff attending the home. An auxiliary group home shall not include:</p> <ul style="list-style-type: none"> • A Group Home Type 1 • A Group Home Type 2 • A Foster Home
Section 5 – Definitions	<p>GROUP HOME TYPE 1 shall mean a supportive housing facility located within a dwelling unit that is occupied by four (4) to six (6) persons, exclusive of staff and/or receiving family, who live as a unit under responsible supervision consistent with the requirements of its residents and which is licensed or</p>	<p>Delete Group Home Type 1 definition and replace with:</p> <p>Supportive Housing Type 1</p> <p>A single housekeeping unit in a residential dwelling licensed, approved or funded under Federal or Provincial statute for the</p>

	<p>approved pursuant to Provincial Statute within the jurisdiction of the Ontario Ministry of Community and Social Services or the Ministry of Health.</p> <p>A Group Home Type 1 may provide accommodation, supervision and treatment for:</p> <ul style="list-style-type: none"> • The persons being cared for or obtaining services at a facility established under the <i>Developmental Services Act</i>; • Individuals over sixty (60) years of age as a satellite residence under the <i>Homes for the Aged and Rest Homes Act</i>; • Children under the <i>Child and Family Services Act</i>; and • Persons under the <i>Mental Hospitals Act</i> and <i>Homes for Special Care Act</i>. <p>No supervision or treatment shall be provided to any persons not residing in the group home.</p> <p>A group home type 1 shall not include a residence defined as a group home type 2, lodging house, a foster home, or a supportive housing facility.</p>	<p>accommodation of 3 to 10 residents, exclusive of staff, that provides a group living arrangement under responsible supervision. Supportive Housing Type 1 shall not have any correctional purpose.</p>
Section 5 – Definitions	<p>GROUP HOME TYPE 2 shall mean a supportive housing facility occupied by four (4) to ten (10) persons, exclusive of staff located within a single detached dwelling or dwelling unit within a commercial building which shall be operated primarily for:</p> <ul style="list-style-type: none"> • Persons who have been placed on probation under the <i>Ministry of Correctional Services Act</i>, the <i>Criminal Code</i> or any Act passed to replace the foregoing Acts; • Persons who have been released under the provisions of the <i>Ministry of Correctional Services Act</i>, <i>Corrections and Conditional Release Act</i> or any Act passed to replace the foregoing Acts; • Persons who have been charged under the Youth Criminal Justice 	<p>Delete Group Home Type 2 definition and replace with:</p> <p>Supportive Housing Type 2</p> <p>A single housekeeping unit licensed, approved or funded under Federal or Provincial statute for the accommodation of 3 to 10 residents, exclusive of staff, that provides housing and rehabilitation for persons on probation, parole, early or re-release, or any other form of executive, judicial or administrative release from a penal institution. Supportive Housing Type 2 shall not include Supportive Housing Type 1.</p>

	<p>Act, but who have been placed in open or secure custody;</p> <ul style="list-style-type: none"> • Persons who require temporary care, and transient or homeless persons; • Persons requiring treatment and rehabilitation for addiction to drugs or alcohol; or • Persons housed in a group home that satisfies all of the requirements of a Group Home Type 1 except that it accommodates in excess of six residents. <p>A group home type 2 shall not include a residence defined as a group home type 1, supportive lodging house, lodging house, foster home, or a supportive housing facility.</p>	
Section 5 – Definitions	NURSING HOME shall mean any building or place maintained and operated for persons requiring nursing care.	No changes proposed
Section 5 – Definitions	<p>RETIREMENT HOME shall mean a residential care facility for the accommodation of persons, who, by reason of their emotional, mental, social, or physical condition, or legal status, require a supervised living arrangement for their well-being, in which:</p> <p>(a) dwelling units, rooms or room and board are supplied for hire or gain;</p> <p>(b) more than eight (8) persons in addition to the staff and operator are accommodated in the retirement home;</p> <p>(c) there is a common dining room and common sitting room for the residents, but shall not include:</p> <p>(a) a group home;</p> <p>(b) an auxiliary group home;</p> <p>(c) a nursing home;</p> <p>(d) a supportive housing facility;</p> <p>(e) a lodging house.</p>	<p>Delete Retirement Home definition and replace with:</p> <p>Residential Care Home</p> <p>Supervised living accommodation that may include associated support services, and:</p> <p>(a) Is licensed or funded under Federal or Provincial legislation;</p> <p>(b) Is for persons requiring semi-independent or supervised group living arrangements; and</p> <p>(c) Is for more than 10 residents, exclusive of staff.</p>
Section 5 – Definitions	SUPPORTIVE HOUSING FACILITIES shall mean a place for the accommodation of persons, who, by reason of their emotional, mental, social or physical condition, or legal status	<p>Delete Supportive Housing Facilities definition and replace with:</p> <p>Residential Care Home</p>

	<p>require a supervised group living arrangement for their well being, but shall exclude a foster home as defined in the <i>Child and Family Services Act</i> or successor legislation.</p>	<p>Supervised living accommodation that may include associated support services, and:</p> <p>(a) Is licensed or funded under Federal or Provincial legislation;</p> <p>(b) Is for persons requiring semi-independent or supervised group living arrangements; and</p> <p>(c) Is for more than 10 residents, exclusive of staff.</p>
Provision 10.14	<p>10.14 Provisions for Group Homes Group Homes shall be subject to the following requirements and restrictions:</p> <p>(a) a group home type 1 shall be located within a single detached dwelling;</p> <p>(b) a group home type 2 shall be located within a single detached dwelling or a dwelling within a mixed use development;</p> <p>(c) a minimum separation distance of 120 metres shall be maintained between a group home type 1 use, any other group home type 1;</p> <p>(d) a minimum separation distance of 120 metres shall be maintained between a group home type 2, another group home type 2, or a group home type 1;</p> <p>(e) a minimum separation distance of 610 metres shall be maintained between a supportive housing facility and another supportive housing facility, or a group home type 1, or a group home type 2;</p> <p>(f) the maximum number of group homes combined, permitted in each area as shown and numbered on Schedule D and listed in Column 1 of the table set out below, shall be as set out in Column 2 of said table.</p>	<p>Revise to read as follows:</p> <p>Section 10.14 'Provisions for Group Homes' 'Supportive Housing':</p> <p>Group Homes Supportive housing shall be subject to the following requirements and restrictions:</p> <p>(a) a group home type 1 shall be located within a single detached dwelling;</p> <p>(b) a group home Supportive Housing Type 2 shall be located within a single detached dwelling 'Dwelling', as defined within this By-law, where it occupies the whole of the building, or as the sole dwelling within a mixed use development;</p> <p>(c) a minimum separation distance of 120 metres shall be maintained between a group home type 1 use, any other group home type 1;</p> <p>(d) a minimum separation distance of 120 metres shall be maintained between a group home type 2, another group home type 2, or a group home type 1;</p> <p>(e) a minimum separation distance of 610 metres shall be maintained between a supportive housing facility and another supportive housing facility, or a group home type 1, or a group home type 2;</p> <p>(f) the maximum number of group homes combined, permitted in each area as shown and numbered on Schedule D and listed in</p>

	<table><tr><th>Column 1 Area Number</th><th>Column 2 Maximum Number of Group homes</th></tr><tr><td>1</td><td>4</td></tr><tr><td>2</td><td>1</td></tr><tr><td>3</td><td>4</td></tr><tr><td>4</td><td>3</td></tr><tr><td>5</td><td>3</td></tr><tr><td>6</td><td>3</td></tr><tr><td>7</td><td>2</td></tr><tr><td>8</td><td>5</td></tr><tr><td>9</td><td>5</td></tr><tr><td>10</td><td>4</td></tr><tr><td>11</td><td>6</td></tr><tr><td>12</td><td>4</td></tr><tr><td>13</td><td>1</td></tr><tr><td>14</td><td>1</td></tr><tr><td>15</td><td>3</td></tr><tr><td>16</td><td>5</td></tr><tr><td>17</td><td>5</td></tr><tr><td>18</td><td>1</td></tr><tr><td>19</td><td>3</td></tr><tr><td>20</td><td>5</td></tr><tr><td>21</td><td>4</td></tr></table>	Column 1 Area Number	Column 2 Maximum Number of Group homes	1	4	2	1	3	4	4	3	5	3	6	3	7	2	8	5	9	5	10	4	11	6	12	4	13	1	14	1	15	3	16	5	17	5	18	1	19	3	20	5	21	4	<p>Column 1 of the table set out below, shall be as set out in Column 2 of said table.</p> <p>Delete the following tables:</p> <table><tr><th>Column 1 Area Number</th><th>Column 2 Maximum Number of Group homes</th></tr><tr><td>1</td><td>4</td></tr><tr><td>2</td><td>1</td></tr><tr><td>3</td><td>4</td></tr><tr><td>4</td><td>3</td></tr><tr><td>5</td><td>3</td></tr><tr><td>6</td><td>3</td></tr><tr><td>7</td><td>2</td></tr><tr><td>8</td><td>5</td></tr><tr><td>9</td><td>5</td></tr><tr><td>10</td><td>4</td></tr><tr><td>11</td><td>6</td></tr><tr><td>12</td><td>4</td></tr><tr><td>13</td><td>1</td></tr><tr><td>14</td><td>1</td></tr><tr><td>15</td><td>3</td></tr><tr><td>16</td><td>5</td></tr><tr><td>17</td><td>5</td></tr><tr><td>18</td><td>1</td></tr><tr><td>19</td><td>3</td></tr><tr><td>20</td><td>5</td></tr><tr><td>21</td><td>4</td></tr></table>	Column 1 Area Number	Column 2 Maximum Number of Group homes	1	4	2	1	3	4	4	3	5	3	6	3	7	2	8	5	9	5	10	4	11	6	12	4	13	1	14	1	15	3	16	5	17	5	18	1	19	3	20	5	21	4
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Commercial Provision 20.7	<p>20.7 Provisions for a Group Home Type 2 or Supportive Housing Facility</p> <p>A Group Home Type 2 or a Supportive Housing Facility shall be subject to the following requirements and restrictions:</p> <p>(a) a group home type 2 shall be located in a single detached dwelling and a dwelling unit within a mixed use development;</p> <p>(b) the group home type 2 shall occupy the whole of the single detached dwelling;</p> <p>(c) a minimum separation distance of 120 metres shall be maintained between a group home type 2 and any</p>	<p>Revise to read as follows:</p> <p>Commercial Zones</p> <p>Section 20.7 ‘Provisions for a Group Home Type 2 or Supportive Housing Facility Supportive Housing Type 2’ states that:</p> <p>A Group Home Type 2 or a Supportive Housing Type 2 use Facility shall be subject to the following requirements and restrictions:</p> <p>(a) a group home type 2 shall be located in a single detached dwelling and or as the sole dwelling unit within a mixed use development;</p> <p>(b) the group home type 2 where not located within a mixed use development,</p>																																																																																								

	<p>other group home type 2, or a group home type 1;</p> <p>(d) a minimum separation distance of 610 metres shall be maintained between a supportive housing facility and a group home type 1, or a group home type 2, or another supportive housing facility; and</p> <p>(e) a group home type 2 shall be subject to compliance with the Group Home Registration By-law</p>	<p>a supportive housing type 2 use shall occupy the whole of the single-detached dwelling;</p> <p>(c) a minimum separation distance of 120 metres shall be maintained between a group home type 2 and any other group home type 2, or a group home type 1;</p> <p>(d) a minimum separation distance of 610 metres shall be maintained between a supportive housing facility and a group home type 1, or a group home type 2, or another supportive housing facility; and</p> <p>(e) a group home type 2 shall be subject to compliance with the Group Home Registration By-law.</p>
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Refer to Appendix 2 for WSP's report outlining the supportive housing policy review and proposed recommendations

Public Information Centres

At the first open house held at City Hall on March 11, 2020, the background information and proposed recommendations from WSP's draft report were presented for public input. Unfortunately, due to the short notification and COVID-19 there was a low turnout. To improve the consultation process staff ensured the material was available on-line and provided residents the opportunity to review the display boards and provide their comments digitally. Staff have also been in contact with the residents of Bramalea Woods and other interested delegates via email to provide project updates. Staff moved forward with a second open house virtually on July 29, 2020, to improve the public consultation process and ensured residents were provided adequate notice and provided the opportunity to speak regarding the proposed recommendations. The pre-recorded presentation and material was made available on the City's website to be reviewed after the public consultation sessions.

Stakeholder Engagement

Staff met on October 8, 2019 and on February 27, 2020 with Group Home operators that currently operate in the City to get their input on the current registration process, experience operating in Brampton and challenges. The general consensus amongst attendees with respect to the Group Home Type 1 use was to: simplify the Group Home definitions to be clear and concise; improve the registration process to remove elements that are not legislatively required such as, the open house, meeting with the area Councilors and the separation distance requirement, as recommended by WSP. There

were no comments regarding amending the registration process/requirements for the Group Home Type 2 use.

Resident Input

Since the City began the review of its supportive housing policies, residents have expressed concerns regarding the lack of clarity in the City's current policies and zoning definitions, particularly in interpreting the circumstances when certain provisions should apply. There are concerns that Group Homes are businesses operating in residential neighbourhoods, thereby compromising the character of the neighbourhood and generating traffic and parking issues. Residents have also noted they would prefer the Group Home process to be more restrictive in terms of, increasing the separation distance, regulating where they are permitted, being informed of the Group Home application early in the process and having input on whether a Group Home should be permitted to operate.

Group Homes are regulated and licenced through the Province and are permitted 'as of right' provided they are licenced by the Ministry and satisfy the Zoning By-Law provisions. The City's role is to ensure group homes are registered and satisfy the City's zoning by-law provisions pertaining to group home registration and annual inspections.

Staff have also received resident comments in support of WSP's draft recommendations presented at the first open house that propose less restrictive policies such as permitting Group Home Type 1 in all residential districts and through various housing typologies such as, semis and townhouses.

Public Meeting Notification:

Notice of the Public Meeting was provided by public notification in the Brampton Guardian. The Public Notice was also emailed to the list of interested parties on file. This report has been posted to the City's website.

Corporate Implications:

Financial Implications:

There are no financial implications associated with this report.

Other Implications:

There are no other implications at this time.

Term of Council Priorities:

This report directly aligns with the Strategic Direction – Brampton is a Mosaic by proposing policies and zoning provisions that embed diversity and equity. As well, the proposals support the implementation of the Age Friendly Strategy to improve

accessibility and affordability, and encourage greater civic participation for people of all ages and abilities.

Living the Mosaic – 2040 Vision

This Report aligns with Action #5-2 “Housing” of the Planning Vision by providing special needs housing for vulnerable groups.

Next Steps:

Following the Statutory Public Meeting staff will be evaluating the comments received prior to and at the Statutory Public meeting and will include the feedback in staff’s recommendation report.

Staff will report back to Planning & Development Committee with the final recommendations and the Official Plan and Zoning By-Law amendments to the City’s Supportive Housing policies, including Group Homes for final adoption in early Q1 2021.

Conclusion:

The City recognizes the need to offer a variety of housing options that meet the needs of all residents and provide affordable options. The City’s Affordable Housing Strategy, Housing Brampton, will address the housing needs of the community in a comprehensive manner.

In compliance with the requirements of the *Planning Act*, the City is holding a statutory public meeting to present a draft Official Plan Amendment and Zoning By-law Amendment with respect to the City’s Supportive Housing policies for public review and comment.

Authored by:

Reviewed by:

Mirella Palermo, MCIP, RPP, OALA
Policy Planner

Bob Bjerke, MCIP, RPP
Director, Policy Planning

Approved by:

Submitted by:

Richard Forward, MBA, M.Sc., P. Eng.
Commissioner, Planning, Building and
Economic Development Department

David Barrick
Chief Administrative Officer Services

Attachments:

Appendix 1: Interim Control By-Law 286-2019

Appendix 2: WSP's Supportive Housing Policy Review Final Draft Report (Nov 2020)



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 286 - 2019

To enact an Interim Control By-Law applicable to part of the area subject to
Zoning By-law 270-2004

WHEREAS The Council of the Corporation of the City of Brampton ("Council") directed by resolution that a review and study be undertaken of the City's Supportive Housing policies with a view to ensuring alignment with provincial policies, the City's Official Plan updates, and current registration practices (the 'Study');

AND WHEREAS Council is concerned about inconsistencies in its existing by-laws and policies regarding supportive housing facilities, including but not limited to the appropriateness of:

1. the minimum separation standards; and
2. the caps on the number of facilities permitted in given areas;

AND WHEREAS Council is concerned that the approval of applications for new supportive housing facilities prior to completion of the Study could thwart its long term land use planning objectives for supportive housing and undermine its ability to appropriately address the interests of existing and future residents of Brampton, including residents of Supportive Housing Facilities;

AND WHEREAS Section 38 of the *Planning Act*, R.S.O. 1990 c. P13, as amended, permits the municipality to pass an interim control by-law to be in effect for a period of time, not to exceed one year, to prohibit the use of land, building or structures within a defined area;

AND WHEREAS Council deems that while the City expeditiously completes the Study, an Interim Control By-law is necessary to prohibit the registration and creation of new Group Homes (Type 1 and Type 2) and Supportive Housing Facilities;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:


1. Except as provided in Sections 1.1 and 1.2, and notwithstanding any other by-law to the contrary, no person shall use any lands, buildings and structures within a residential zone category within the area set out in Schedule A to this By-law for the purpose of Supportive Housing Facilities, a Group Home Type 1 or a Group Home Type 2.


- 1.1 A Retirement Home, a Nursing Home and a Senior Citizen Residence shall be permitted where the specified use is listed as a permitted use in the applicable zone;
- 1.2 Supportive Housing Facilities, a Group Home Type 1 or Group Home Type 2 that lawfully existed on the date of the enactment of this interim control by-law shall be permitted so long as it continues to be used for that purpose.
2. For the purpose of Section 1 of this by-law, a Residential Zone shall be any zone listed in Section 3.1.1 of Zoning By-law 270-2004, as amended, including where such parent zone precedes a Special Section.
3. For the purpose of this by-law the following terms shall be applied in accordance with the definitions as set out in Section 5 of Zoning By-law 270-2004, as amended:
 - (a) Group Home Type 1
 - (b) Group Home Type 2
 - (c) Nursing Home
 - (d) Retirement Home
 - (e) Senior Citizen Residence
 - (f) Supportive Housing Facilities
4. This by-law expires six months from the date of its enactment and passage by Council.

ENACTED and PASSED this 20th day of November, 2019.

Approved as to
form.
2019/11/20
AGD

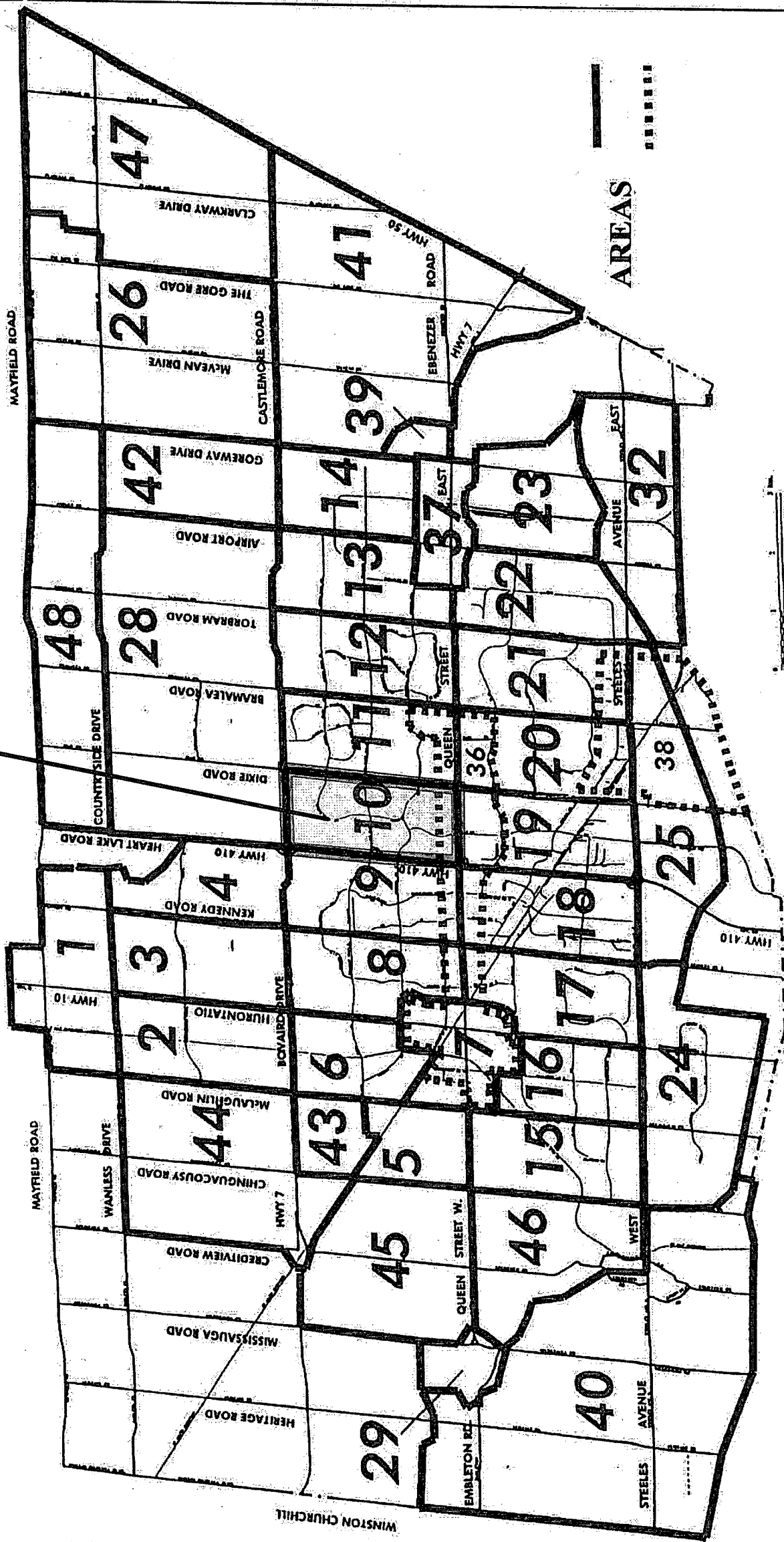
Approved as to
content.
2019/11/19
RJB


Patrick Brown, Mayor


Peter Fay, City Clerk

INTERIM CONTROL BY-LAW IN EFFECT

SCHEDULE A



PLANNING AREAS FOR ESTABLISHING
MAXIMUM GROUP HOME NUMBERS

By-Law 270-2004

Schedule D



CITY OF BRAMPTON

Planning, Design and Development

Date: 2004 06 28

Drawn by: A.R.d.

File no: schedr.dgn

Map no: -

IN THE MATTER OF the *Planning Act*, R.S.O.
1990, as amended, section 38;

AND IN THE MATTER OF the City of Brampton By-law 286-2019 being
a by-law to enact an Interim Control By-law applicable to part of the area subject to
Zoning By-law 270-2004, as amended,
Supportive Housing Policy Review
Ward 7

DECLARATION

I, Charlotte Gravlev, Deputy City Clerk, City of Brampton, in the Region of Peel, hereby
make oath and say as follows:

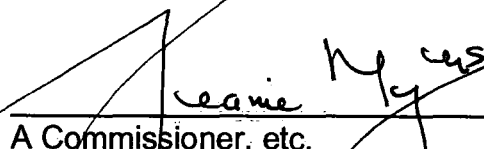
1. I am the Deputy City Clerk of The Corporation of the City of Brampton and as
such have knowledge of the matters herein declared:
2. By-law 286-2019 was passed by the Council of The Corporation of the City of
Brampton at its meeting held on the 20th day of November, 2019.
3. Written notice of By-law 286-2019 as required by section 38 of the *Planning Act*
was given on the 5th day of December, 2019, in the manner and in the form and
to the persons and agencies prescribed by the *Planning Act*, R.S.O. 1990 as
amended.
4. A clerical correction was made to written notice of By-law 286-2019, and was
subsequently re-issued on January 9, 2020, in the manner and in the form and to
the persons and agencies prescribed by the *Planning Act*, R.S.O. 1990 as
amended.
5. No notice of appeal was filed under section 38 of the *Planning Act* on or before
the final date for filing objections.
6. By-law 286-2019 is deemed to have come into effect on the 20th day of November,
2019, in accordance with Section 38 of the *Planning Act*, R.S.O. 1990, as amended.

And I make this solemn declaration conscientiously believing it to be true and knowing
that it is of the same force and effect as if made under oath.

DECLARED before me at the)
City of Brampton in the)
Region of Peel this)
22nd day of January, 2020)



Charlotte Gravlev



A Commissioner, etc.

Jeanie Cecilia Myers,
a Commissioner, etc.,
Province of Ontario,
for the Corporation of the
City of Brampton.
Expires April 8, 2021.



Group Homes and Supportive Housing Study

CITY OF BRAMPTON

FINAL DRAFT | NOVEMBER 2020

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EXECUTIVE SUMMARY

Brampton City Council expressed concerns that its existing group home and supportive housing policies and provisions were outdated and inconsistent. On November 20, 2019, an Interim Control By-law was enacted to prohibit new “Supportive Housing Facilities” and “Group Housing Facilities” for a six-month period. The Interim Control By-law allowed the City of Brampton to undertake a review of its Official Plan policies and Zoning By-law provisions as they relate to group homes and supportive housing facilities. The Interim Control By-law expired on August 24, 2020. For the purposes of this report, “supportive housing” is a general term applied to all forms of housing where residents require some form of support in their day-to-day lives, and includes group homes, seniors’ homes and long-term care homes.

The purpose of this Group Homes and Supportive Housing Study was to respond to current provincial legislation and regulations, simplify the group home registration process, and align with current practices in supportive housing. The Study was also driven by the need to increase the availability of supportive housing options for vulnerable populations in line with Regional initiatives.

This Study involved outlining the in-effect policy framework, a best practice review to consider approaches taken by other municipalities, a review of research and opinion papers regarding supportive housing, and consideration of recommendations from groups such as the Ontario Human Rights Commission and the Ontario Association of Children’s Aid Societies.

Based on the findings of the policy and best practice review, it was determined that the City of Brampton Official Plan and Zoning By-law require updates to better clarify the various forms of supportive housing to reduce the potential for disputes surrounding planning applications for supportive housing. It was also found that the current definitions of the Official Plan and Zoning By-law require comprehensive revisions to align with the Ontario Human Rights Code, and that the City’s registration process should be maintained, subject to further direction regarding public notification.

The Study recommends the removal of existing definitions from both the Official Plan and Zoning By-law and replacing those definitions with new definitions for Supportive Housing Type 1, Supportive Housing Type 2, and Residential Care Home. The proposed Official Plan and Zoning By-law amendments also update the permitted zones and land use designations where supportive housing uses are permitted. The amendments also remove minimum separation distances and restrictions on the number of supportive housing units within a defined area (currently shown on Schedule D of the Zoning By-law). Further, public notification, and public meetings and open houses are recommended to be removed from the formal registration process where non-correctional supportive housing forms are permitted “as-of-right” (i.e., do not require a Planning Act application to permit the use).

1 INTRODUCTION

1.1 PURPOSE OF STUDY

The City of Brampton (the City) enacted an Interim Control By-law (ICBL) on November 20, 2019 for a portion of the City to prohibit the registration and creation of new 'Supportive Housing Facilities' and 'Group Homes' (Type 1 and Type 2) for a six-month period. On August 24, 2020, the ICBL expired and no longer prohibits these types of applications from being processed.

The reasoning for the ICBL was to allow a review of the City's policies and zoning by-law provisions to be completed, prior to the approval of any applications for new group homes. Council expressed concerns that the existing Group Home and Supportive Housing policies are outdated and that there are inconsistencies in certain by-law standards, such as caps on the number of facilities permitted in an area.

As part of their review, the City has retained WSP to undertake a Group Homes and Supportive Housing Study to support an implementing Official Plan and Zoning By-law Amendment. The City has expressed concerns over inconsistencies in, among other things, the appropriateness of:

- The clarity of current definitions for supportive housing forms;
- The minimum separation distance standards; and
- The limits on the number of facilities permitted in given areas.

The ICBL prevented new 'Supportive Housing Facilities', a 'Group Homes Type 1' or a 'Group Home Type 2' within the defined area. 'Retirement Home', 'Nursing Home' and a 'Senior Citizen Home' is permitted where the specified use is a permitted use in the applicable zone. The ICBL stated that "the following terms shall be applied in accordance with the definitions as set out in Section 5 of the Zoning By-law 270-2004, as amended":

- Group Home Type 1
- Group Home Type 2
- Nursing Home
- Retirement Home
- Senior Citizen Residence
- Supportive Housing Facilities

This report includes a best practice review to consider current approaches taken by other municipalities in Southern Ontario, reviewed research and opinion papers completed on the subject of supportive housing, and considered recommendations from groups such as the Ontario Human Rights Commission and Ontario Association of Children's Aid Societies.

Recommendations on revisions to the City's definitions, Official Plan policy and zoning by-law standards for supportive housing forms are then included within the report, for the City's consideration. For the purposes of this report "supportive housing" is a general term used to apply to all forms of housing where residents require some form of support in their day-to-day lives, and shall include group homes, seniors' residences and long-term care homes.

2 PROVINCIAL OVERSIGHT AND LEGISLATION

The Provincial government has been largely responsible for the funding, approving and licensing of group homes through legislation. This section summarizes the specific legislation that governs planning and group homes in Ontario.

2.1 PLANNING ACT

The Planning Act is the principal legislation that describes how municipalities may plan, manage and regulate land use in Ontario's communities. The Planning Act outlines matters of Provincial interest and enables the Province to issue Policy Statements to provide direction to municipalities on matters of Provincial interest.

The Planning Act enables municipal councils to pass a variety of tools to plan and regulate the use of land and the placement of buildings and structures on a lot. Under Section 16 of the Planning Act, most municipalities, including the City of Brampton, are required to prepare and adopt Official Plans in accordance with the requirements of the Act. Official Plans contain goals, objectives and policies to guide decision making on land use planning matters. Municipal decisions, by-laws and public works are required to conform to the policies of the Official Plan (Section 24(1)).

Section 2 of the Planning Act lists matters of Provincial interest that the Minister, the council of a municipality, a local board, a planning board and the Tribunal shall have regard to when carrying out their responsibilities under the Planning Act. The matters relevant to the provision of housing are:

- The adequate provision of a full range of housing, including affordable housing;
- The orderly development of safe and healthy communities; and
- The accessibility of persons with disabilities to all facilities, services and matters to which this act applies.

The provision and accommodation of supportive housing facilities such as group homes is an important part of providing a range of housing that is accessible.

Section 34 of the Planning Act enables councils to pass zoning by-laws to regulate the use of land and the location, height, bulk, size, floor area, spacing, character and use of buildings and structures, as well as parking and loading requirements and lot requirements. Additionally, zoning by-laws may be used to prohibit the use of land or erection of buildings and structures in certain hazardous areas or areas of natural heritage or archeological importance.

Zoning by-laws are legally enforceable documents with very precise requirements for each property in the municipality. A property owner is not entitled to obtain a building permit unless their proposed building, structure or change in land or building use is consistent with the requirements of the zoning by-law. Further, persons who have erected a building or structure, or changed the use of land or the use of a building which is not consistent with the zoning by-law that is in effect, may be subject to penalties as outlined in the Planning Act.

There are also limitations as to what zoning by-laws can regulate. Section 35(2) of the Planning Act says municipalities may not pass zoning bylaws that distinguish between people who are related and people who are unrelated in respect of the occupancy or use of a building. For example, a zoning bylaw cannot stipulate that a family rather than roommates must occupy a house.

Zoning By-laws are an efficient tool to regulate housing in municipalities, including supportive housing facilities such as group homes. The By-laws can range in the type of regulation that is applied including specific definitions, where the housing facilities are permitted, and additional requirements such as parking.

2.2 MUNICIPAL ACT

The Municipal Act, 2001 sets out rules for all municipalities in the Province of Ontario, except for the City of Toronto – which is governed by the City of Toronto Act, 2006. The Act gives municipalities broad powers to pass by-laws and govern within their jurisdiction.

Section 163 of the Municipal Act, titled “Restrictions re. Group Homes” sets out the definition and requirements for group homes within municipalities in Ontario. The Act defines group homes as:

“group home” means a residence licensed or funded under a federal or provincial statute for the accommodation of three to 10 persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well being. 2006, c. 32, Sched. A, s. 82.

The Act allows municipalities to enact a business licencing by-law for group homes only if the municipality permits the establishment and use of group homes under section 34 of the Planning Act (i.e., in the Zoning By-law). A business licencing by-law for group homes can restrict the establishment of group homes to only those with a licence who may be required to pay licence fees and/or provide the municipality information in regard to the business name, ownership and contact information.

The Municipal Act provides direction for land use planning purposes; however, it does not directly legislate Official Plans or Zoning By-laws, which are legislated through the Ontario Planning Act.

2.3 MINISTRY OF CHILDREN, COMMUNITY AND SOCIAL SERVICES

The Ministry of Children, Community and Social Services work includes the provision of ‘Social Assistance’, ‘Programs for Adults with a Development Disability’, ‘Community Services’ and ‘Child and Spousal Support Orders’.

Under its responsibility for Programs for Adults with a Development Disability, the Ministry is authorized by law to approve and issue a licence to operate a group home that houses children with developmental abilities and special needs. It is part of the Ministry’s responsibility to assess and determine whether basic care and safety requirements, set out in the Child, Youth and Family Services Act, 2017 as well as other regulations and policies are being met and to take action when these requirements are not being met.

The Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act, 2008 (SIPDDA) defines Ontario’s developmental disability laws. The SIPDDA includes a specific

definition for development disability along with who gets support and why. One of the residential supports provided is Supported Group Living Residences which are defined as:

“supported group living residence” means a staff-supported residence operated by a service agency, in which three or more persons with developmental disabilities reside and receive services and supports from the agency,

The SIPDDA enables the establishment of standards for the construction and maintenance of such residences, the health and safety of residents, the requirements for staff and volunteers and their qualifications, the provision of services and supports to residents, the maintenance of records and the rules governing physical restraint of residents and the training of staff in relation to the use of physical restraint.

2.4 MINISTRY FOR SENIORS AND ACCESSIBILITY

The Ministry for Seniors and Accessibility helps seniors and people with disabilities find community and housing support. The Ministry provides information on long-term care homes and retirement homes, including availability of subsidies. The Retirement Homes Act, 2010 was introduced by the Province to protect seniors living in retirement homes, requiring licenses and compliance requirements, such as assessments for mandatory standards of care services and mandatory fire and safety plans.

The Retirement Homes Regulatory Authority (RHRA) was created by the Act, and is overseen by the Ministry. The RHRA license and inspect retirement homes, maintain a register of homes, investigate complaints, and enforce the Act. The RHRA explains that the definition for “retirement home” under the Act is:

“A building or related group of buildings, or a part of a building or a part of a related group of buildings, with one or more rental units of living accommodation that meets the following criteria:

- *Occupied primarily by persons who are 65 years or older;*
- *Occupied or intended to be occupied by at least six persons who are not related to the operator of the home;*
- *Makes at least 2 of the 13 care services set out in the Act available, directly or indirectly, to residents.*

Care services include, among other things, drug administration, clothing assistance, bathing assistance, provision of meals, and any service provided by the College of Nurses of Ontario while engaging in the practice of nursing.

3 PROVINCIAL AND REGIONAL POLICY FRAMEWORK

3.1 PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement, 2020 (2020 PPS) came into effect on May 1, 2020 and replaces the previous 2014 PPS. The 2020 PPS is issued under the authority of Section 3 of the Planning Act. The current 2020 PPS is a statement of the Province's position on land use planning matters. The PPS promotes the development of healthy, livable and safe communities, and the efficient use of land and infrastructure through more compact development, a mix of uses, and access to multiple modes of transportation. Decisions on land use planning matters, including the goals, objectives and policies of Official Plans, must be consistent with the Provincial Policy Statement.

The Provincial Policy Statement was updated in 2020 as part of the Province's "More Homes, More Choice: Ontario's Housing Supply Action Plan" which included updates to the Growth Plan for the Greater Golden Horseshoe and the passage of Bill 108 that introduced changes to the Planning Act, Development Charges Act, and other legislation. The goal of 2020 PPS is to increase the mix and supply of housing and to streamline the approvals process.

Section 1.4 'Housing' states at policy 1.4.3 that planning authorities shall "*provide for an appropriate mix and range of housing options*" so that projected housing needs of current and future residents are met. The 2020 PPS states that in order to achieve this, planning authorities should permit and facilitate:

"all housing options required to meet the social, health, economic well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities."

The 2020 PPS also requires new housing to be directed towards locations with appropriate levels of infrastructure and public service facilities, and to establish residential development standards which minimize housing costs and facilitate compact form, while maintaining levels of health and safety.

Recent Provincial policies and legislation have emphasized the importance of encouraging the development of a range of new housing, as noted above. The 2020 PPS specifically emphasizes that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet the social, health and well-being requirements of current and future residents, including special needs requirements.

3.2 GROWTH PLAN, 2019

Effective May 16, 2019, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), herein referred to as the 2019 Growth Plan, replaces the 2017 Growth Plan for the Greater Golden Horseshoe. The 2019 Growth Plan is part of the Provincial Government's More Homes, More Choice: Housing Supply Action Plan, which aims to address the needs of the Region's growing population, its diversity, its people and its local priorities. Section 3(5) of the Planning Act requires that all decisions that affect a planning matter shall conform to the Growth Plan.

The 2019 Growth Plan establishes a growth management strategy to the year 2041 for municipalities within the Greater Golden Horseshoe Area. The 2019 Growth Plan aims to direct the accommodation of forecasted growth to complete communities which are well designed to meet the population's needs for daily living. This should be achieved through the provision of an appropriate mix of jobs, local services, public service facilities and a range of housing to accommodate a range of incomes, persons and household sizes through an entire lifetime.

The 2019 Growth Plan encourages the provision of affordable housing and a diverse range of housing options including special needs housing. Section 2.2.6 of the Growth Plan specifies that land use planning should align with applicable housing and homelessness plans required under the Housing Services Act, 2011 – which defines special needs housing as *“housing intended for use by a household with one or more members who require accessibility modifications or provincially funded support services in order to live independently in the community”*.

3.3 REGION OF PEEL OFFICIAL PLAN

The Region of Peel Official Plan (the Regional OP) was adopted by Regional Council in 1996, with its latest consolidation being December 2018. The Region of Peel initiated 'Peel 2041' in 2013, its current Regional Official Plan review. The review is undertaken to ensure conformity with provincial plans and policies, and to reflect the changing needs and demographics of the Region. The Region's current schedule identifies the Regional Official Plan Amendment as being adopted by Council in 'Winter 2021'.

The Regional OP is Regional Council's long-term policy framework for decision making. It sets the Regional context for detailed planning by protecting the environment, managing resources, directing growth and setting the basis for providing Regional services in an efficient and effective manner. The Regional OP provides direction for future planning activities and for public and private initiatives aimed at improving the existing physical environment. The Regional OP provides policy direction for growth and development for the City of Brampton.

The provision of a full range of housing is a key objective of the Regional OP. The Region of Peel is committed to achieving a supply of accessible, adequate and appropriate housing of all types, sizes, densities and tenures to meet the existing and future needs for residents.

Section 5.8.6 outlines the Region's objective to make housing available for the diverse populations of the Region along with those residents with special needs. The definition of Special needs housing in the Regional OP includes group homes. It is the policy of the Regional Council to:

- Encourage the area municipalities to develop policies in their official plans to support the development of special needs housing in locations with convenient access to existing or planned infrastructure (e.g. transit), amenities and support services.
- Encourage the area municipalities to explicitly identify special needs housing as permitted uses in residential or other suitably zoned lands where appropriate in area municipal zoning by-laws.
- Encourage the area municipalities to review their requirements for minimum distance and maximum number of boarding houses, group homes, lodging houses, rooming houses, and other similar types of homes to ensure the development of housing which meets the social, health and well-being requirements of current and future residents.

- Encourage the area municipalities to identify additional areas where special needs housing is permitted, to ensure they are in close proximity to amenities, support services and other existing services, such as transit.

3.4 POLICY FRAMEWORK SUMMARY

The Planning Act and policy framework are consistent in their direction to municipalities regarding provision of housing. Provision of an appropriate mix and range of housing options for current and future residents, including housing for those with special needs requirements, is a key theme. Housing policy should contribute to the creation of safe and healthy communities, where all residents might benefit from access to transit, amenities and employment opportunities, and for those who require it, specific support services.

The 2020 PPS represents the most up-to-date provincial policy direction for the provision of housing in Ontario, where it specifically highlights requirements for planning authorities to permit and facilitate housing options to meet the “social, health, economic well-being requirements” of residents, including “special needs requirements”.

The Regional OP encourages municipalities to “*explicitly identify special needs housing as permitted uses in residential or other suitably zoned lands where appropriate in area municipal zoning by-laws*” and that Official Plan policies should support special needs housing in locations with convenient access to existing or planned amenities and support services. The Regional OP goes on to advise use of minimum separation distances for special needs housing should be reviewed.

Permitting supportive housing forms in residential areas without restrictions, such as minimum separation distances or limits on group home numbers per area, is the direction provided throughout the provincial and regional policy framework; this should be given significant consideration in the review of Brampton’s supportive housing Official Plan policies and Zoning By-law provisions.

4 CITY OF BRAMPTON EXISTING SUPPORTIVE HOUSING FRAMEWORK

4.1 OFFICIAL PLAN DEFINITIONS AND POLICIES

The Brampton Official Plan 2006 (September 2015 office consolidation) includes definitions and policies related to supportive housing and group homes.

As it relates to this Study, the Official Plan provides the following definitions:

- Group Homes
- Auxiliary Group Home
- Long-term Care Home
- Rest Home
- Retirement Home
- Supportive Housing Facilities

Specific policies regarding the above definitions are provided for within Sections 4.2 'Residential', 4.4 'Employment' and 4.9 'Institutional' of the Official Plan. This section outlines the existing definitions and policies, and provides initial assessment with regards to the City's current approach, highlighting opportunities for potential clarification, simplification and consolidation.

The Official Plan's current supportive housing framework can be summarized as follows:

Supportive Housing Type	Definition Summary	Policy Requirements	Permitted Designations
Group Home Type 1	Detached dwelling 4 – 6 people under supervision Shall not include Group Home Type 2 or SHF Approved under applicable Provincial Act	Occupy part or the whole of the dwelling unit; Conform in size, height and general appearance with other dwellings in the host neighbourhood; To prevent a concentration of group homes in any one area, standards, including a minimum distance separation, shall be adopted by the City of Brampton; and,	Official Plan Schedule A: Residential Estate Residential Village Residential Major Institutional Business Corridor Regional Retail Office

Supportive Housing Type	Definition Summary	Policy Requirements	Permitted Designations
		All group homes shall comply with the relevant zoning and registration requirements.	
Group Home Type 2	<p>Detached dwelling or dwelling in commercial building</p> <p>4 – 10 people under supervision</p> <p>For correctional housing forms and Group Homes over 6 persons.</p> <p>Shall not include Group Home Type 1 or SHF</p> <p>Approved under applicable Provincial Act</p>	As Type 1	As Type 1
Auxiliary Group Home	<p>Dwelling unit</p> <p>Up to 3 people</p> <p>Shall not include Group Home Type 1 or 2, or SHF</p> <p>No reference to approvals under Provincial Acts</p>	Comply with zoning and registration requirement	<p>Single detached dwellings, semi-detached dwelling units and multiple dwelling units.</p> <p>Official Plan Schedule A:</p> <p>Estate Residential</p> <p>Village Residential</p> <p>Residential</p> <p>Major Institutional</p>
Supportive Housing Facility (SHF)	<p>Place for accommodation</p> <p>Supervised group living</p> <p>No range on number of residents</p> <p>No reference to approvals under Provincial Acts</p>	<p>Comply with Zoning By-law requirements</p> <p>Regard to several general development requirements e.g. adequate on-site parking</p>	The City shall permit supportive housing facilities for more than 10 persons located in any area designated Major Institutional
Retirement Home	<p>A place or dwelling</p> <p>Over 8 persons under supervision</p> <p>Shared facilities</p>	<p>Comply with Zoning By-law requirements</p> <p>Regard to several general development requirements e.g. adequate on-site parking</p>	Residential, Commercial and Institutional and Public Uses

Supportive Housing Type	Definition Summary	Policy Requirements	Permitted Designations
	No reference to approvals under Provincial Acts Does not include Group Homes, SHF, or correctional housing forms		
Rest Home	A place or dwelling 3 – 8 residents under supervision Shared facilities No reference to approvals under Provincial Acts Does not include Group Homes, SHF, or correctional housing forms	No specific policies	No specific policies
Long Term Care Centre	Residential facility No range on number of residents 24-hour care and shared facilities Approved under applicable Provincial Act	Comply with Zoning By-law requirements	Residential, Commercial and Institutional and Public Uses

4.1.1 DEFINITIONS

The definitions contained within the Official Plan are outlined below in full.

Group Homes

Group Home Type 1 shall mean a supportive housing facility located within a detached dwelling unit that is occupied by four (4) to six (6) persons, exclusive of staff and/ or receiving family, who live as a unit under responsible supervision consistent with the requirements of its residents and which is licensed or approved pursuant to Provincial Statute within the jurisdiction of the Ontario Ministry of Community and Social Services or the Ministry of Health.

A Group Home Type 1 may provide accommodation, supervision and treatment for: the mentally retarded pursuant to the Homes for Retarded Persons Act, or the Development Services Act; individuals over 60 years of age as a satellite residence under the Homes for the Aged and Rest Homes Act; children under the Child and Family Services Act; persons under the Mental Hospitals Act and Homes for Special Care Act; and persons under the Charitable Institutions Act. No supervision or treatment shall be provided to any person not residing in the group home. A group home type 1 shall not include a residence defined as a group home type 2, supportive lodging house, lodging house, a foster home, or a supportive housing facility.

Group Home Type 2 shall mean a supportive housing facility occupied by four (4) to ten (10) persons, exclusive of staff located within a single detached dwelling, or a dwelling within a commercial building which shall be maintained and operated primarily for: persons who have been placed on probation under the provisions of the Probation Act, the Criminal Code of Canada, or any Act passed to replace the foregoing Acts; persons who have been released on parole under the provisions of the Ministry of Correctional Services Act, or Parole Board of Canada or any Act passed to replace the foregoing Acts; persons who have been charged under the Young Offenders Act but who have been placed in open or secure custody; persons requiring treatment and rehabilitation for addiction to drugs or alcohol; persons housed in a group home that satisfies all of the requirements of a Group Home Type 1 except that it accommodates in excess of six (6) residents. A group home type 2 shall not include a residence defined as a group home type 1, supportive lodging house, lodging house, foster home, or a supportive housing facility. No supervision or treatment shall be provided to any person not residing in the group home.

Auxiliary Group Home shall mean a supportive housing facility located within a dwelling unit occupied by no more than three (3) persons in need of supervision or guidance but shall not have full time staff attending the home. An auxiliary group home shall not include: group home type 1; group home type 2; supportive lodging house; foster home.

Long Term Care Home

Refers to a residential facility, approved either under the Nursing Act, Charitable Institution Act, Home for the Aged and Rest Home Act, or any other applicable Province of Ontario Act, which provides 24-hour supervision and nursing care and services in a private or semi private accommodation for persons who are no longer able to live independently. Residential accommodation is provided along with shared facilities including dining rooms and common rooms, and other amenities such as lounge, gift shop, beauty salon, chapel, and garden.

Rest Home

Means a place or dwelling for the accommodation of persons, who, by reason of their emotional, mental, social or physical condition, or legal status, require a supervised living arrangement for their well-being, in which:

- (i) Rooms or room and board are supplied for hire or gain;
- (ii) No less than 3, and no more than 8 persons, exclusive of staff, can be accommodated;
- (iii) There is a common dining room and common sitting room there is [sic] for the residents, but shall not include:
 - a) A group home;
 - b) An auxiliary group home;
 - c) A nursing home;
 - d) A place maintained and operated primarily for, and occupied by, persons placed on parole or inmates;
 - e) A place maintained and operated primarily for the temporary care of, and occupied by, transient or homeless persons; or
 - f) A place maintained and operated primarily for the treatment and rehabilitation of, and occupied by, persons who are addicted to drugs or alcohol.

Retirement Home

Means a place or dwelling for the accommodation of persons, who, by reason of their emotional, mental, social or physical condition, or legal status, require a supervised living arrangement for their well-being, in which:

- (i) Dwelling units, rooms or room and board are supplied for hire or gain;
- (ii) More than 8 persons in addition to the staff and operator are accommodated in the retirement home;
- (iii) There is a common dining room and common sitting room for the residents, but shall not include,
 - a) A group home;
 - b) An auxiliary group home;
 - c) A nursing home;
 - d) A supportive housing facility;
 - e) A supportive lodging house; or,
 - f) A place maintained and operated primarily for the treatment and rehabilitation of, and occupied by, persons who are addicted to drugs or alcohol.

Supportive Housing Facilities

Shall mean a place for the accommodation of persons, who, by reason of their emotional, mental, social or physical condition, or legal status require a supervised group living arrangement for their well being, but shall exclude foster homes as defined in the Child and Family Services Act or successor legislation.

ANALYSIS

The existing definitions include ambiguous and conflicting language, particularly with regards to what constitutes a 'supportive housing facility'. For example, 'Group Homes' are defined as a type of "supportive housing facility"; however, for both Type 1 and 2 Group Homes, the definition goes on to state that "a group home shall not include...a supportive housing facility".

Certain definitions are closely aligned, for example 'Rest Home' and 'Retirement Home' being defined essentially as a 'supportive housing facility', but with specific resident number ranges (where the definition for supportive housing facility does not include a range for number of residents).

The definitions for 'Group Homes' outlines extensive Provincial legislation under which the supportive housing forms are provided. While there may be merit in differentiating between Type 1 and 2 Group Homes, language could likely be simplified. It is noted that certain legislation referenced within the definitions is also outdated. Through a review of the specific Official Plan policies, opportunities for consolidating definitions may be identified.

The structure of the definitions could be improved, if they are to generally be maintained, and simplified where reference is made to other supportive housing types that are not defined within the Official Plan. For example, the structure of the 'Retirement Home' definition should be revised: the list of uses not included within the definition should not be a sub-list of part (iii), which speaks to common areas for residents.

Further initial analysis of the Official Plan framework is outlined below with specific consideration of Official Plan policies. There may be opportunities to consolidate Official Plan definitions once policies have been reviewed.

4.1.2 POLICIES

Outlined below are the City's current Official Plan policies as they relate to supportive housing. The majority of the policies are contained at section 4.2 'Residential', while also outlining where supportive housing forms may be permitted under the 'Employment' designation at section 4.4, and 'Institutional' at section 4.9. Analysis of the current policy framework is provided, giving consideration to opportunities for clarification, simplification and/or consolidation.

Section 4.2 'Residential' contains most of the policies relating to supportive housing, specifically for Group Homes, Supportive Housing Facilities and Retirement Homes.

Section 4.2.6 'Group Homes' states at policy 4.2.6.6 that:

The City supports the principle of integrating Group Homes into existing and new residential communities as approved by the City and the appropriate government regulatory agency, subject to zoning and registration requirements.

Policy 4.2.6.7 states that the City shall permit group homes in dwellings within areas designated as Estate Residential, Village Residential, Residential, Major Institutional, Business Corridor, Regional Retail, and Office on Schedule "A" to this Plan subject to the following criteria:

- (i) Group homes shall occupy part or the whole of the dwelling unit;
- (ii) Group homes shall conform in size, height and general appearance with other dwellings in the host neighbourhood;
- (iii) To prevent a concentration of group homes in any one area, standards, including a minimum distance separation, shall be adopted by the City of Brampton; and,
- (iv) All group homes shall comply with the relevant zoning and registration requirements.

Auxiliary Group Homes

Policy 4.2.6.8: The City shall permit auxiliary group homes in single detached dwellings, semi-detached dwelling units and multiple dwelling units, all to be within areas designated Estate Residential, Village Residential, Residential and Major Institutional on Schedule "A" to this Plan subject to the following criteria:

- (i) All auxiliary group homes shall comply with the relevant zoning and registration requirements; and,
- (ii) To prevent a concentration of group homes and auxiliary group homes in any one area, standards, including a minimum distance separation, shall be adopted by the City.

Supportive Housing Facilities

Policy 4.2.6.10: The City shall permit supportive housing facilities for more than 10 persons (i.e. retirement homes) located in any area designated Major Institutional on Schedule "A" to this Plan and in the applicable Secondary Plan, subject to the policies of these documents, in particular the Institutional

and Public Uses section of this Plan. No supportive housing facilities shall be permitted to locate in hazardous lands or hazardous sites.

Policy 4.2.6.11: The City shall have regard for the need for group homes, and other forms of supportive housing and shall provide opportunities for their establishment. In this regard, the City may create these opportunities on a planning area basis.

Policy 4.2.6.12: The City will monitor applications for, and the establishment of group homes in order to ensure available opportunities for additional group homes.

Policy 4.2.6.13: Council shall direct staff to review opportunities for the development of group homes when 60 percent of the potential opportunities in the City have been utilized. Staff will report to Council within one year of this direction and recommend appropriate strategies regarding adequate opportunities for this type of housing.

Policy 4.2.6.14: Notwithstanding Sections 4.2.6.7(iii) and 4.2.6.8(i) above:

- a) Where a zoning by-law sets a limit on the number of group homes permitted within a planning area; and,
- b) Where the said limit has been reached, an application for a minor variance to this provision of the zoning by-law, permitting the creation of an additional group home within the subject planning area will not be unfavourably considered by staff solely on the basis that the limit within the subject planning area will thereby be exceeded, or that there are opportunities available elsewhere in the City.

Retirement Housing

Policy 4.2.6.15: The City shall permit Retirement Housing in Residential, Commercial and Institutional and Public Uses designations in the Official Plan, subject to the following provisions:

- (i) Retirement home shall comply with all zoning requirements set out in the City's By-law;
- (ii) In determining the suitability of a site for use as retirement housing, due regard shall be given to:
 - a) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities;
 - b) Adequate vehicular ingress/egress and on-site parking;
 - c) Adequate on-site landscaped open space suitable for passive recreational use by the residents of the home;
 - d) Siting and landscaping to minimize any adverse impact on adjacent uses;
 - e) Impact of the development on the ecosystem and natural environmental features;
 - f) Appropriate integration of the proposed use with adjacent uses and the host neighbourhood;
 - g) Access to municipal water and sanitary waste;
 - h) Locating away from hazardous lands or hazardous sites; and,
 - i) Accessibility for persons with disabilities.

Policy 4.2.6.16: The City shall encourage the use of the City of Brampton Accessibility Technical Standards in the design and improvement of Retirement Housing.

Section 4.4 Employment

Policy 4.4.1.5: The City shall also permit Supportive Housing Facilities to be permitted within areas designated as Business Corridor that are not within the Lester B. Pearson International Airport (LBPIA) Operating Area subject to the following criteria:

- (i) The supportive housing facility shall have direct access or frontage on an arterial or collector road;
- (ii) The supportive housing facility may occupy a single detached dwelling or any building converted or newly constructed for that purpose but in every case shall occupy the whole of such buildings; and,
- (iii) To prevent a concentration of supportive housing facilities in any one area, the City shall adopt standards including a minimum distance separation between crisis care facilities, group homes or other residential care facilities.

Section 4.9 Institutional

Section 4.9.4 Long Term Care Centres states:

The demand for special needs housing including long term care centres and retirement homes is growing as the population of Brampton matures. In opting for these types of housing, there is a strong tendency for Brampton residents to remain in the community closer to areas and places that are familiar to them. The provision of special housing in appropriate locations throughout the City is essential to improving access to these facilities and enhancing the range of choice of location available to older residents with special housing needs.

Policies for Long Term Care Centres are outlined below:

4.9.4.1 The City shall permit Long Term Care Centres in Institutional and Public Uses, Residential and Commercial designations in the Official Plan, subject to the following provisions:

- (i) The long-term care centre shall comply with all zoning requirements set out in the City's Zoning By-law;
- (ii) In determining the suitability of a site for use as a long-term care centre, due regard shall be given to:
 - a) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities;
 - b) Adequate vehicular ingress/egress and on-site parking;
 - c) Adequate on-site landscaped open space suitable for passive recreational use by the residents of the home;
 - d) Siting and landscaping to minimize any adverse impact on adjacent uses;
 - e) Impact of the development on the ecosystem and natural environmental features;
 - f) Appropriate integration of the proposed use with adjacent uses and the host neighbourhood;
 - g) Access to municipal water and sanitary waste; and,
 - h) Accessibility for persons with disabilities.

ANALYSIS

The ability to consolidate/simplify supportive housing type definitions and policies within the Official Plan is dependant to a degree upon the Official Plan designations and their suitability for accommodating certain supportive housing types. The number and type of residents is predominantly what differentiates

the supportive housing types currently, otherwise, many of the policies are generally aligned in terms of which Official Plan designations they are permitted to be located within. This study has reviewed the significance of number and types of residents in defining supportive housing types for land use planning purposes, identifying opportunities for consolidating policies and definitions.

Every supportive housing type is required to comply with the relevant zoning standards as a specific policy requirement. Where policies for different supportive housing types are relatively aligned, there is potential to consolidate them within the Official Plan, and outline more detailed land use and development requirements through the zoning standards, if appropriate.

Group Homes Type 1 and 2 are both permitted within the same designations, as are Retirement Homes and Long-Term Care Centres. The Official Plan does not contain specific policies for a Rest Home. Auxiliary Group Homes are required to comply with the City's registration requirement under policy 4.2.6.8, however, they are not subject to the registration process, being less than 4 residents. This requirement should be deleted, if the definition and policy is retained.

Of the policy designations referenced within the supportive housing policies, 'Business Corridor' is the most detached from existing residential communities, being largely surrounded by industrial land uses. The appropriateness of the designation for supportive housing is considered as part of this study.

Policy requirements for preventing the concentration of Group Homes are outlined for both Group Homes Type 1 and Type 2. This should be reviewed considering the best practices review and guidance from the Ontario Human Rights Commission.

4.2 ZONING BY-LAW DEFINITIONS, ZONES AND PROVISIONS

The City of Brampton Zoning By-law 270-2004 contains the provisions that regulate land use and development within the City. The by-law establishes several residential, commercial and industrial zones, as well as zones for institutional, open space, floodplain and agriculture, with each zone identifying the uses permitted. The zoning by-law schedules identify the locations of each zone within the City, with Schedule D specifically concerned with 'Planning Areas for Establishing Maximum Group Home Numbers'.

As it relates to this Study, the zoning by-law includes the following definitions:

- Auxiliary Group Home
- Group Home Type 1
- Group Home Type 2
- Nursing Home
- Retirement Home
- Senior Citizen Residence
- Supportive Housing Facilities

This section outlines in full the existing definitions and zoning regulations, and provides initial assessment with regards to the City's current approach, highlighting opportunities for potential clarification, simplification and consolidation.

4.2.1 DEFINITIONS

The definitions contained within the zoning by-law are outlined below in full.

Auxiliary Group Home

Shall mean a supportive housing facility located within a dwelling unit occupied by no more than three (3) person in need of supervision or guidance but shall not have full time staff attending the home. An auxiliary group home shall not include:

- A Group Home Type 1
- A Group Home Type 2
- A Foster Home

Group Home Type 1

Shall mean a supportive housing facility located within a dwelling unit that is occupied by four (4) to six (6) persons, exclusive of staff and/or receiving family, who live as a unit under responsible supervision consistent with the requirements of its residents and which is licensed or approved pursuant to Provincial Statute within the jurisdiction of the Ontario Ministry of Community and Social Services or the Ministry of Health.

A Group Home Type 1 may provide accommodation, supervision and treatment for:

- The persons being cared for or obtaining services at a facility established under the Developmental Services Act;
- Individuals over sixty (60) years of age as a satellite residence under the Homes for the Aged and Rest Homes Act;
- Children under the Child and Family Services Act; and
- Persons under the Mental Hospitals Act and Homes for Special Care Act.

No supervision or treatment shall be provided to any persons not residing in the group home.

A group home type 1 shall not include a residence defined as a group home type 2, lodging house, a foster home, or a supportive housing facility.

Group Home Type 2

Shall mean a supportive housing facility occupied by four (4) to ten (10) persons, exclusive of staff located within a single detached dwelling or dwelling unit within a commercial building which shall be operated primarily for:

- Persons who have been placed on probation under the Ministry of Correctional Services Act, the Criminal Code or any Act passed to replace the forgoing Acts;
- Persons who have been released under the provisions of the Ministry of Correctional Services Act, Corrections and Conditional Release Act or any Act passed to replace the foregoing Acts;
- Persons who have been charged under the Youth Criminal Justice Act, but who have been placed in open or secure custody;
- Persons who require temporary care, and transient or homeless persons;

- Persons requiring treatment and rehabilitation for addiction to drugs or alcohol; or
- Persons housed in a group home that satisfies all of the requirements of a Group Home Type 1 except that it accommodates in excess of six residents.

A group home type 2 shall not include a residence defined as a group home type 1, supportive lodging house, lodging house, foster home, or a supportive housing facility.

Nursing Home

Shall mean any building or place maintained and operated for persons requiring nursing care.

Retirement Home

Shall mean a residential care facility for the accommodation of persons, who, by reason of their emotional, mental, social, or physical condition, or legal status, require a supervised living arrangement for their well-being, in which:

- (a) dwelling units, rooms or room and board are supplied for hire or gain;
- (b) more than eight (8) persons in addition to the staff and operator are accommodated in the retirement home;
- (c) there is a common dining room and common sitting room for the residents,

but shall not include:

- (a) a group home;
- (b) an auxiliary group home;
- (c) a nursing home;
- (d) a supportive housing facility;
- (e) a lodging house.

Senior Citizen Residence

Shall mean a building owned and operated by a government agency, or by a non-profit and non-commercial organization, primarily for the housing of senior citizens, containing only one or two-bedroom dwelling units, in which each one-bedroom dwelling unit has a gross floor area of not more than fifty-eight decimal five (58.5) square metres and each two-bedroom dwelling unit has a gross floor area of not more than seventy (70) square metres.

Supportive Housing Facilities

Shall mean a place for the accommodation of persons, who, by reason of their emotional, mental, social or physical condition, or legal status require a supervised group living arrangement for their well being but shall exclude a foster home as defined in the Child and Family Services Act or successor legislation.

ANALYSIS

It is noted that no definitions are included for 'Long Term Care Centres' or 'Rest Homes', where the Official Plan does include such definitions, and that the zoning by-law includes 'Nursing Home', where the Official Plan does not. It does not appear that the zoning by-law includes any reference to Long Term Care Centres or Rest Homes, with 'Nursing Home' permitted within Institutional Zone 2 only.

Similar issues outlined within the Official Plan definitions analysis exist, for example the zoning by-law definitions also include ambiguous and conflicting language and the structure of the definitions is not always logical.

The definitions for 'Group Homes' align with those of the Official Plan in terms of number and type of residents. The definitions are updated to refer to more recent Provincial legislation. It is noted that for Group Home Type 1, the zoning by-law does not specify that the unit should be within a "detached" dwelling, only a "dwelling unit", where the Official Plan specifically refers to "detached".

4.2.2 GENERAL PROVISIONS

The general provisions of the Zoning By-law as they relate to supportive housing forms are set out in full below.

Residential Zones

Section 10 of the zoning by-law speaks to 'General Provisions for Residential Zones', with section 10.14 'Provisions for Group Homes' stating:

Group Homes shall be subject to the following requirements and restrictions:

- (a) a group home type 1 shall be located within a single detached dwelling;
- (b) a group home type 2 shall be located within a single detached dwelling or a dwelling within a mixed-use development;
- (c) a minimum separation distance of 120 metres shall be maintained between a group home type 1 use, any other group home type 1;
- (d) a minimum separation distance of 120 metres shall be maintained between a group home type 2, another group home type 2, or a group home type 1;
- (e) a minimum separation distance of 610 metres shall be maintained between a supportive housing facility and another supportive housing facility, or a group home type 1, or a group home type 2;
- (f) the maximum number of group homes combined, permitted in each area as shown and numbered on Schedule D and listed in Column 1 of the table set out below, shall be as set out in Column 2 of said table.

Column 1 Area Number	Column 2 Maximum Number of Group Homes
1	4
2	1
3	4
4	3
5	3
6	3
7	2
8	5
9	5
10	4
11	6
12	4
13	1
14	1
15	3
16	5
17	5
18	1
19	3
20	5
21	4
22	2
23	2
24	6
25	1
26	1
28	3
32	2
43, 44, 45, 29, 36, 37, 38, 39, 40, 41, 42, 46, 47, 48	2

Commercial Zones

General Provisions for Commercial Zones are outlined in section 20.0. Section 20.7 'Provisions for a Group Home Type 2 or Supportive Housing Facility' states that:

A Group Home Type 2 or a Supportive Housing Facility shall be subject to the following requirements and restrictions:

- (a) a group home type 2 shall be located in a single detached dwelling and [sic] a dwelling unit within a mixed use development;
- (b) the group home type 2 shall occupy the whole of the single detached dwelling;
- (c) a minimum separation distance of 120 metres shall be maintained between a group home type 2 and any other group home type 2, or a group home type 1;
- (d) a minimum separation distance of 610 metres shall be maintained between a supportive housing facility and a group home type 1, or a group home type 2, or another supportive housing facility; and
- (e) a group home type 2 shall be subject to compliance with the Group Home Registration By-law.

4.2.3 PERMITTED ZONES

The zoning by-law generally permits Group Home Type 1 in all residential zones, as well as institutional zones, including those for:

- Residential Single Detached (R1 Zones);
- Residential Semi-Detached (R2 Zones);
- Residential Townhouse and Street Townhouse (R3 Zones);
- Residential Apartment (R4 Zones);
- Composite Residential Commercial (CRC Zone)
- Institutional One Zone (I1 Zone);
- Institutional Two Zone (I2 Zone); and,
- Agricultural (A Zone).

It is noted that the 'Agriculture' zone also permits a 'single detached dwelling', whereas neither Institutional zone permits non-supportive housing forms.

Group Home Type 2 are permitted within:

- Residential Apartment (R4 Zones);
- Composite Residential Commercial (CRC Zone);
- Commercial One (C1 Zone);
- Service Commercial (SC Zone);
- Highway Commercial One (HC1 Zone);
- Downtown Commercial (DC Zone);
- Institutional One (I1 Zone);
- Institutional Two (I2 Zone); and,
- Agricultural (A Zone).

As outlined above, no reference is made in the zoning by-law to 'Retirement Home' or 'Senior Citizen Residence', while 'Nursing Home' is only referenced at section 43.2 'Institutional Two Zone – I2', stating that it is a permitted use. Group homes (Type 1 and 2) are permitted in both Institutional One and Two zones.

ANALYSIS

The intention of defining the terms 'Retirement Home' and 'Senior Citizen Residence' without referencing them within the zoning by-law is unclear, although often where this approach is taken it is intended that such uses are explicitly prohibited. Given that the Official Plan allows 'Retirement Home' and 'Long Term Care Centres' within Residential, Commercial, and Institutional and Public Use designations, it is perhaps unlikely that this is the intent.

As with the Official Plan, there is likely to be an opportunity to simplify and consolidate definitions and zoning provisions for supportive housing forms intended for seniors, having consideration to best practice approaches.

Given that Auxiliary Group Homes are generally permitted within all residential zones and are not subject to the City's registration process, the appropriateness of its inclusion as a defined use subject to specific provisions should be reviewed.

Again, requirements and restrictions intended to prevent the concentration of Group Homes should be reviewed considering the best practices review and guidance from the Ontario Human Rights Commission. While there may be merit in providing certain restrictions to the development/use of correctional forms of supportive housing, the zoning by-law appears overly restrictive. It both limits these uses to a small number of predominantly non-residential zones (while stating they must be within a detached dwelling or mixed-use building), and subjects them to minimum separation distances and limits on the number of homes in a specific area (as shown on Schedule D).

'Group Home Type 1' is permitted within the two institutional zones, however neither zone permits non-supportive housing forms. The appropriateness of permitting this non-correctional form of supportive housing should be given further consideration.

Group Home Type 2 are currently permitted only with single detached dwellings or a dwelling unit within a commercial building. The Residential Apartment (R4) zones do not permit single detached dwellings or commercial uses, and as such its inclusion as a permitted zone for 'Group Home Type 2' appears inconsistent.

4.3 CITY REGISTRATION PROCESS

The City's Registration Process is specific to Group Homes, and not supportive housing regulated by the Retirement Housing Regulatory Authority (RHRA). Auxiliary Group Homes are not subject to the registration process. The City's current application form references the zoning by-law definitions for Group Home Type 1 and Group Home Type 2 and includes references within the form to proposed number of residents.

Information collected includes contact details for the applicant, details on other existing or past group home registrations of refusals/suspension/revocation of group home registration, and details on number of 'sleeping rooms', 'bathtubs', 'showers', 'wash basins' and 'water closets'.

The City's Group Home Process Chart outlines the requirements for those seeking to open a group home. Following submission of an application for registering a group home an operator must undertake the following:

- A fire inspection confirming the property meets fire regulations;
- A property standard inspection confirming that the property meets the minimum property standards;
- A copy of the hydro inspection meeting their requirements;
- A copy of the business registration and a certificate of insurance (1 million liability); and,
- Three copies of the floor plans showing the uses in the house.

For those supportive housing forms licensed through the RHRA, these requirements are dealt with directly through that agency.

The City's process chart outlines the current requirements for public notification and open houses, to be determined through consultation between the Ward Councillor and group home operator.

5 KEY STAKEHOLDERS REVIEW

5.1 ONTARIO HUMAN RIGHTS COMMISSION

The Ontario Human Rights Commission (OHRC) has developed a guide that provides an overview of the human rights responsibilities of municipalities in housing titled “In the Zone: Housing, human rights and municipal planning” (‘the guide’). The guide includes information about the various legislative tools available to municipalities and provides examples of how stakeholders working in housing policy and government can use best practices to overcome discriminatory neighbourhood opposition and promote inclusive housing. The guide complements the Ministry of Municipal Affairs and Housing’s Municipal Tools for Affordable Housing Handbook (2011), to help municipalities achieve the goals of meeting their human rights obligations with regards to affordable housing provision. “Affordable housing” in this context explicitly includes “group homes” and “supportive housing”.

The Ontario Human Rights Code (the Code), in Section 2(1) states:

“Every person has a right to equal treatment with respect to the occupancy of accommodation without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, disability or the receipt of public assistance.”

The guide provides tools to municipalities to ensure that every person is treated equally in terms of housing provision, without discrimination. While there is an identified need for housing in Ontario, there are also many barriers to housing because of discrimination based on grounds identified within the OHRC (such as race, disability, family status and receipt of public assistance).

Group homes represent a housing form which have historically seen increased barriers to their establishment. Enacting zoning by-laws that geographically restrict housing development meant to serve groups based on grounds identified within the Code, while allowing other forms of otherwise comparable housing, can be considered a discriminatory practice by the OHRC.

According to the OHRC, affordable, supportive and group housing – with or without support workers – are still residential uses. The OHRC does not support zoning which identifies living accommodations as businesses or services, because these zoning categories can subject residents to undue scrutiny and expectations, not expected of other forms of accommodation. This is usually a result of licensing or registration processes which mandate that specific living accommodations must meet certain criteria such as having public meetings or be placed on a publicly available list.

The OHRC presents many suggestions on how to avoid discriminatory behaviour when setting policies for group homes and similar housing. They include:

- Affordable or supportive housing providers should not have to be subject to additional restrictions or design compromises that do not apply to other similar housing structures in the area such as requiring fencing or visual barriers;
- The number of facilities in a specific area such as ward, city or neighbourhood should not be limited;
- There should not be a requirement for additional public meetings;

- Minimum separation distances should not be implemented for specific housing forms; and
- There should not be restrictions on where certain housing forms can be located while permitting other housing of similar scale.

There are several case studies where municipal zoning by-laws have been challenged in court regarding discrimination as defined in the Ontario Human Rights Code (see section 5.6). It is important that this study seriously consider the human rights implications of the proposed recommendations.

5.2 ONTARIO ASSOCIATION OF CHILDREN'S AID SOCIETIES

The Ontario Association of Children's Aid Societies (OACAS) represents 49 Children's Aid Societies (CAS) throughout Ontario, providing public education, information and knowledge management on behalf of its members. The OACAS seeks to enhance and promote the welfare and well-being of children, youth and families through the creation of an effective system of services for children. The Peel CAS operates throughout Peel Region, working with families, care givers and other organizations.

As part of their service delivery, OACAS provides information through practice guides and reports on matters including emerging trends and child welfare best practices. In July 2015, the Minister of Children and Youth Services established the Residential Service Panel to conduct a review of the residential services system for children and youth in Ontario. To advise the panel, OACAS prepared a report titled 'Submission to the Residential Services Review Panel' (February 2016). Section 4.2 'Equity of Access to Services' highlights the importance of children and youth having access to additional health services, such as mental health programs, without having to be relocated or travelling significant distances.

Section 4.4 'Group Care' states that youth who participated in the working group indicated that *"Group care can often feel very institutional and that youth are treated like secondary citizens"*.

Recommendations for Group Care include *"creating an environment that encourages individual growth and maturity-based autonomy"*. Section 6 recognizes that Aboriginal youth are often placed in care systems long distances from their families; recommendations within the report include establishing linkages for Aboriginal youth with the Aboriginal networks within their new area and addressing isolation issues by connecting youth with their new communities through social and recreational activities. Section 7 'The Voice of Youth' states:

"Residential home workers and CAS teams need to work harder to establish connections between youth and the community. Community and local programs and opportunities for youth engagement is critical to developing good self-esteem, and positive connections to prosocial behaviors."

While no explicit best practices regarding the location of supportive housing for children and young persons was identified through the OACAS material, the report submission to the Residential Services Review Panel provides some direction for municipalities. The report emphasizes the importance of providing children and young persons within supportive housing which benefits from access to a variety of key support networks and services, such as mental health services, community and recreation programs, cultural linkages and community amenities in general. Locating supportive housing within existing residential areas provides greater opportunities to empower residents and integrate with the community.

Although the requirement for separation distances between supportive housing facilities is not likely to prevent access to services and networks, restricting the number of supporting housing facilities within a certain area could have potential detrimental impacts on children and young people in care.

5.3 SUPPORTIVE HOUSING OPERATORS

A stakeholder engagement meeting for supportive housing operators was hosted by the City and included the following organizations:

- Christian Horizons
- Helping Hands
- Brampton Caledon Living
- Rebecca Ville
- Mary Centre
- Kerry's Place
- Region of Peel

The comments provided during the meeting can be summarized as follows:

Definitions should be simplified and as broad as possible, without making specific reference to resident's characteristics or specific legislation under which the facility is licensed.

The City's land use planning framework should be as flexible as possible with regards to accommodating supportive housing options.

Alternative wording to "group home" in a revised definition is preferred, as is a separate definition for correctional forms of supportive housing.

Zoning and policy tools such as minimum separation distances and limits on supportive housing numbers within defined areas is not supported. [Strong group consensus]

Maintaining a range of residents within a revised definition is supported, and supportive housing with under 3 residents should not be defined as a group home.

Where supportive housing is permitted as-of-right, it should be treated no differently to other as-of-right uses. There should not be a requirement to consult with Ward Councillors, notify public or host an open house.

Fire and property inspections for provincial licence requirements and City registration renewals should be coordinated as far as possible.

5.4 RESEARCH PAPERS

A significant number of research, guidance and information papers have been prepared on the subject of supportive housing. The first paper referenced below is significant in that it was prepared by an independent Registered Professional Planner within Ontario to provide direction to the City of Toronto on the same matters currently being reviewed by the City of Brampton. The second paper was prepared by the Canadian Association for Community Living; dated June 2018 and provides a relatively up-to-date review on the availability of housing for persons with developmental disabilities.

Opinion on the Provisions of Group Homes in the City-wide Zoning By-law of the City of Toronto, 2013

This report was submitted to the City of Toronto to:

“present an objective review and analysis of issues related to the definition of group homes (excluding correctional group homes), as well as the mandatory separation distances to which these homes are subject, and to provide an expert opinion for City Council’s consideration.”

The report was completed in 2013 by Dr. Sandeep Agrawal, PhD, AICP, MCIP, Registered Professional Planner and Professor of Urban and Regional Planning at Ryerson University. The report highlighted concerns that the City of Toronto’s definitions and use of separation distances for group homes failed to stand up when examined in relation to the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms. Definitions that identify the characteristics of the people within the group home were considered inconsistent with the Ontario *Human Rights Code* and section 15 of the Canadian Charter of Rights and Freedoms.

The recommendations provided within the paper are as follows:

- Use the following definitions of ‘group homes’ and ‘residential care homes’:
- Group home means premises used to provide supervised living accommodation as per the requirements of its residents, licensed or funded under the Province of Ontario or Government of Canada legislation, for a maximum of 10 persons, exclusive of staff, living together in a single housekeeping unit.
- Residential Care Home means supervised living accommodation that may include associated support services, and is:
 - i. Licensed or funded under Province of Ontario or Government of Canada legislation;
 - ii. Meant for semi-independent or group living arrangements; and,
 - iii. For more than ten persons, exclusive of staff.
- Remove the requirement for a separation distance for group homes, but not for residential care homes

With regards separation distances for group homes, the author states that he had *“not found any documented evidence of any kind of negative externality [impact on third parties] generated by group homes.”* The report provides an example of traffic and parking problems, advising that residents of group homes do not usually drive. Conversely, the report sees value in some form of restriction, which may or may not be a separation distance, on residential care homes which accommodate over 10 residents. It should be noted that the report did not review correctional forms of supportive housing.

A Right to Housing for All: Ensuring A Human Rights Approach Inclusive of All Persons with Developmental Disabilities, 2018

The Canadian Association for Community Living (CACL) is a national not-for-profit association, founded in 1958, which advocates for the interests of persons with intellectual disabilities. The association is active nation-wide and is one of the largest charitable organizations in Canada. The report makes recommendations on the preparation of the National Housing Strategy by the Government of Canada and provides a number of statistics regarding housing availability for adults with developmental disabilities.

The report states that between 100,000 and 120,000 adults with developmental disabilities face housing and support gaps, as identified through joint research submitted to the UN Special Rapporteur on the Right to Housing. Identified issues concerning housing for adults with developmental disabilities include:

- Over-representation among the homeless population;

- Unsustainable caring responsibilities for parents/families; and,
- Estimated 10,000 adults living in hospitals, nursing homes or long-term care facilities.

The report states that the Office of the United Nations High Commissioner for Human Rights has outlined that adequate housing must include, among other things:

- **Affordability;**
- **Habitability** – guarantees physical safety and provides sufficient space;
- **Location** – housing is not adequate if it is cut off from employment opportunities, health-care services and other social facilities;
- **Cultural Adequacy** – housing is not adequate if it does not respect and take into account expression of cultural identity.

The reports states that *“Canada’s obligations under the United Nations Convention of the Rights of Persons with Disabilities should be incorporated as an indivisible dimension of a right-based approach to housing in Canada”* and that *“the right to support and live in the community is inseparable from the right to housing”*. The report recommends that the National Housing Strategy should provide greater focus on inclusion to avoid *“institutionalization for persons with developmental disabilities”*, which it states continues to occur through emerging purpose built *“congregate housing”* for larger numbers of residents, creating the image that residents are *“something other than valued members of the community”*. The report advises that such developments *“pose a significant threat to advancing the principle of inclusion”*.

6 BEST PRACTICE REVIEW

6.1 MUNICIPALITIES BEST PRACTICES

To better understand how municipalities in Southern Ontario are addressing group homes within zoning and policy, a best practice review of several municipalities where group homes or similar definitions are provided through the zoning by-law was undertaken. The municipalities reviewed were:

- Town of Ajax
- City of Toronto
- City of Burlington
- City of Vaughan
- City of Mississauga
- City of Waterloo
- Town of Oakville
- City of Sarnia
- City of Kitchener
- Town of Aurora
- Town of Caledon
- City of Barrie

The best practice review is summarized in the table below, identifying the general approach to defining 'group home' type uses, the use of separation distances where applicable, and whether a registration process or similar is utilized. Where available, additional information concerning the registration process was included. It should be noted that the municipalities listed below have not been contacted directly by WSP as part of this benchmarking exercise.

MUNICIPALITY	OFFICIAL PLAN (OP)	ZONING BY-LAW	ADDITIONAL PROCESSES
Town of Ajax	<ul style="list-style-type: none"> • OP consolidated 2016 • OP permits "special needs" housing (group homes and seniors' homes) in all designations where residential uses permitted 	<ul style="list-style-type: none"> • Zoning By-law dated 2003 • "Group Home" is a defined term, separated into 'Group Home A' and 'Group Home B'. Group Home B is a correctional form • Permitted in all residential zones (Type A). • 300m separation distance • 3 – 10 residents 	<ul style="list-style-type: none"> • Registration process

MUNICIPALITY	OFFICIAL PLAN (OP)	ZONING BY-LAW	ADDITIONAL PROCESSES
City of Toronto	<ul style="list-style-type: none"> OP consolidated 2019 “Full range of housing” permitted within Neighbourhoods designation, including “supportive housing”. 	<ul style="list-style-type: none"> Zoning By-law dated 2013 “Group Home” is a defined term. Group homes permitted in all residential zones within detached or semi-detached dwellings No separation distance identified 	<ul style="list-style-type: none"> Application to Municipal Licensing required for group homes in Etobicoke and Scarborough
City of Burlington	<ul style="list-style-type: none"> OP approved 2008, consolidated 2019 “Broad range” of housing permitted in Residential designation, including “special needs housing” (group homes, retirement homes) 	<ul style="list-style-type: none"> Zoning By-law dated 2005 “Group Home” is a defined term, including both ‘Group Home’ and ‘Group Home, Correctional’ Group homes permitted in a dwelling unit and apartment buildings over 3 storeys 400m separation distance 6 – 8 residents, or up to 10 in certain areas. Up to 10 residents for correctional forms 	<ul style="list-style-type: none"> Registration Process Public information meeting must be held prior to occupancy and are encouraged to be hosted in the group home Notice given to residents 120m of group home property 400m separation specified
City of Vaughan	<ul style="list-style-type: none"> OP approved 2010, consolidated 2019 OP permits “group homes” in all designations where residential uses are permitted “Long-term care facilities” (not defined) considered “institutional use” 	<ul style="list-style-type: none"> Zoning By-law dated 1988 “Group Home” is a defined term for correctional forms of group home only Permitted in a single-use building Separation distances of 1,000m between correctional group homes No separation distances in zoning by-law review draft document (2019) 	<ul style="list-style-type: none"> N/A

MUNICIPALITY	OFFICIAL PLAN (OP)	ZONING BY-LAW	ADDITIONAL PROCESSES
City of Mississauga	<ul style="list-style-type: none"> OP partially approved 2019. Otherwise dated 2003 OP permits “special needs housing” in all residential designations 	<ul style="list-style-type: none"> Zoning By-law dated 2007 “Group Home” is a defined term, but does not permit correctional forms Permitted in a detached dwelling in a residential zone Separation distance of min. 800m. Maximum 8 residents 	<ul style="list-style-type: none"> Zoning Certificate of Occupancy required
City of Waterloo	<ul style="list-style-type: none"> OP dated 2012, consolidated 2020 Permits “group homes” in all designations which permit residential uses Permits “long term care facility” (number of residents not in definition) in mixed-use designations and advises low density designated lands may be zoned for long term care facilities 	<ul style="list-style-type: none"> Zoning By-law dated 2018 “Group Home” is a defined term and further divided to Class A and Class B, Class B includes correctional forms Permitted in a single detached or semi-detached dwelling No separation distance identified 3 – 6 residents or 3 - 8 residents for correctional forms 	<ul style="list-style-type: none"> Zoning Certificate required
Town of Oakville	<ul style="list-style-type: none"> OP dated 2009, consolidated 2018 OP permits “special needs housing” (includes group homes and retirement housing) through a range of housing types in all residential designations 	<ul style="list-style-type: none"> Zoning By-laws dated 2014 and 2009 “Group Home” is a defined term in two of three zoning by-laws. No correctional distinction Latest zoning by-laws have no separation distance. Zoning By-law 2009-189 includes a separation distance of 800 m Group homes permitted in all residential zones 3 – 10 residents 	<ul style="list-style-type: none"> Registration process Zoning Certificate required in lands subject to zoning by-law 2009-189

MUNICIPALITY	OFFICIAL PLAN (OP)	ZONING BY-LAW	ADDITIONAL PROCESSES
City of Sarnia	<ul style="list-style-type: none"> OP dated 2014 OP permits “group homes” in all urban residential designations 	<ul style="list-style-type: none"> Zoning By-law dated 2002. Amendments re: Group Homes dated 2010. “Group Home” is a defined term Group homes permitted in all residential zones and dwelling types No separation distances 	<ul style="list-style-type: none"> “Long term care facilities” (not defined) considered an institutional use permitted in institutional designation
City of Kitchener	<ul style="list-style-type: none"> OP dated 2014 OP permits “special needs housing” (includes group homes and residential care facilities) in any designation which permits residential uses “Residential care facilities” also permitted in institutional and some commercial designations 	<ul style="list-style-type: none"> Zoning By-law partially approved 2019 “Group Home” is a defined term, separated into ‘Group Home’ and ‘Group Home, Correctional’ Group homes permitted in all residential zones and dwelling types Separation distance of min. 400m for correctional group homes 3 – 10 residents 	<ul style="list-style-type: none"> Registration Process
Town of Aurora	<ul style="list-style-type: none"> OP dated 2010 Special needs housing permitted in all designations where residential uses permitted (8 or fewer residents) Retirement and long-term care homes permitted in major institutional designation 	<ul style="list-style-type: none"> Zoning By-law dated 2017 “Group Home” is a defined term, but does not distinguish between correctional and non-correctional No separation distance identified 3 – 8 residents 	<ul style="list-style-type: none"> N/A

MUNICIPALITY	OFFICIAL PLAN (OP)	ZONING BY-LAW	ADDITIONAL PROCESSES
Town of Caledon	<ul style="list-style-type: none"> OP consolidated 2018 No specific reference to permitted designations for supportive housing forms 	<ul style="list-style-type: none"> Zoning By-law dated 2006 “Group Home” is a defined term, but does not distinguish between correctional and non-correctional No separation distance identified 3 – 10 residents 	<ul style="list-style-type: none"> N/A
City of Barrie	<ul style="list-style-type: none"> OP dated 2018 Group homes and seniors housing permitted in residential designation Seniors housing (not group homes) permitted in mixed use corridors 	<ul style="list-style-type: none"> Zoning By-law dated 2009 “Group Home” is a defined term Separation distance of min. 300m Up to 5 residents 	<ul style="list-style-type: none"> N/A

Official Plans

Almost all the Official Plans (OPs) reviewed permitted group homes within all designations where residential uses were permitted. Many of the OPs extended this to include “special needs” housing, which included retirement homes and long-term care facility uses, although it is noted that most did not define a range for number of residents for these uses. Where a range was provided, the Town of Aurora required supportive housing forms over 8 residents to be within institutional designations. Other municipalities where long-term care facilities (or similar) are directed to the institutional designations include City of Vaughan and City of Sarnia, while others permit long-term care facilities / housing for seniors in institutional and mixed-use designations in addition to residential designations.

Zoning By-laws – Definitions and Permissions

The use of a definition for ‘Group Home’ within the reviewed zoning by-laws was consistent. All zoning by-laws reviewed included a definition for ‘Group Home’ except for the Town of Oakville Zoning By-law 2014-014. The Cities of Burlington, Kitchener and Waterloo, and Town of Ajax include separate definitions for correctional forms of group home. The City of Vaughan only defined correctional forms of group homes.

The definitions differed regarding the number/range of residents included, with several municipalities following the *Municipal Act, 2001* definition of 3 – 10 residents. The definitions also differed in levels of detail, but were generally consistent in that a group home must be:

- Funded, licenced, and/or approved by Provincial or Federal statute;
- Persons living under supervision; and

- Require a group living arrangement due to their emotional, mental, social and/or physical condition and/or legal status.

Kitchener provides the following definitions for 'Group Home' and 'Group Home, Correctional', which appear to satisfy many of the OHRC recommendations, and could be used as direction for the City of Brampton's revised definitions:

Group home – *A residence licensed or funded under a federal or provincial statute for the accommodation of three (3) to ten (10) persons, exclusive of staff, living under supervision in a single housekeeping unit and who require a group living arrangement for their well-being and shall not include a correctional group home. Includes a residential care facility and correctional group home.*

Group Home, Correctional – *means a residential care facility licensed or funded under Federal or Provincial statute for the accommodation of 3 to 10 persons, exclusive of staff, that provides housing and rehabilitation for persons on probation, parole, early or re-release, or any other form of executive, judicial or administrative release from a penal institution. A correctional group home shall not include a group home.*

The definitions separate correctional supportive housing forms, are identified as being for 3 – 10 residents, and do not list specific legislation or characteristics of residents.

Regarding where group homes are permitted, several of the municipalities permit (non-correctional) group homes in all residential zones, as well as those such as the Cities of Kitchener and Sarnia permitting them in all dwelling types. Other municipalities restrict group homes to certain dwelling types such as detached or semi-detached dwellings.

Certain municipalities, such as the City of Waterloo, City of Mississauga, and Town of Oakville (Zoning By-law 2009-189) require a Zoning Certificate or Certificate of Occupancy to be completed before opening a group home. It should be noted that Town of Oakville also utilizes a registration process as well.

Separation Distances

The approach to separation distances differs among reviewed municipalities. Most municipalities with more recent zoning by-laws did not include minimum separation distance requirements, including the City of Vaughan (Draft 2019) and the Towns of Aurora (2017), Oakville (2014) and Caledon (2006). Conversely, several municipalities with more dated zoning by-laws, such as the Cities of Barrie (2009), Burlington (2005), and Mississauga (2007) include minimum separation distances through either the zoning by-laws or through a separate process, such as a registration or licencing process. The City of Kitchener (2019) has implemented a minimum separation distance for correctional group homes only.

The separation distances range from 100m (City of Guelph) to 800m (City of Mississauga, and Town of Oakville Zoning By-law 2009-189).

Public Meetings and Open Houses

Among the municipalities reviewed, the City of Burlington is the only municipality which requires a Public Information Meeting to be held for proposed group homes. The requirement includes a notice of meeting for residents within 120m. Other municipalities with a registration process may include public notification requirements, however this was not determined through the research, and individual municipalities were not contacted directly by WSP.

Registration Process

The requirement for registration or licencing has been implemented by three out of twelve municipalities reviewed. As noted in section 2.1, the Municipal Act allows municipalities to enact a business licencing by-law for group homes only if the municipality permits the establishment and use of group homes under section 34 of the Planning Act. A business licencing by-law for group homes can restrict the establishment of group homes to only those with a licence who may be required to pay licence fees and/or provide the municipality information in regard to the business name, ownership and contact information.

The City of Burlington has the most comprehensive registration process which includes a requirement to hold a public meeting, have a separation distance of 400m between group homes, pay a registration fee of \$255 and an annual renewal of \$51, among other requirements. In the Town of Oakville, a group home business license application/renewal must include a business name, ownership and contact information and an annual application/renewal fee is \$93.

In the City of Toronto, due to the fragmented nature of the City's existing Zoning By-laws, regulations for group homes differ throughout the City. In regard to licencing, where group homes are permitted, licencing applications are only required for group homes in the districts of Etobicoke and Scarborough.

6.2 CASE STUDIES

The City of Sarnia

In 2009, a human rights complaint was filed against the City of Sarnia regarding the City's policies on group homes. The complainants alleged that the City's policies, including the Zoning By-law, violated the human rights of people with disabilities as it added additional barriers for the provision of group homes, which at the time:

- Mandated minimum separation distances for group homes;
- Did not permit group homes in all residential zones; and
- Included requirements for group homes to be located on arterial or collector roads.

As a result of this complaint, the City conducted a review of the existing zoning by-law to ensure the City was in compliance with the Ontario Human Rights Code. Upon review, the City implemented Amendment No. 43 to the Official Plan of the City of Sarnia and Rezoning Application 1-2010-85 in April 2010 which removed the requirements for minimum separation distances and for group homes to be located on arterial or collector roads, and permitted group homes in all residential zones.

The City of London

The City of London's Draft Official Plan, 2015 was reviewed by the OHRC, with specific recommendations provided on Official Plan definitions and use of separation distances. The review supported the City's direction to allow group homes throughout residential neighbourhoods, and the removal of minimum separation distances for group homes.

The Draft Official Plan included definitions which limited group homes to 3-8 residents, with a 'supervised residence' having more than 8 residents. With regards to definitions, the recommendations state:

1. Amend the official plan (and the zoning bylaw) definition, to allow group homes to have up to 10 residents, consistent with the Municipal Act, 2001.

2. Amend the definition of “supervised residence” to be for more than 10 residents.

An additional recommendation was to re-categorize ‘supervised residences’ (over 10 residents) as residential rather than institutional use, subject to the same limits as other housing based on land use principles. This recommendation is not, however, consistent with the report prepared for the City of Toronto by Dr. Sandeep Agrawal, where it is stated that, once more than 10 residents are located within a single housekeeping unit, impacts on the local neighbourhoods would be more significant than other housing forms.

7 RECOMMENDATIONS

7.1 OFFICIAL PLAN AND ZONING DEFINITIONS

The current definitions outlined within the Official Plan and Zoning By-law would require, as a minimum, rewording to better clarify the different forms of supportive housing referenced within the City's planning documents; this would reduce potential for disputes concerning planning application reviews for supportive housing forms. However, it is clear from the review of best practices that the current definitions require more comprehensive revisions to align with the requirements of the Ontario Human Rights Code.

The significance of the type/characteristics of resident of a supportive housing unit should be considered. Definitions making specific reference to characteristics of residents is largely irrelevant for land use planning purposes, other than those correctional forms, and has been identified as being inconsistent with the Ontario Human Rights Code and section 15 of the *Canadian Charter of Rights and Freedoms*. As such, there is an opportunity to consolidate definitions for Group Home Type 1 and those other supportive housing forms for 10 or fewer residents.

Similarly, the definitions make specific reference to the characteristics of residents, for example their requirement for supportive housing due to an “*emotional, mental, social or physical condition, or legal status*”. While this is taken from the definition of the Municipal Act, 2001 for ‘group home’, the list is unnecessary where definitions reference requirements for residences being licensed or funded under a federal or provincial statute, and inconsistent with the Ontario Human Rights Code and section 15 of the *Canadian Charter of Rights and Freedoms*. Revised language should simply refer to residents being “under responsible supervision”.

The Municipal Act, 2001 defines Group Homes as follows:

“group home” means a residence licensed or funded under a federal or provincial statute for the accommodation of three to 10 persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well being.

Group Home Type 1 is currently limited to 4 – 6 persons, with a Group Home Type 2 being for correctional housing forms of 4 – 8 persons, or supportive housing that would otherwise be defined Group Home Type 1, but for over 6 residents. The group home definitions should better align with the Municipal Act, 2001, per the direction provided by the OHRC. This approach has been taken by several municipalities identified through the baseline review exercise, including Toronto, Oshawa, Kitchener, Caledon and Oakville.

It is noted through the baseline review that Brampton is the only municipality that does not include supportive housing with 3 residents as a defined term; there is value in extending the definition to 3 residents to align with the Municipal Act, 2001 definition and to include such supportive housing forms in the City's registration process. This will provide additional protections to residents through the registration process requirements for fire and property standard inspections. As such, it is recommended that a Group Home Type 1 be for 3 – 10 persons, while a Group Home Type 2 would be limited to correctional housing forms only, for the same number of residents.

‘Long Term Care Centre’ and ‘Supportive Housing Facility’ definitions do not include a range on the number of residents, and ‘Retirement Home’ is the only definition which specifically includes supportive

housing forms with over 8 residents. A 'Rest Home' is defined for 3 – 8 residents and would be incorporated within the new Group Home Type 1 definition. For supportive housing facilities with over 10 residents, City of Toronto provides a definition for 'Residential Care Home', which does not characterize residents, references licensing requirements, and explains that residents may require semi-independent or supervised group living arrangements. This definition was recommended through the opinion paper completed by Dr. Sandeep Agrawal (see section 5.5). It is recommended that this same approach is taken for the City of Brampton.

In reducing the number of residents defined under a Group Home to 3, it is recommended that 'Auxiliary Group Home' be removed as a defined term, and supportive housing for 1 – 2 residents be treated as any other non-supportive residential dwelling.

Definitions which include terminology which may be negatively associated with more historic institutional uses should be avoided. Words and terms such as "facility", "institution" and even "group home" can be replaced with language which better reflects the intent of supportive housing as another form of residential use. As such, it is recommended that the following terms be used, which are defined at section 8.1 of this report:

- "Supportive Housing Type 1"
- "Supportive Housing Type 2" [Correctional]
- "Residential Care Home"

7.2 LOCATIONS OF PERMITTED USES

Official Plan

The Official Plan currently permits group homes in Residential, Estate Residential, Village Residential, Major Institutional, Business Corridor, Regional Retail and Office for both Type 1 and 2. The importance of supportive housing residents having flexibility in where they live, access to support services and amenities, and integration into existing communities has been highlighted through the best practice research.

The revised defined term for 'Supportive Housing Type 1' should not be treated differently from non-supportive housing forms in terms of its permitted locations. It is noted that those non-residential designations listed permit residential uses through relevant Secondary Plans or as limited multiple residential designations, and could therefore be maintained within the Official Plan. The same approach would be taken for 'Supportive Housing Type 2' use, thereby not requiring this use to undergo an Official Plan Amendment application, should an appropriate location within a 'Residential' designation be identified. Such uses can be regulated through the Zoning By-law.

Policy 4.2.6.10 of the Official Plan states that the City shall permit supportive housing facilities for more than 10 persons in the Major Institutional designation on Schedule "A" and in the applicable Secondary Plan. It is recommended that this approach be maintained for the revised 'Residential Care Home' designation. While the current 'Long Term Care Centre' and 'Retirement Home' defined uses are permitted within the 'Residential' designation, buildings with over 10 residents would likely result in significant traffic, parking, and urban design compatibility issues, and would generally not be appropriate in existing residential neighbourhoods.

Zoning By-law

As with the Official Plan designations, the Zoning By-law should not restrict the location of Supportive Housing Type 1. This use should be permitted within all dwelling types and within all residential zones, following the approach taken by many of the municipalities identified in the benchmarking exercise (Oakville, Whitby, Windsor, Kitchener, Ajax, Oshawa). Where proposed supportive housing is not appropriate within a certain building, due to the proposed number of residents for example, this will be identified through the registration process. Similarly, Institutional Zones do not permit non-supportive residential uses and as such, the City should consider removing 'Supportive Housing Type 1' as a permitted use from the 'Institutional One' and 'Institutional Two' zones.

The current Group Home Type 2 use (correctional) is only permitted within a single detached dwelling or a dwelling within a mixed-use development. The definition for single detached building within the zoning by-law speaks specifically to it being a "residential building", whereas the definition for 'Dwelling' speaks only to *"a building occupied or capable of being occupied as a home, residence or sleeping place by one or more persons"*. The City may want to consider revising the zoning provisions to permit 'Supportive Housing Type 2' uses in a 'Dwelling' where it occupies the entire building (when not located in a mixed-use development) to provide opportunities for conversion of existing non-residential buildings to this use.

The City should consider the appropriateness of permitting correctional forms of supportive housing as-of-right within a mixed-use development. This would allow such uses to be located in close proximity to other dwelling units within the same mixed-use building, which is not understood to be the City's intent.

The Residential Apartment (R4) zones permit multiple residential dwellings, apartment dwellings, lodging houses and group homes. Commercial uses are not permitted, nor are building forms that would lend themselves to correctional forms of supportive housing. The City should consider removing the R4 zones as permitted zones for 'Supportive Housing Type 2'.

It is noted that correctional forms of supportive housing are currently permitted in the Institutional One Zone, where other permitted uses are limited to schools, day nurseries, parks/playgrounds, publicly operated recreational facilities and places of worship. The Institutional Two Zone permits a larger range of institutional uses considered more compatible neighbouring land uses for correctional forms of supportive housing than those outlined within Institutional One Zone.

It is recommended that the current approach for correctional forms of supportive housing be maintained with regards to the zones it is permitted, with the exception of removing it as a permitted use within the Residential Apartment (R4) zones and the Institutional One (I1) zone.

The current zoning permits a 'Nursing Home' within the Institutional Two Zone. To prevent conflict with existing residential areas and other land use forms, the larger supportive housing buildings defined under the proposed 'Residential Care Home' definition use could maintain this approach.

7.3 OTHER ZONING STANDARDS

The best practices research from the OHRC is consistent in its recommendations for removing separation distances and restrictions on number of supportive housing units within defined areas. This has been supported through third-party research where such zoning provisions are considered inconsistent with the Ontario Human Rights Code which states that *"every person has a right to equal treatment with respect to the occupancy of accommodation without discrimination"*. Research papers, such as those outlined at section 5.4 have found no evidence to suggest non-correctional group homes negatively impact third

parties. There appears to be no land use planning rationale for implementing separation distance requirements on group homes.

Schedule D of the Zoning By-law 'Planning Areas for Establishing Maximum Group Home Numbers' should be removed. To understand the proposed revised zone standards within the text of the Zoning By-law, please refer to section 7.3 of this report.

7.4 REGISTRATION PROCESS

The registration process for group homes has several benefits for the City beyond being able to maintain an internal registry of supportive housing facilities. Fire and property inspections ensure buildings are suitable for the proposed use and number of residents, and contact information for supportive housing operators can be collected. It is noted that the Municipal Act, 2001 specifically references operator contact information as one potential requirement of obtaining a license through a business licensing by-law. It is recommended that this process generally be maintained, however further direction is provided regarding the public notification process.

The current registration process requires the group home operator to meet with the applicable ward councillor to determine the form of public notification process. The current options, as identified within the City's 'Group Home Process Chart' for opening a Group Home include:

- Letter of notification or brochure outlining the programming of the group home to residents within a 200 feet radius (mailed out 5 weeks prior to the opening of the group home)
- Door to door canvassing of the host neighbourhood (200 feet) either before or after the group home has opened.
- An open house held within two months of the opening of the group home for residents within a 200 foot radius of the Group home.
- A combination of any of the above.

Where a proposed new supportive housing facility is not subject to an application under the Planning Act and is permitted "as-of-right", there is no statutory requirement for notifying the public, holding a public meeting or hosting an open house at the premises.

Supportive housing operators have stated a preference for undertaking relationship building within the community through an informal approach, at the discretion of the operator, rather than through City notices. Concerns were expressed during the stakeholder engagement meeting that formal notices are perceived by neighbours to convey negative information, and that where supportive housing is permitted, they should be treated no differently than non-supportive housing forms. In this regard, the reasoning for involving ward councillors in the process at all was questioned, and indeed, this additional level of scrutiny and public notification could be seen as being inconsistent with the Ontario Human Rights Code.

It is recommended that consultation with the ward councillor and notification to residents be removed from the formal registration process where non-correctional supportive housing forms are permitted "as-of-right". Supportive housing operators are, however, encouraged to build and maintain positive relationships within the community through more informal means, as appropriate.

8 DRAFT OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS

8.1 DEFINITIONS

Both the Official Plan and Zoning By-law would include the following definitions to replace those outlined in section 4 of this report:

Supportive Housing Type 1

A single housekeeping unit in a residential dwelling licensed, approved or funded under Federal or Provincial statute for the accommodation of 3 to 10 residents, exclusive of staff, that provides a group living arrangement under responsible supervision. Supportive Housing Type 1 shall not have any correctional purpose.

Supportive Housing Type 2

A single housekeeping unit licensed, approved or funded under Federal or Provincial statute for the accommodation of 3 to 10 residents, exclusive of staff, that provides housing and rehabilitation for persons on probation, parole, early or re-release, or any other form of executive, judicial or administrative release from a penal institution. Supportive Housing Type 2 shall not include Supportive Housing Type 1.

Residential Care Home

Supervised living accommodation that may include associated support services, and:

- (a) Is licensed or funded under Federal or Provincial legislation;
- (b) Is for persons requiring semi-independent or supervised group living arrangements; and
- (c) Is for more than 10 residents, exclusive of staff.

8.2 OFFICIAL PLAN

Proposed amendments to the Official Plan's wording regarding supportive housing are outlined below. Existing text to be deleted is shown with a strikethrough (e.g. ~~Group homes type 1~~) and new wording is included in bold (e.g. **supportive housing**). This section should be read having consideration to the proposed definition revisions outlined in section 8.1.

~~Group Homes~~ **Supportive Housing**

Policy 4.2.6.6:

The City supports the principle of integrating ~~Group Homes~~ **supportive housing** into existing and new residential communities as approved by the City and the appropriate government regulatory agency, subject to zoning and registration requirements.

Policy 4.2.6.7:

The City shall permit ~~group homes~~ **supportive housing** in ~~dwelling~~ within areas designated as Estate Residential, Village Residential, Residential, Major Institutional, Business Corridor, Regional Retail, and Office on Schedule "A" to this Plan subject to the following criteria:

- ~~(i) Group homes shall occupy part or the whole of the dwelling unit;~~
- (ii) ~~Group homes~~ **supportive housing** shall **generally** conform in size, height and general appearance with other dwellings in the host neighbourhood;
- ~~(iii) To prevent a concentration of group homes in any one area, standards, including a minimum distance separation, shall be adopted by the City of Brampton; and,~~
- (iiiiv) All ~~group homes~~ **supportive housing** shall comply with the relevant zoning and registration requirements.

(iv) When reviewing any proposal for the purposes of establishing, through new construction or conversion of existing structures, a correctional form of supportive housing, due regard will be given to:

- a) **Siting and landscaping to minimize any adverse impact on adjacent uses;**
- b) **Appropriate integration of the proposed use with adjacent uses and the host neighbourhood;**
- c) **Locating away from hazardous lands or hazardous sites; and,**
- d) **Accessibility for persons with disabilities.**

Auxiliary Group Homes

Policy 4.2.6.8 states that the City shall permit auxiliary group homes in single detached dwellings, semi-detached dwelling units and multiple dwelling units, all to be within areas designated Estate Residential, Village Residential, Residential and Major Institutional on Schedule "A" to this Plan subject to the following criteria:

- ~~(i) All auxiliary group homes shall comply with the relevant zoning and registration requirements; and,~~
- ~~(ii) To prevent a concentration of group homes and auxiliary group homes in any one area, standards, including a minimum distance separation, shall be adopted by the City.~~

Supportive Housing Facilities

Residential Care Homes

Policy 4.2.6.10 The City shall permit ~~supportive housing facilities~~ **residential care homes** for more than 10 persons ~~(i.e. retirement homes)~~ located in any area designated Major Institutional on Schedule "A" to this Plan and in the applicable Secondary Plan, subject to the policies of these documents, in particular the Institutional and Public Uses section of this Plan. No ~~supportive housing facilities~~ **residential care homes** shall be permitted to locate in hazardous lands or hazardous sites.

~~Policy 4.2.6.11 The City shall have regard for the need for group homes, and other forms of supportive housing and shall provide opportunities for their establishment. In this regard, the City may create these opportunities on a planning area basis.~~

~~Policy 4.2.6.12 The City will monitor applications for, and the establishment of group homes in order to ensure available opportunities for additional group homes.~~

~~Policy 4.2.6.13 Council shall direct staff to review opportunities for the development of group homes when 60 percent of the potential opportunities in the City have been utilized. Staff will report to Council within one year of this direction and recommend appropriate strategies regarding adequate opportunities for this type of housing.~~

~~Policy 4.2.6.14 Notwithstanding Sections 4.2.6.7(iii) and 4.2.6.8(i) above:~~

- ~~a) Where a zoning by-law sets a limit on the number of group homes permitted within a planning area; and,~~
- ~~b) Where the said limit has been reached, an application for a minor variance to this provision of the zoning by-law, permitting the creation of an additional group home within the subject planning area will not be unfavourably considered by staff solely on the basis that the limit within the subject planning area will thereby be exceeded, or that there are opportunities available elsewhere in the City.~~

Retirement Housing

~~Policy 4.2.6.15 The City shall permit Retirement Housing in Residential, Commercial and Institutional and Public Uses designations in the Official Plan, subject to the following provisions:~~

- ~~(i) Retirement home shall comply with all zoning requirements set out in the City's By-law;~~
- ~~(ii) In determining the suitability of a site for use as retirement housing, due regard shall be given to:~~

When reviewing any proposal for the purposes of establishing, through new construction or conversion of existing structures, a residential care home, due regard will be given to:

- a) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities;
- b) Adequate vehicular ingress/egress and on-site parking;
- c) Adequate on-site landscaped open space suitable for passive recreational use by the residents of the home;
- d) Siting and landscaping to minimize any adverse impact on adjacent uses;
- e) Impact of the development on the ecosystem and natural environmental features;
- f) Appropriate integration of the proposed use with adjacent uses and the host neighbourhood;
- g) Access to municipal water and sanitary waste;
- h) Locating away from hazardous lands or hazardous sites; and,
- i) Accessibility for persons with disabilities.

Policy 4.2.6.16 The City shall encourage the use of the City of Brampton Accessibility Technical Standards in the design and improvement of **Retirement Housing residential care homes**.

Section 4.4 Employment

~~Policy 4.4.1.5 The City shall also permit Supportive Housing Facilities to be permitted within areas designated as Business Corridor that are not within the Lester B. Pearson International Airport (LBPIA) Operating Area subject to the following criteria:~~

- ~~(i) The supportive housing facility shall have direct access or frontage on an arterial or collector road;~~
- ~~(ii) The supportive housing facility may occupy a single detached dwelling or any building converted or newly constructed for that purpose but in every case shall occupy the whole of such buildings; and,~~
- ~~(iii) To prevent a concentration of supportive housing facilities in any one area, the City shall adopt standards including a minimum distance separation between crisis care facilities, group homes or other residential care facilities.~~

Section 4.9 Institutional

Section 4.9.4 Long Term Care Centres states:

~~The demand for special needs housing including long term care centres and retirement homes is growing as the population of Brampton matures. In opting for these types of housing, there is a strong tendency for Brampton residents to remain in the community closer to areas and places that are familiar to them. The provision of special housing in appropriate locations throughout the City is essential to improving access to these facilities and enhancing the range of choice of location available to older residents with special housing needs.~~

Policies for Long Term Care Centres are outlined below:

~~4.9.4.1 The City shall permit Long Term Care Centres in Institutional and Public Uses, Residential and Commercial designations in the Official Plan, subject to the following provisions:~~

- ~~(i) The long term care centre shall comply with all zoning requirements set out in the City's Zoning By-law;~~
- ~~(ii) In determining the suitability of a site for use as a long term care centre, due regard shall be given to:~~
 - ~~i) The accessibility of the site to public transportation, shopping facilities, Places of Worship, libraries, public parks and other community service facilities;~~
 - ~~j) Adequate vehicular ingress/egress and on-site parking;~~
 - ~~k) Adequate on-site landscaped open space suitable for passive recreational use by the residents of the home;~~
 - ~~l) Siting and landscaping to minimize any adverse impact on adjacent uses;~~
 - ~~m) Impact of the development on the ecosystem and natural environmental features;~~
 - ~~n) Appropriate integration of the proposed use with adjacent uses and the host neighbourhood;~~
 - ~~o) Access to municipal water and sanitary waste; and,~~
 - ~~p) Accessibility for persons with disabilities.~~

8.3 ZONING BY-LAW

Proposed amendments to the Zoning By-law's wording regarding supportive housing are outlined below. Existing text to be deleted is shown with a strikethrough (e.g. ~~Group homes type 1~~) and new wording is

included in bold (e.g. **supportive housing**). This section should be read having consideration to the proposed definition revisions outlined a section 8.1.

Residential Zones

Section 10.14 'Provisions for ~~Group Homes~~ **'Supportive Housing'**:

~~Group Homes~~ **Supportive housing** shall be subject to the following requirements and restrictions:

- ~~(a) a group home type 1 shall be located within a single detached dwelling;~~
- ~~(ba) a group home~~ **Supportive Housing** Type 2 shall be located within a single detached dwelling **'Dwelling', as defined within this By-law, where it occupies the whole of the building, or as the sole** dwelling within a mixed use development;
- ~~(c) a minimum separation distance of 120 metres shall be maintained between a group home type 1 use, any other group home type 1;~~
- ~~(d) a minimum separation distance of 120 metres shall be maintained between a group home type 2, another group home type 2, or a group home type 1;~~
- ~~(e) a minimum separation distance of 610 metres shall be maintained between a supportive housing facility and another supportive housing facility, or a group home type 1, or a group home type 2;~~
- ~~(f) the maximum number of group homes combined, permitted in each area as shown and numbered on Schedule D and listed in Column 1 of the table set out below, shall be as set out in Column 2 of said table.~~

Commercial Zones

Section 20.7 'Provisions for ~~a Group Home Type 2 or Supportive Housing Facility~~ **Supportive Housing Type 2**' states that:

A ~~Group Home Type 2 or a Supportive Housing~~ **Type 2 use** Facility shall be subject to the following requirements and restrictions:

- ~~(a) a group home type 2 shall be located in a single detached dwelling and~~ **or as the sole** dwelling unit within a mixed use development;
- ~~(b) the group home type 2~~ **where not located within a mixed use development, a supportive housing type 2 use** shall occupy the whole of the ~~single detached~~ dwelling;
- ~~(c) a minimum separation distance of 120 metres shall be maintained between a group home type 2 and any other group home type 2, or a group home type 1;~~
- ~~(d) a minimum separation distance of 610 metres shall be maintained between a supportive housing facility and a group home type 1, or a group home type 2, or another supportive housing facility; and~~
- ~~(e) a group home type 2 shall be subject to compliance with the Group Home Registration By-law.~~

Date: 2020-10-26

File: OZS-2020-0011

Subject: INFORMATION REPORT

Application to Amend the Official Plan and Zoning By-law
(To permit a residential development with a total of 1089 dwelling units)
Great Gulf Homes Scottish Heather Developments Inc, Brampton
G&H Holdings Inc, Brampton G&H Holdings II Inc.
West side of Mississauga Road, between Embleton Road and
Lionhead Golf Club Road
Ward: 6

Contact: Rob Nykyforchyn, Development Planner, Planning, Building &
Economic Development Services Department
(rob.nykyforchyn@brampton.ca or 905-874-2065)

David VanderBerg, Manager, Planning, Building, and Economic
Development Services Department
(David.Vanderberg@brampton.ca or 905-874-2325)

Report Number: Planning, Building and Economic Development-2020-332

Recommendations:

1. **That** the report titled: **INFORMATION REPORT**, Application to Amend the Official Plan and Zoning By-Law, **Great Gulf Homes –Scottish Heather Developments Inc, Brampton G&H Holdings Inc, Brampton G&H Holdings II Inc.**, west side of Mississauga Road between Embleton Road and Lionhead Golf Club Road, Ward 6 (File: OZS-2020-0011), dated October 26, 2020 to the Planning and Development Committee Meeting of December 7, 2020, be received; and,
2. **That** Planning, Building and Economic Development staff be directed to report back to the Planning and Development Committee with the results of the Public Meeting and a staff recommendation, subsequent to the completion of the circulation of the application and a comprehensive evaluation of the proposal.

Overview:

- The applicant has submitted an application to amend the Official Plan and Zoning By-law for a residential development that proposes a total of 1089 dwelling units with a mix of single detached, semi-detached, townhouse and apartment dwellings. The previously approved application for this site included 448 single detached dwellings and a commercial block where the apartment buildings are currently proposed.
- The property is designated “Residential” in the Official Plan, and “Executive Residential,” “Low/Medium Residential,” “Service Commercial” and “Neighbourhood Park” in the Bram West Secondary Plan (Area 40-3). An amendment to the Official Plan and Secondary Plan is required to replace the “Executive Residential” and “Service Commercial” designations in the Secondary Plan with “Low/Medium Density Residential” and “Medium/High Density Residential” designations in order to change the permitted housing types on these lands.
- The property is zoned Open Space (ie. a park) and Service Commercial (SC-2441) along with several residential zone categories (R1E-10.4-2427, R1E-11.6-2429, R1F-11.4-2430, R1E-15-2431, R1E-18-2432, R1E-21-2433). An amendment to the Zoning By-law is required to allow for the change in housing types, the reduction of lot widths, the shifting of the park location, and to permit apartment dwellings.
- This Information Report and the associated public meeting facilitate compliance with the Term of Council “A Well-run City (Good Government)” priority with respect to encouraging public participation by actively engaging the community.

Background:

The applicant submitted this application on June 22, 2020. Staff has reviewed this application for completeness and has found the application to be complete in accordance with the *Planning Act*. A formal Notice of Complete Application was provided to the applicant on November 5, 2020.

Current Situation:Proposal (Refer to Appendix 1):

An application to amend the Official Plan and Zoning By-law has been filed in support of the proposed development.

Details of the proposal are:

- 383 single detached dwellings on 10.4 metre (34.1 feet) and 11.6 metre (38.0 feet) wide lots;
- 136 semi-detached dwellings on 14.6 metre (47.9 feet) wide lots;
- 150 townhouse dwellings on 6.1 metre (20.0 feet) wide lots;
- Four apartment buildings with a maximum height of 6 storeys and a total of 420 units; and,
- A 0.7 hectare (1.7 acres) park.

The subject lands are within two previously draft approved plans of subdivision (files: C05W04.005/21T-06024B and C05W05.004/21T-04008B). Those subdivisions included 448 single detached dwellings and a commercial block. The current application proposes to amend those subdivisions to permit the new proposed development.

The proposed Official Plan Amendment to facilitate the requested land use changes would replace the existing "Executive Residential" designation in the Bram West Secondary Plan with a "Low/Medium Density Residential" designation, and replace the "Service Commercial" designation with a "Medium/High Density Residential" designation. This application also proposes to shift the park block slightly to the north by about 25 metres (82.0 feet).

Property Description and Surrounding Land Use (Refer to Appendix 2):

The lands have the following characteristics:

- Have an overall total site area of approximately 33.7 hectares (83.2 acres);
- Are located on the west side of Mississauga Road between Embleton Road and Lionhead Golf Club Road;
- Consist of a larger northerly parcel and a smaller southerly parcel, that are separated by the community park;
- The northerly parcel of land is 32.0 hectares (79.1 acres) in size. This parcel contains three single detached dwellings on lots municipally known as 49, 62 and 78 on Cliffside Drive; and,
- The smaller southerly parcel is about 1.7 hectares (4.2 acres) in size and contains a marketing sales office for residential development in the area.

The surrounding land uses are described as follows:

North: North of the northerly parcel are open space lands containing Embleton Pond, and lands for future residential development. Lands located north

of the southerly parcel are owned by the City and will be used for a future stormwater management pond.

- East: Existing residential and commercial lands, along with open space lands. Mississauga Road abuts the east limit of the southerly parcel, and beyond are lands containing the Lionhead Golf Club and an associated office building.
- South: To the south of the northerly parcel is community park / future recreation centre, and lands owned by the Peel District School Board for a future elementary school. Lionhead Golf Club Road abuts the south limit of the southerly parcel.
- West: The future extension of Rivermont Road abuts the westerly limit of the northerly parcel, and beyond are residential lands under construction. Lands located west of the southerly parcel are owned by the City and will be developed for a community park and a future recreation centre.

Technical Considerations

Comments from staff and external commenting agencies are required in order to complete a comprehensive analysis of this application. All comments received will be considered in the future Recommendation Report to the Planning & Development Services Committee.

At this time, staff has noted the following specific items that will need to be addressed as part of the comprehensive analysis of the application:

1. *Proposed Medium-High Density Residential Site* – City and Regional staff will need to evaluate the implications, such as land use compatibility, access, and traffic, associated with the four proposed apartment buildings replacing the commercial block.
2. *Proposal to increase housing types and reduce lot widths:* The existing “Executive Residential” designation only permits single family detached dwellings on large lots that range in width from 15 to 21 metres. The proposal is to allow a range of housing types (ie, singles, semis, and townhouse) on narrower sized lots that are similar to that which have been approved in the area. City Planning Staff will need to determine if the proposed housing types are appropriate and will have any impact on the school, park and road infrastructure that has been planned for this area. In addition, City Staff will assess the urban design treatment that will be applied to these residential lands.
3. *Impacts on shifting the park to the north* – The City’s Parks Section will need to evaluate and advise if there are any implications with shifting the park site to the north.

In addition to the above-referenced considerations, staff will evaluate the appropriateness of the proposed land use and its impact on the surrounding area.

Further details on this application can be found in the *Information Summary* contained in Appendix 9. Further technical planning and development implications associated with this application will be undertaken and discussed within a future Recommendation Report. The Recommendation Report will contain an evaluation of the various technical aspects, including matters addressed in the site specific studies submitted by the applicant.

Public Meeting Notification Area:

The application was circulated to City Departments, commenting agencies; and property owners within 240 metres of the subject lands, and was advertised in the Brampton Guardian, circulation that exceeds the Planning Act's requirements. This report, along with the complete application requirements including studies, has been posted to the City's website.

In addition to the statutory public meeting, the applicant is holding an open house on November 19, 2020 to provide information on the application to residents in the area and receive feedback from them.

Corporate Implications:

Financial Implications:

There are no financial implications identified at this time. Revenue collected through development application fees are accounted for in the approved operating budget. Any implications that arise through the continued processing of this application will be discussed within the future Recommendation Report.

Other Implications:

Other technical planning and development implications associated with this application will be undertaken and discussed within the Recommendation Report.

Term of Council Priorities:

This Information Report and the associated public meeting facilitate compliance with the Term of Council Priorities 2019-2022 "A Well-run City (Good Government)" priority, with respect to encouraging public participation by actively engaging the community. This application will be reviewed to ensure that the development proposal meets the direction and goals of the Term of Council Priorities 2019-2022, and this will be discussed in the future Recommendation Report.

Living the Mosaic – 2040 Vision

This Report has been prepared in full consideration of the overall vision that the people of Brampton will 'Live the Mosaic'.

Conclusion:

Appropriate information and background studies have been received in order to hold a Statutory Public Meeting in compliance with the requirements of the *Planning Act*. A

future Recommendation Report will detail a complete technical analysis and assess the planning merits of this application to amend the Official Plan and Zoning By-law.

Respectfully submitted:

Robert W. Nykyforchyn, MCIP, RPP
Development Planner, Development
Services

Allan Parsons, MCIP, RPP
Director, Development Services

Approved by:

Submitted by:

Richard Forward, MBA, M.Sc., P.Eng
Commissioner
Planning, Building & Economic
Development Department

David Barrick
Chief Administrative Officer
City of Brampton

Attachments:

Appendix 1 – Concept Land Use & Lotting Plan

Appendix 2 – Location Map

Appendix 3 – Official Plan Designations

Appendix 4 – Secondary Plan Designations

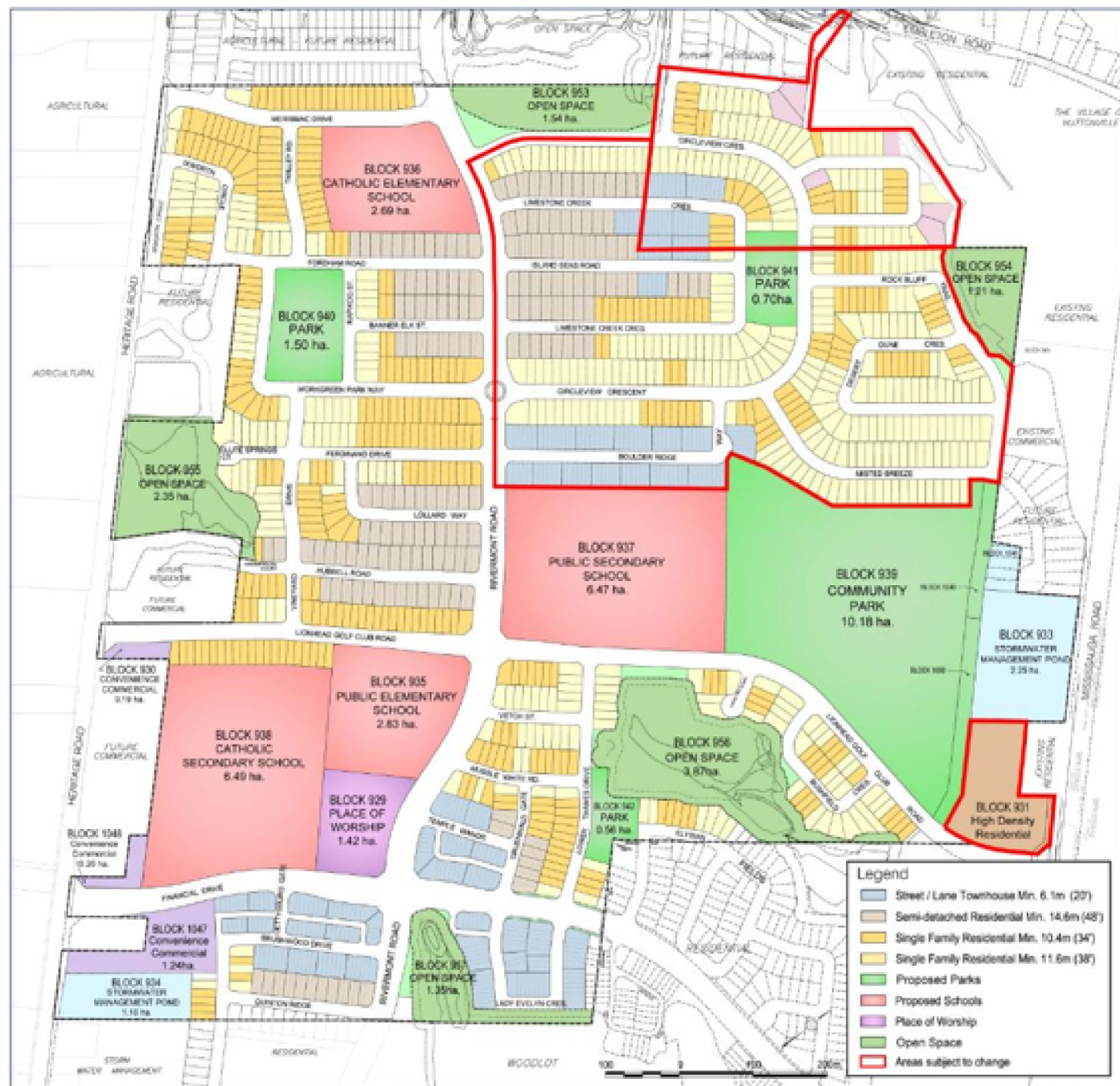
Appendix 5 – Zoning Designations

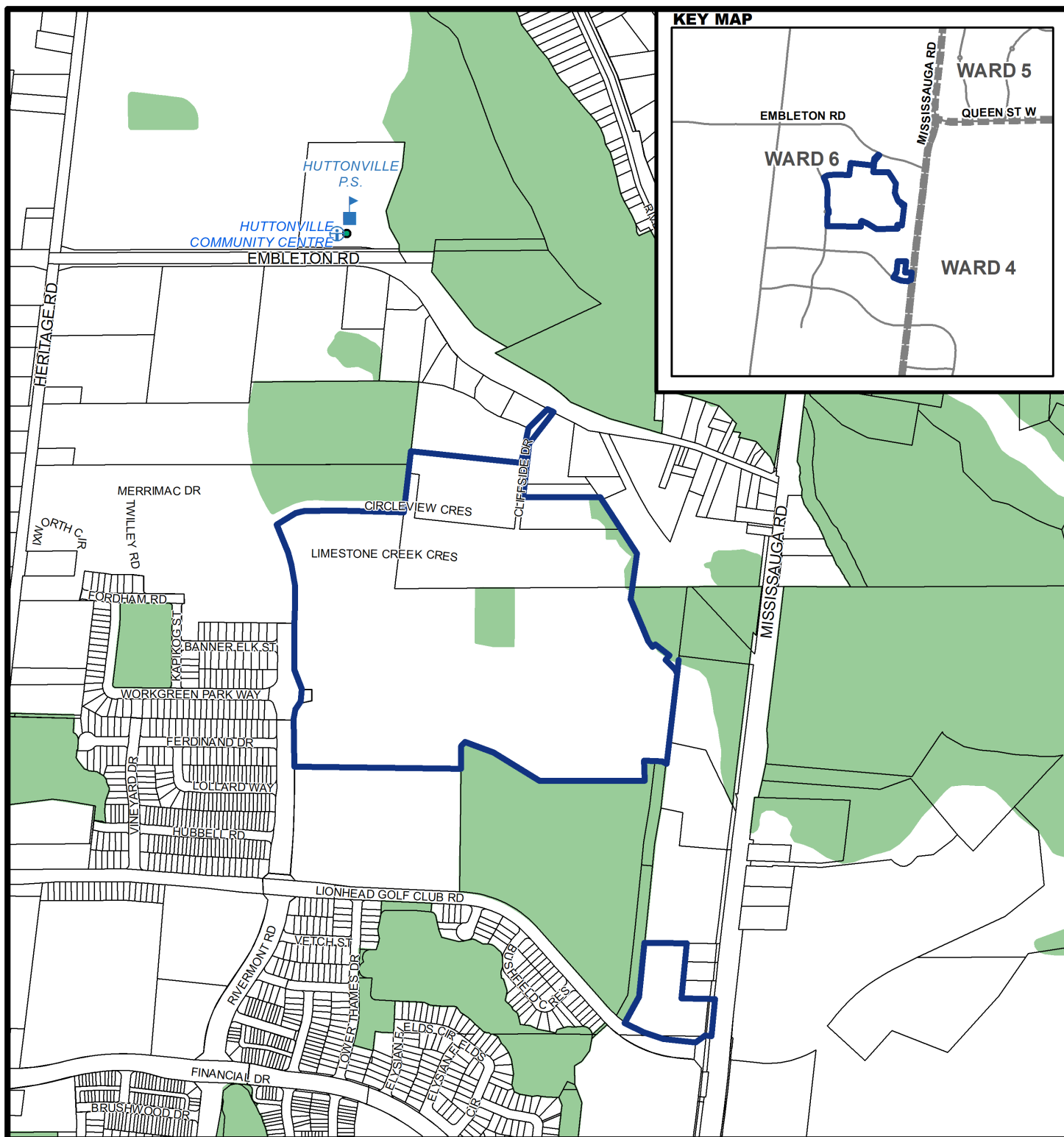
Appendix 6 – Aerial & Existing Land Use

Appendix 7 – Heritage Resources

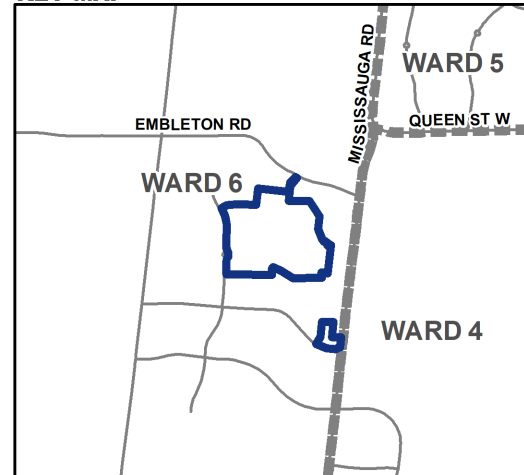
Appendix 8 – Block Plan Designations

Appendix 9 – Information Summary





KEY MAP

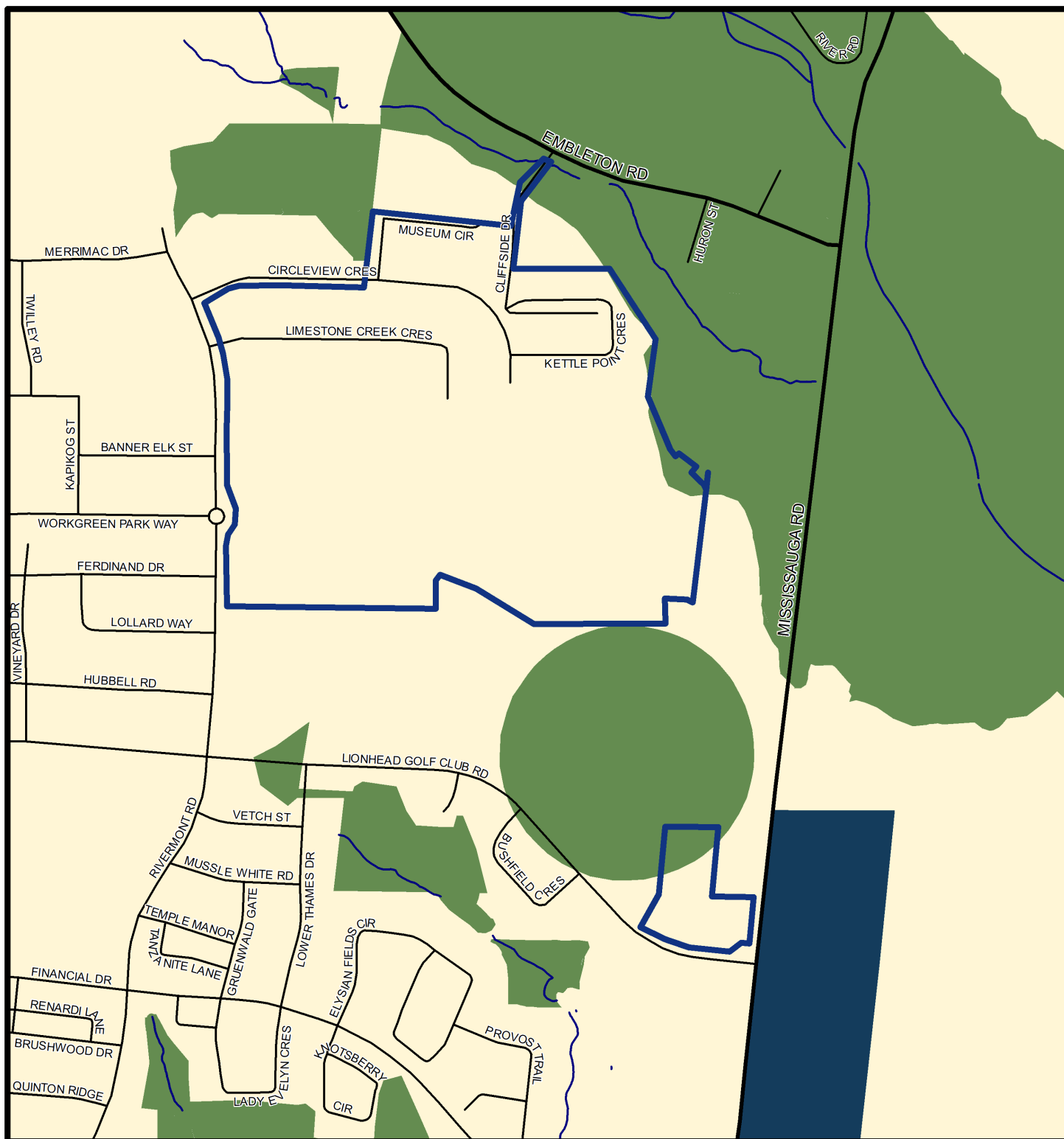


- SUBJECT LAND
- GREENSPACE
- RECREATIONAL FACILITY
- PROPERTY LINE
- SCHOOLS

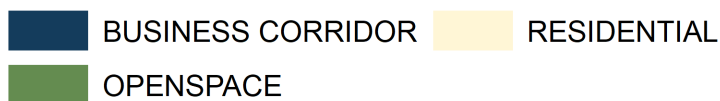


APPENDIX 2 LOCATION MAP

GREAT GULF GROUP OF COMPANIES
SCOTTISH HEATHER DEVELOPMENT INC.
AND BRAMPTON G&A HOLDINGS INC



EXTRACT FROM SCHEDULE A (GENERAL LAND USE DESIGNATIONS) OF THE CITY OF BRAMPTON OFFICIAL PLAN

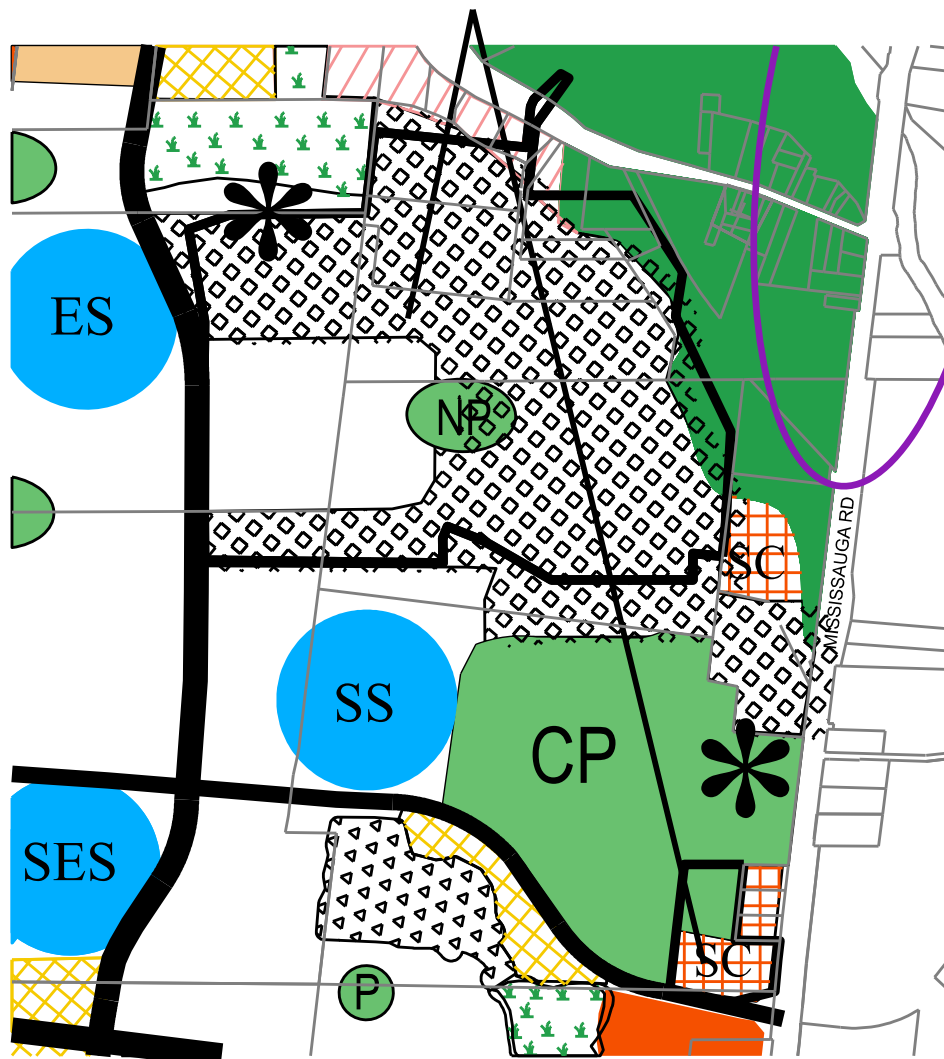


APPENDIX 3

OFFICIAL PLAN DESIGNATIONS

GREAT GULF GROUP OF COMPANIES
SCOTTISH HEATHER DEVELOPMENT INC.
AND BRAMPTON G&A HOLDINGS INC

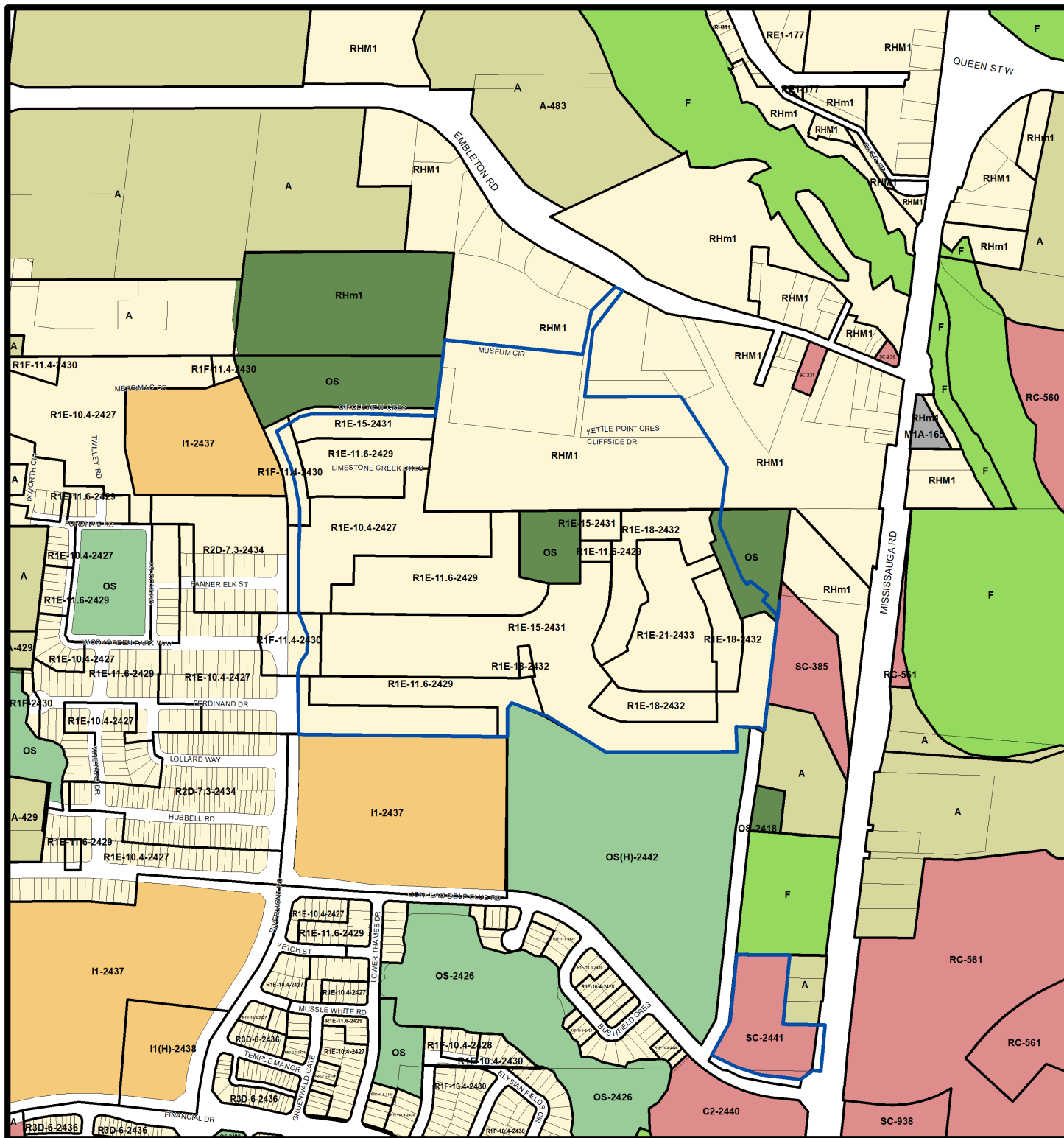
SUBJECT LANDS










EXTRACT FROM SCHEDULE SP41(D) OF THE DOCUMENT KNOWN AS THE BRAM WEST SECONDARY PLAN

RESIDENTIAL:	EMPLOYMENT:	OPEN SPACE:
Executive Residential	Service Commercial	Valleyland
Low / Medium Density	INSTITUTIONAL:	Community Park
Medium Density	Secondary School	Neighbourhood Park
Medium / High Density	Senior Elementary School	Parkette
Mixed Use	Elementary School	Woodlot
ROAD NETWORK:		Wetland
Minor Collector Roads (23-26 metres)		SWM Facilities
		Primary Gateway





 SUBJECT LAND
  COMMERCIAL
  AGRICULTURAL
  FLOODPLAIN
 RESIDENTIAL
  INSTITUTIONAL
  OPEN SPACE



0 50 100
Metres

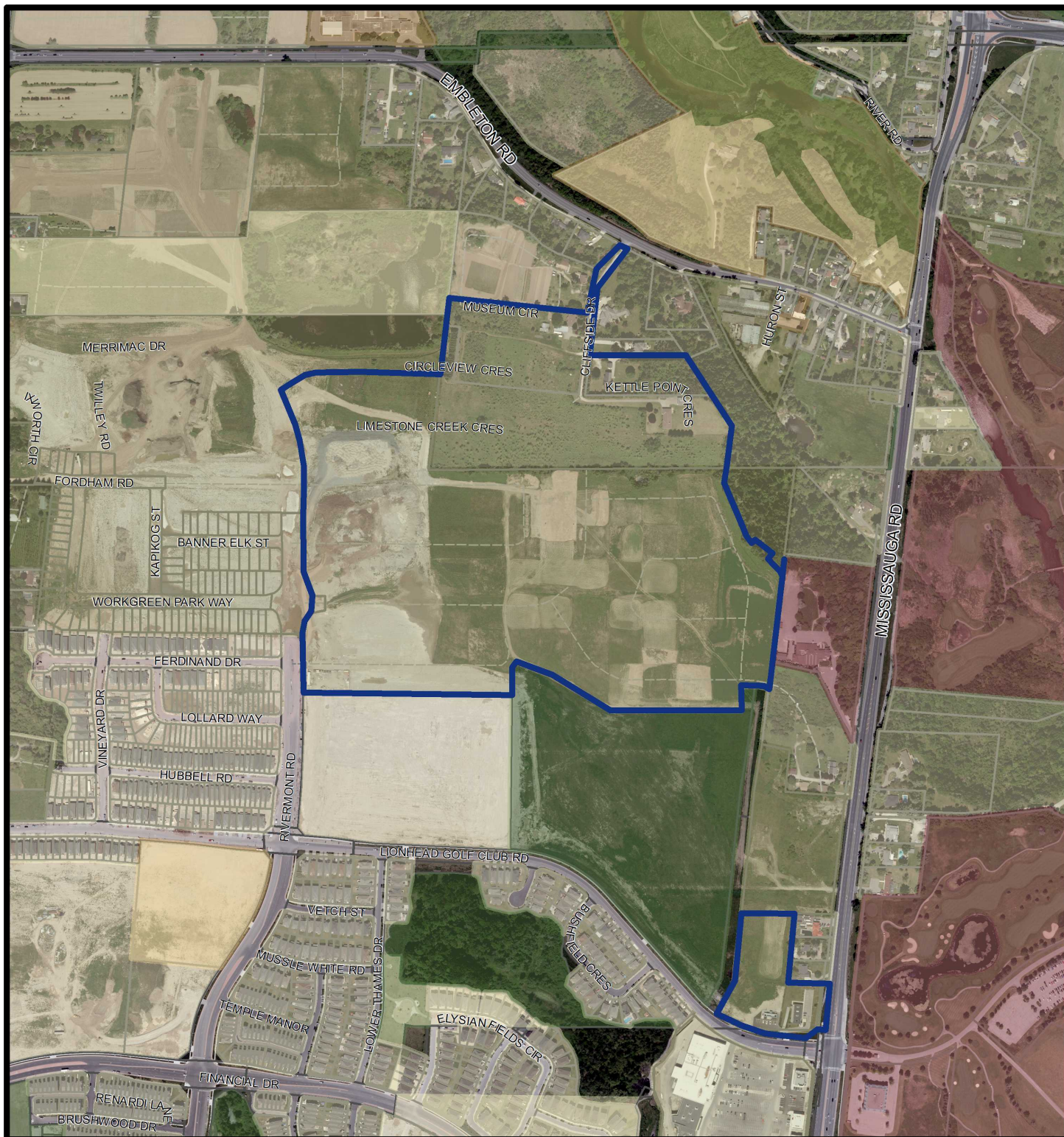
Author: ckovac
Date: 2020/10/29

APPENDIX 5

ZONING DESIGNATIONS

GREAT GULF GROUP OF COMPANIES
SCOTTISH HEATHER DEVELOPMENT INC.
AND BRAMPTON G&A HOLDINGS INC

Page 98 of 881
CITY OF GLENN, 2020-0011



AERIAL PHOTO DATE: SPRING 2019

Legend

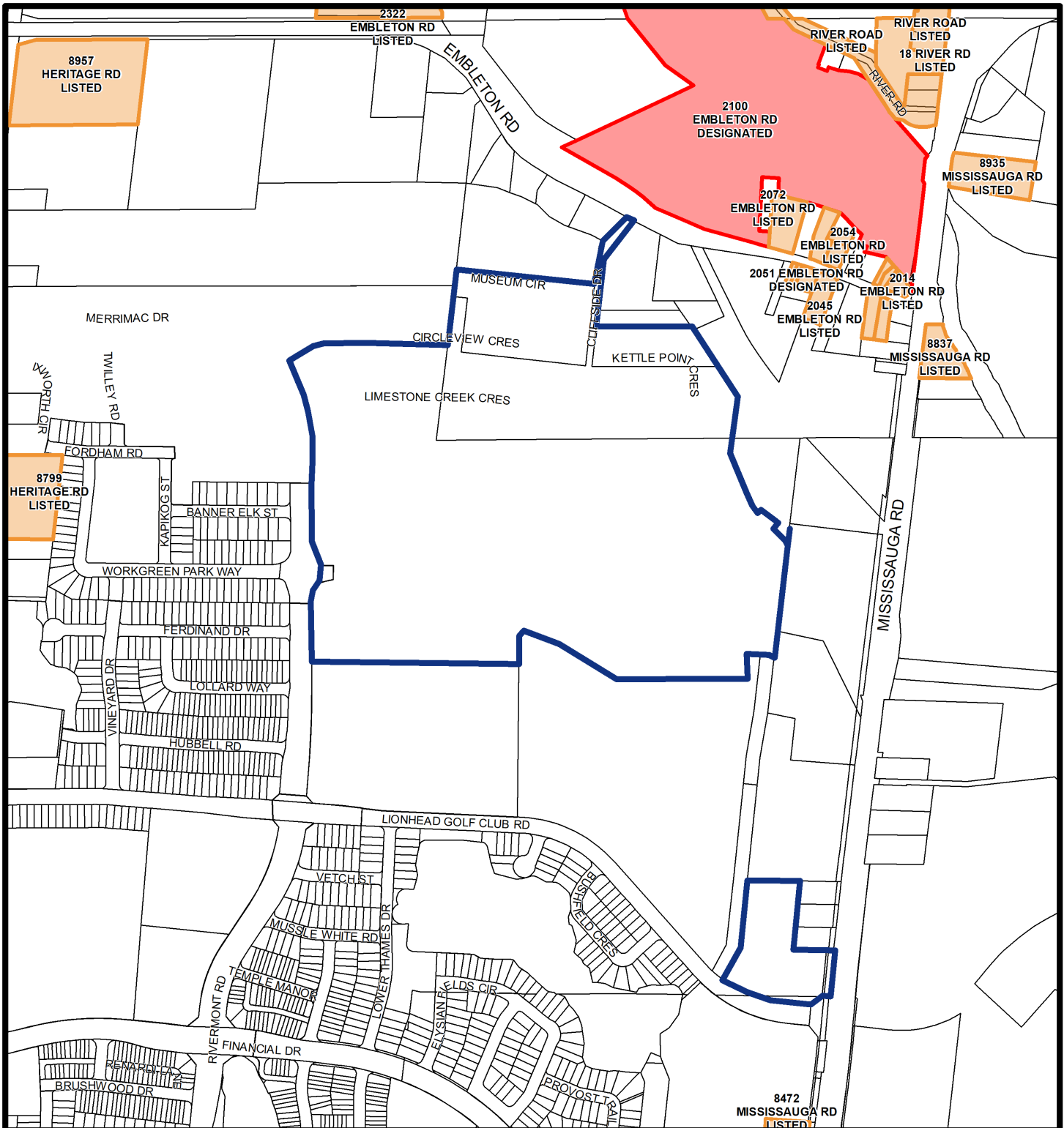
	SUBJECT LAND		AGRICULTURAL		INSTITUTIONAL		ROAD
	COMMERCIAL		OPEN SPACE		UTILITY		
	INDUSTRIAL		RESIDENTIAL				



APPENDIX 6

AERIAL & EXISTING LAND USE

GREAT GULF GROUP OF COMPANIES
SCOTTISH HEATHER DEVELOPMENT INC.
AND BRAMPTON G&A HOLDINGS INC



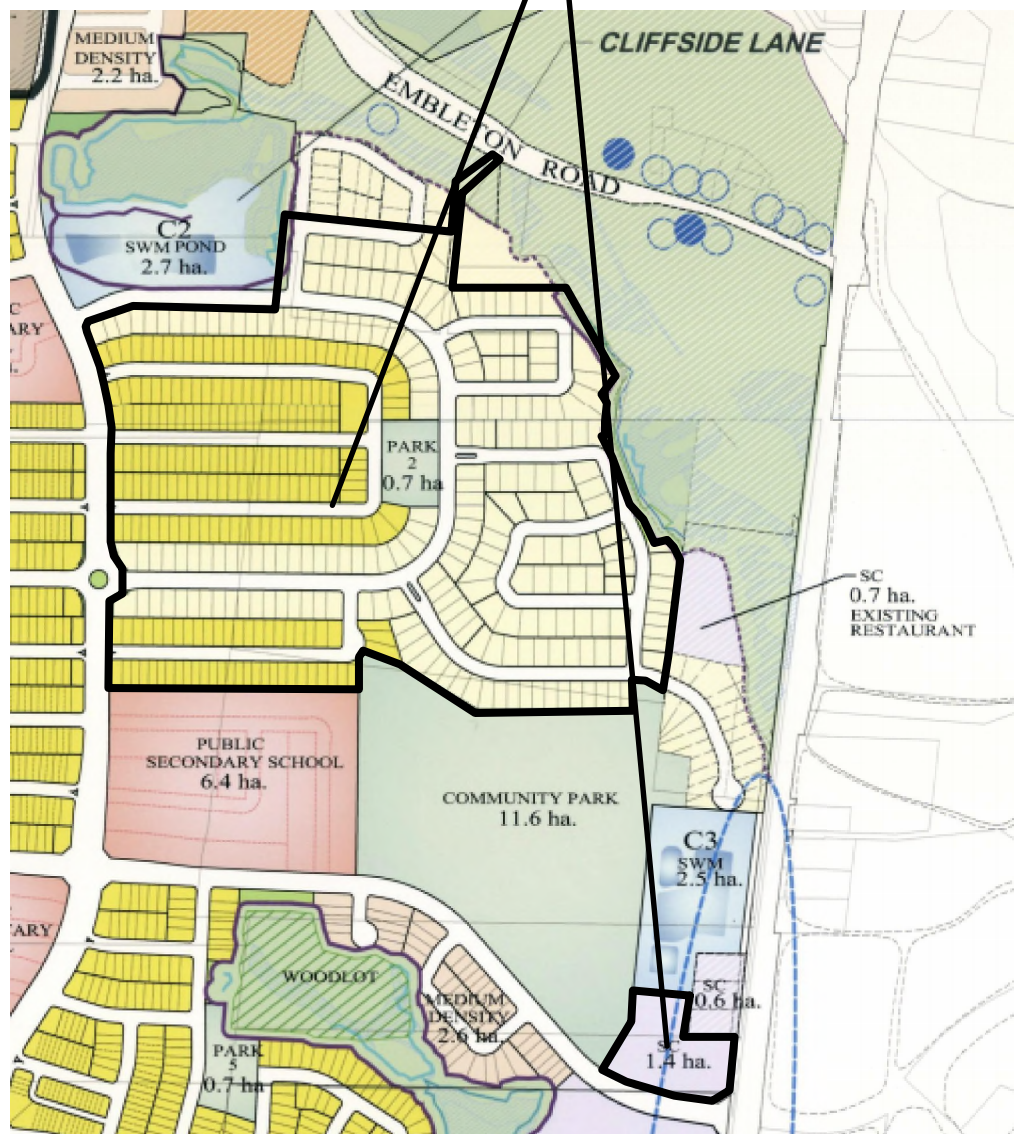
- SUBJECT LAND
- HERITAGE PROPERTIES OUTSIDE 50M
- CITY LIMIT
- HERITAGE PROPERTIES WITHIN 50M



APPENDIX 7 HERITAGE RESOURCES

GREAT GULF GROUP OF COMPANIES
SCOTTISH HEATHER DEVELOPMENT INC.
AND BRAMPTON G&A HOLDINGS INC

SUBJECT LANDS



EXTRACT FROM BLOCK PLAN 40-3 OF THE DOCUMENT KNOWN AS THE RIVERVIEW HEIGHTS BLOCK PLAN

LEGEND				
EXECUTIVE RESIDENTIAL (36.3 ha)	SC SERVICE COMMERCIAL (8.9 ha)	VISTAS (1.5 ha)	MNR Mapped Wetlands (approx. from air photography)	DEVELOPMENT LIMITS Limit of Development Approximate Limit of Development Staked Dripline of Mature Forest Staked Edge of Wetland (MNR July 2008) Staked Top of Bank Stable Top of Slope Surveyed Feature Limits prepared by: MMR Group 10m buffer applied to dripline of mature forest top of bank & floodline 15m buffer applied to staked wetland & centreline of creek unless alternative approved in EIR. Date: July 20, 2011 Revised: September 19, 2011 MALONE GIVEN PARSONS LTD.
VILLAGE RESIDENTIAL (4.1 ha)	SCSC SPECIALTY OFFICE AND SERVICE COMM. (7.7 ha)	INSTITUTIONAL & SCHOOLS (30.0 ha)	NON PARTICIPATING LANDS- FURTHER STUDY REQUIRED	
LOW/MEDIUM DENSITY RESIDENTIAL (81.0 ha)	CC CONVENIENCE COMMERCIAL (8.2 ha)	OPENS/SPACE/ WOODLOTS (126.8 ha)	DESIGNATED HERITAGE PROPERTY	
MEDIUM DENSITY RESIDENTIAL (14.7 ha)	NC NEIGHBOURHOOD COMMERCIAL (7.8 ha)	SWM POND (21.6 ha)	LISTED HERITAGE PROPERTY	
MEDIUM / HIGH DENSITY RESIDENTIAL (3.3 ha)	OC OFFICE CENTRE (4.2 ha)	ROADS/ WIDENINGS (76.7 ha)	PRIMARY GATEWAY	
MIXED USE (4.0 ha)	PI PRESTIGE INDUSTRIAL (10.7 ha)	TOTAL AREA 465 ha	MISSISSAUGA RD. STREETSCAPE ENHANCEMENT	
	PARKS & PARKETTES (17.5 ha)			
		* Access to ponds L2 and L5 to be determined at the subdivision stage of development.		
		<1 Limited turn movements		

Information Summary OZS-2020-0011

Notwithstanding the information summary provided below, staff advise that, prior to finalizing recommendations to Council, this application will be further evaluated for consistency with the Provincial Policy Statement (2020), conformity with the Growth Plan for the Greater Golden Horseshoe (2019), the Region of Peel Official Plan and the City of Brampton Official Plan.

Planning Act R.S.O. 1990

The proposal will be reviewed for its compliance to matters of provincial interest as identified in Section 2 of the Planning Act R.S.O. 1990. A preliminary assessment identified that the sections applicable to this application included, but are not limited to:

- *The orderly development of safe and healthy communities (Section 2h);*
- *The adequate provision of a full range of housing, including affordable housing (Section 2j); and,*
- *The appropriate location of growth and development (Section 2p).*

Provincial Policy Statement (2020)

The proposal will also be reviewed for its consistency with the matters of provincial interest as identified in the Provincial Policy Statement (PPS). The PPS policies that are applicable to this application include, but are not limited to:

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has

been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area. Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas. Nothing in policy 1.1.2 limits the planning for infrastructure, public service facilities and employment areas beyond a 2-year time horizon.

1.1.3.1 *Settlement areas* shall be the focus of growth and development.

1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the *impacts of a changing climate*;
- e) support *active transportation*;
- f) are *transit-supportive*, where transit is planned, exists or may be developed; and,
- g) are *freight-supportive*.

Land use patterns within *settlement areas* shall also be based on a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.

1.4.1 To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development; and
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units

available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the *regional market area* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable* to *low and moderate income households* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
 - 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
 - 2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
- e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

1.6.7.2 Efficient use should be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and *active transportation*.

1.7.1 Long-term economic prosperity should be supported by:

- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of *housing options* for a diverse workforce;
- c) optimizing the long-term availability and use of land, resources, *infrastructure* and *public service facilities*;
- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets;
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*;
- f) promoting energy conservation and providing opportunities for increased energy supply;

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the *impacts of a changing climate* through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of *active transportation* and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
- c) encourage *transit-supportive* development and *intensification* to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion.

Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan for the Greater Golden Horseshoe provides a framework for implementing Ontario's vision for managing growth in the region. The application will be evaluated against the Growth Plan for the Greater Golden Horseshoe to ensure that the proposal conforms to the Plan. A preliminary assessment of the Greater Golden Horseshoe sections applicable to this application include, but are not limited to:

2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a) the vast majority of growth will be directed to *settlement areas* that:
 - i. have a *delineated built boundary*;
 - ii. have existing or planned *municipal water and waste water systems*;and

- iii. can support the achievement of *complete communities*;
- c) within *settlement areas*, growth will be focused in:
 - i. *delineated built-up areas*;
 - ii. *strategic growth areas*;
 - iii. locations with existing or planned transit, with a priority on *higher order transit* where it exists or is planned; and
 - iv. areas with existing or planned *public service facilities*;
- d) Development will be directed to settlement areas, except where the policies of this Plan permit otherwise;

2.2.1.3 Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:

- a) establish a hierarchy of *settlement areas*, and of areas within *settlement areas*, in accordance with policy 2.2.1.2;
- c) provide direction for an urban form that will optimize *infrastructure*, particularly along transit and transportation corridors, to support the achievement of *complete communities* through a more *compact built form*;

2.2.1.4. Applying the policies of this Plan will support the achievement of *complete communities* that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) provide a diverse range and mix of housing options, including additional residential units and *affordable* housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of *active transportation*;
 - ii. *public service facilities*, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) provide for a more *compact built form* and a vibrant *public realm*, including public open spaces;

- f) mitigate and adapt to the *impacts of a changing climate*, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and

- g) integrate *green infrastructure* and appropriate *low impact development*.

2.2.4.10 Lands adjacent to or near to existing and planned *frequent transit* should be planned to be *transit-supportive* and supportive of *active transportation* and a range and mix of uses and activities.

2.2.6.2 Notwithstanding policy 1.4.1 of the PPS, 2014, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:

- a) planning to accommodate forecasted growth to the horizon of this Plan;
- b) planning to achieve the minimum intensification and density targets in this Plan;
- c) considering the range and mix of housing options and densities of the existing housing stock; and
- d) planning to diversify their overall housing stock across the municipality.

2.2.6.3 To support the achievement of *complete communities*, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

2.2.6.4 Municipalities will maintain at all times where development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for *intensification* and *redevelopment*.

Region of Peel Official Plan

The Region of Peel Official Plan sets the Regional context for more detailed planning by protecting the environment, managing resources, directing growth and establishing a basis for providing Regional services in an efficient and effective manner. The subject lands are located within the “Urban System” as established in the Regional Official Plan (Schedule D). The Region of Peel Official Plan sections that are applicable to this application include but are not limited to:

Section 5.3.1.4 – Contributing to achieving intensified and compact form and a mix of land uses in appropriate areas that efficiently use land, service, infrastructure and public finances while taking into account the characteristics of existing communities and services.

Section 5.3.2.2 – Direct urban development and redevelopment to the Urban System within the 2021 Regional Urban Boundary, as shown on Schedule D, consistent with the policies in this Plan and the area municipal official plans; and

Section 5.3.2.3 – Plan for the provision and financing of Regional services so as to efficiently use existing services and infrastructure, and general accommodate a pattern of compact forms of urban development and redevelopment

Official Plan:

The City of Brampton's Official Plan provides comprehensive policies that facilitate land use decision making. The purpose of the City of Brampton's Official Plan is to give clear direction as to how physical development and land use decisions should plan to meet the current and future needs of its residents. The property is designated 'Residential' on Schedule A of the Official Plan. The Official Plan policies that are applicable to this application include but are not limited to:

Section 4.2.1.1 - The Residential designations shown on Schedule "A" permit predominantly residential land uses including a full range of dwelling types ranging from single detached houses to high-rise apartments. Complementary uses, other than Planes of Worship, shall be permitted subject to specific Secondary Plan policies or designations, and may include uses permitted in the Commercial and Institutional and Public Use designations of this plan, such as schools, libraries, parks, community and recreation centres, health centres, day care centres, local retail centres, neighbourhood retail, convenience retail or highway and service commercial uses.

Schedule A1 of the City's Official Plan identifies eight locations for Upscale Executive Housing Areas across the City. Official Plan Policy 4.2.2.6 states that a total of 5,100 executive housing units should be provided and that these lots should be in excess of 464.6 square metres (5,000 square feet). In addition, it is stated that Area #1 (Bram West Secondary Plan) is required to provide 1,000 of these units. The applicant has filed an application to amend the Schedule A1 of the Official Plan to delete the Upscale Executive Housing designation from their lands, and to amend Policy 4.2.2.6 to reduce the number of upscale executive housing units from 1,000 to 750 units. In addition, the applicant is proposing to increase the Housing Unit requirement of Area #4 (Vales of Castlemore North Secondary Plan) from 500 units to 750 units.

Secondary Plan:

The property is designated "Neighbourhood Park", "Low/Medium Density Residential", "Executive Residential", and "Service Commercial" in the Bram West Secondary Plan (Area 40d). The policies that are applicable to this application include but are not limited to:

- Section 3.1.1.a) – The special policy area designated as Upscale Executive Housing Area on Secondary plan Schedule SP40a) is an area that is considered to have appropriate characteristics to accommodate a successful upscale executive housing community in accordance with the policies set out in the Official Plan.
- Section 3.2.16 – The Plan will be implemented by way of a Block Plan process that will coordinate the completion of the environmental, servicing, transportation and urban design analysis and approvals.
- Section 3.4.1 - The various residential designations as shown on Schedule SP40(a), are categories in which the predominant use of land is residential and collectively include the full range of dwelling types from single detached units to high rise apartments.
- Section 3.4.2 - Notwithstanding housing policies for the various residential designations on Schedule SP40(a), consideration will be given for proposals that vary from these housing mix and density requirements without an official plan amendment if a satisfactory planning justification is provided to demonstrate that the City's underlying housing mix and related objectives are thereby equally well achieved in accordance with relevant City guidelines.
- Section 3.1.7 - In areas designated High Density Residential on Schedule SP40(a), residential uses within the Medium Density range defined in Part I, Section 5.0 of the Official Plan are permitted.
- Section 3.1.8 – The net density for High Density residential shall not exceed 125 units per net residential hectare (50 units per net acre), and that the provincial policy Statement will be met.
- Section 3.1.9 – Any proposal for High Density development will have regard for the transition and physical integration with lower density forms of development, and effective separation and buffering from major roads, other noise sources or adjacent commercial uses.

The applicant has filed an Official Plan Amendment application to amend the Bram West Secondary Plans Land use Schedule (Schedule SP40a of Chapter 40d) to redesignate lands from “Executive Housing” to “Low/Medium Density Residential” and to redesignate lands from “Service Commercial” to “Medium/High Density Residential”. An amendment to Policy 3.1.8 is required to permit a maximum density of 250 units per net hectare (102 units per net acre) in support of the proposed medium/high density development. In addition, the applicant is proposing to amend the Block Plan for Sub-area 40-3 of Chapter 40d of the Bram West Secondary Plan (Part III Block Plan of the City of Brampton Official Plan to revise the lotting, land use, and park location.

Block Plan:

The site is located within the approved Riverview Heights Community Block Plan (Area 40-3). The approved Block Plan permits “Low/Medium Residential” and “Executive Residential” uses and a Park site on the subject lands. As noted above, an amendment to the Block Plan is proposed.

Zoning By-law:

The property is zoned for open space (ie. a park) and service commercial purposes (SC-2441) along with several residential zoned categories (R1E-10.4-2427, R1E-11.6-2429, R1F-11.4-2430, R1E-15-2431, R1E-18-2432, R1E-21-2433) all by By-law 270, 2004, as amended. An amendment to the Zoning By-law is required to allow for the change in housing types, the reduction of the lot widths, the shifting of the park location, and the creation of a six storey high apartment development on lands that were previously zoned service commercial.

Sustainability Score and Summary

A full review of the Sustainability Score and Summary will be undertaken and discussed within the Recommendation Report, which will be brought forward to a future Planning and Development Committee meeting. The applicant has completed the sustainability Score, indicating an overall score of 34 was achieved for the southerly plan of subdivision (ie. Scottish Heather Investment lands), and a score of 32 was achieved on the northerly plan of subdivision (Brampton G&A Holdings lands). These scores meet the City’s Bronze threshold.

Documents Submitted in Support of the Application

- OPA/Rezoning Application Form
- Public Consultation Strategy
- Planning Opinion Report;
- Draft OPA document
- Functional Servicing Report/Addendum to the Environmental Implementation Report
- Transportation Study
- Draft Zoning Bylaw
- Draft Zoning Bylaw
- Redline Draft Plans of subdivisions
- Priority Lot Plan
- Tertiary Plan for the Apartment Block
- Sustainability Summary Report

The City may request further technical information necessary for its review, based on agency circulation or public input.

Comments on the circulation of the above noted documents, along with comments on the application from external commenting agencies and City divisions and departments, will be provided in the future Recommendation Report.

Date: 2020-11-06

Subject: **INFORMATION REPORT**

Application to Amend the Zoning By-law and Draft Plan of Subdivision
(To permit 5 single detached residential dwellings)
Gagnon Walker Domes Ltd – Gurpreet Gill
9058 Creditview Road
Ward: 5
File: OZS-2020-0018

Contact: Nitika Jagtiani, Development Planner, Development Services, 905-874-3847, Nitika.Jagtiani@Brampton.ca; and, David VanderBerg, Manager, Development Services, 905-874-2325, David.Vanderberg@Brampton.ca

Report Number: Planning, Building and Economic Development-2020-225

Recommendations:

1. **That** the report titled: **INFORMATION REPORT**, Application to Amend the Zoning By-law and for a Draft Plan of Subdivision, **Gagnon Walker Domes Ltd. – Gurpreet Gill**, 9058 Creditview Road, Ward: 5, (File: OZS-2020-001), dated November 6, 2020 to the Planning and Development Committee Meeting of December 7, 2020, be received; and,
2. **That** Planning, Building and Economic Development staff be directed to report back to the Planning and Development Committee with the results of the Public Meeting and a staff recommendation, subsequent to the completion of the circulation of the application and a comprehensive evaluation of the proposal.

Overview:

- This report provides information for the public meeting for an application to amend the Zoning By-law and for a proposed Draft Plan of Subdivision for a development proposing five lots for single detached dwellings.
- The subject property is 0.34 hectares (0.85 acres) in size and is municipally known as 9058 Creditview Road.

- The subject property is designated as ‘Residential’ in the City of Brampton Official Plan. The ‘Residential’ designation permits a full range of residential dwelling types. An amendment to the Official Plan is not required.
- The property is designated ‘Low Density 1’, ‘Secondary Valleyland’ and ‘Terrestrial Features’ in the Credit Valley Secondary Plan (SPA45). This designation permits the proposed single detached dwellings. An amendment to the Secondary Plan is not required.
- The property is designated as ‘Low Density Residential’ in the Springbrook Tertiary Plan. This designation permits detached and semi-detached dwellings consistent with the Official Plan. Council approved the Tertiary Plan on October 28, 2020. An amendment is not required.
- The property is zoned ‘Residential Hamlet (RHM1)’ as per Zoning by By-law 270-2004, as amended. The ‘Residential Hamlet (RHM1)’ zone does not permit the proposed residential development. Therefore, an amendment to the Zoning By-law is required to facilitate the proposed residential subdivision.
- This Information Report and the associated public meeting facilitate compliance with the Term of Council “A Well-Run City (Good Government)” priority with respect to encouraging public participation by activity engaging the community.

Background:

Gagnon Walker Domes Inc., on behalf of Gurpreet Gill, submitted this application to amend the Zoning By-law and for a proposed Draft Plan of Subdivision on July 28, 2020. The application has been deemed complete in accordance with the requirements of the *Planning Act* and a formal Notice of Complete Application has been issued.

Current Situation:

Proposal:

Details of the proposal are as follows (refer to Appendix 1):

- Five residential lots for single detached dwellings with lot widths ranging from 11.4 to 22.9 metres (37.3 to 75.0 feet) and lot depths ranging from 20.3 and 32.3 metres (66.6 to 104.9 feet);

- A Natural Heritage System Buffer (Block 6) on the westerly portion of the subject lands; and
- An extension of Hosta Street.

Property Description and Surrounding Land Use (Refer to Appendix 2):

The lands have the following characteristics:

- Are municipally known as 9058 Creditview Road.
- Have a total site area of approximately 0.34 hectares (0.85 acres); and
- Are currently occupied by a single-detached dwelling and a detached garage, which are proposed to be demolished.

The surrounding land uses are described as follows:

North: Two rural residential lots subject to an application for a residential development consisting of single detached residential dwellings; beyond which are single detached dwellings and Fallowfield Rd;

South: Rural residential lots;

East: Creditview Road, beyond which is a stormwater management pond and single detached dwellings; and

West: A channel block and a stormwater management pond.

Technical Considerations

Comments from staff and external commenting agencies are required in order to complete a comprehensive analysis for this application. At this time, staff has noted the following specific considerations that will need to be addressed as part of the comprehensive analysis in addition to the general assessment of the appropriateness of the proposed land use and its impact on the surrounding area:

- The appropriate buffer to be provided from the wetland on the western portion of the site.
- The development proposal depends on the southward extension of Hosta Street through the proposed plan of subdivision to the north (C04W06.010). That application has been appealed to the Local Planning Appeal Tribunal (LPAT). Approval of this application is dependent on that extension being made.

Further details on this application can be found in the Information Summary contained in Appendix 8. The future Recommendation Report will contain an evaluation of the various technical aspects, including matters addressed in the site specific studies submitted by the applicant.

Public Meeting Notification Area:

The application was circulated to City Departments, commenting agencies, property owners within 240 metres of the subject lands, and advertised in the Brampton Guardian, which exceed the Planning Act circulation requirements. This report along with the complete application requirements, including studies, has also been posted to the City's website.

Corporate Implications:

Financial Implications:

There are no financial implications identified at this time. Revenue collected through development application fees are accounted for in the approved operating budget. Any implications that arise through the continued processing of this application will be discussed within the future Recommendation Report.

Other Implications:

Other technical planning and development implications associated with this application will be undertaken and discussed within the Recommendation Report.

Term of Council Priorities:

This Information Report and the associated public meeting facilitate compliance with the Term of Council Priorities 2019-2022 "A Well-run City (Good Government)" priority, with respect to encouraging public participation by actively engaging the community. This application will be reviewed to ensure that the development proposal meets the direction and goals of the Term of Council Priorities 2019-2022, and will be discussed in the future Recommendation Report.

Living the Mosaic – 2040 Vision:

This report has been prepared in full consideration of the overall vision that the people of Brampton will "Live the Mosaic".

Conclusion:

Appropriate information and background studies have been received by the Planning, Building and Economic Development Department. In compliance with the requirements of the *Planning Act*, it is appropriate to present this application at a statutory public meeting and Planning & Development Services Committee.

A future Recommendation Report will detail a complete technical analysis and assess the planning merits of this application to amend the Zoning By-law and Draft Plan of Subdivision.

Authored by:

Reviewed by:

Nitika Jagtiani, MES (Pl.), LEED AP ND
Development Planner, Development
services

Allan Parsons, MCIP, RPP
Director, Development Services

Approved by:

Submitted by:

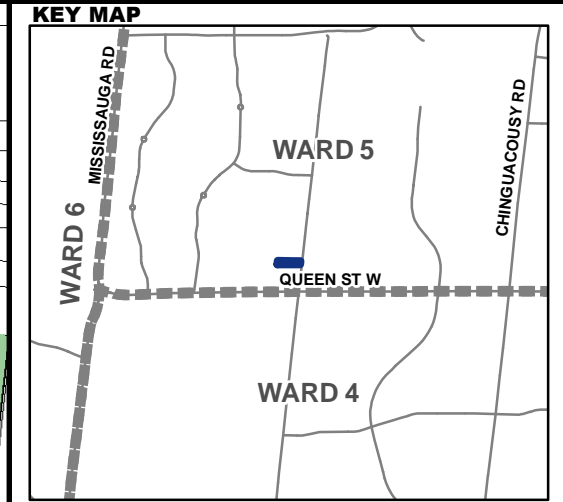
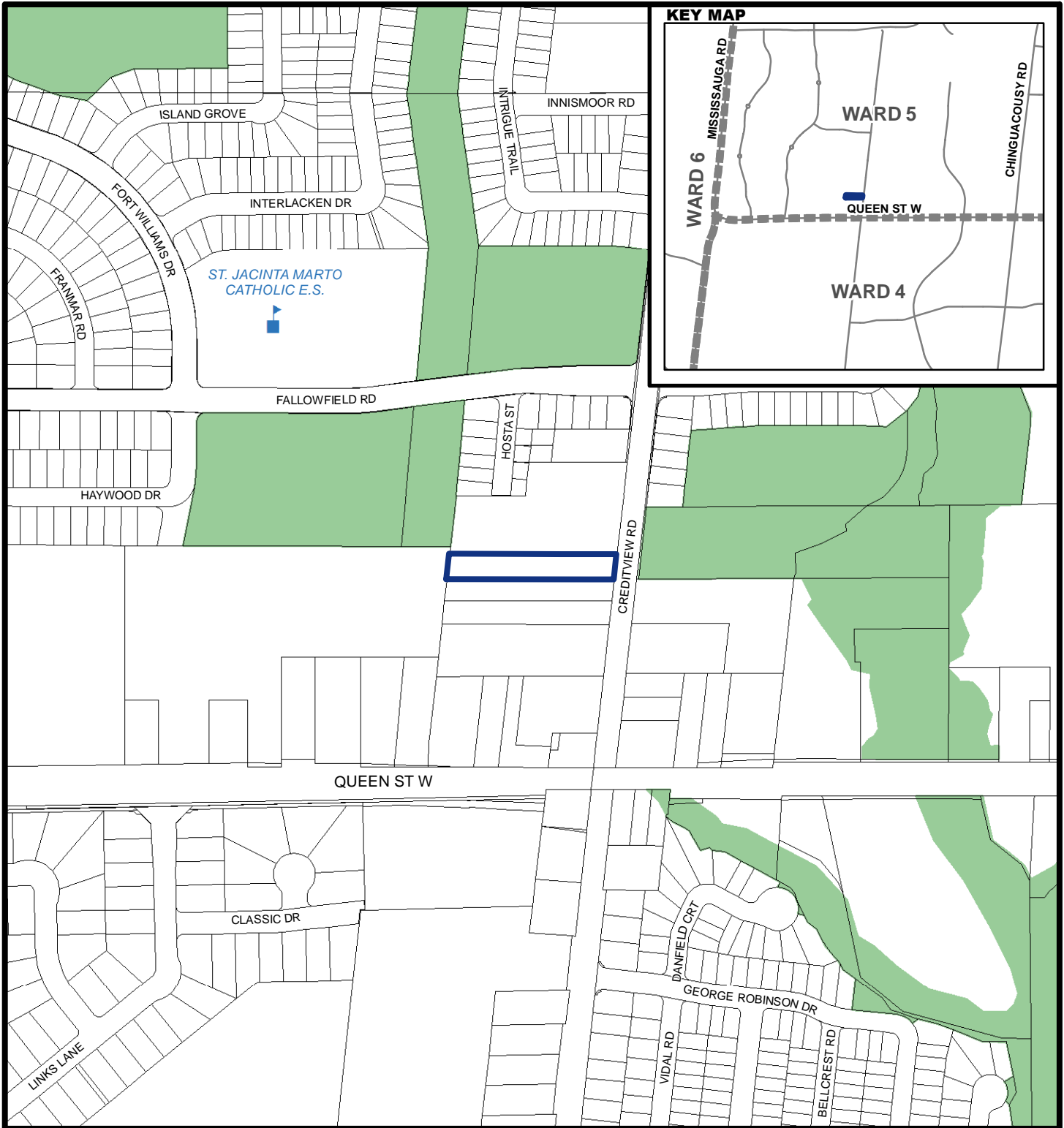
Richard Forward, MBA, M.Sc., P.Eng.
Commissioner
Planning and Development Services

David Barrick
Chief Administrative Officer
City of Brampton

Attachments:

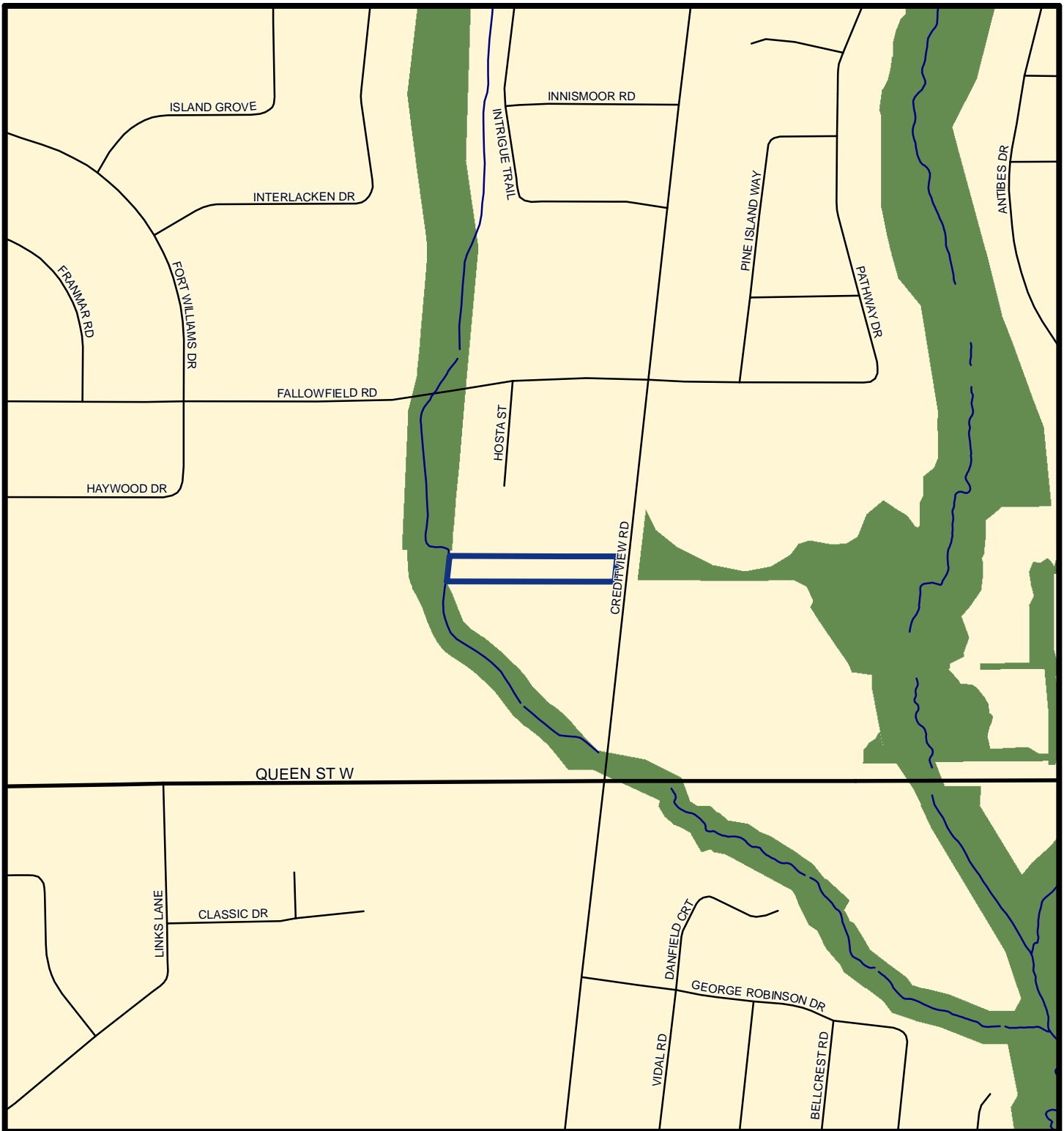
- Appendix 1: Concept Plan
- Appendix 2: Location Map
- Appendix 3: Official Plan Designations
- Appendix 4: Secondary Plan Designations
- Appendix 5: Zoning Designations
- Appendix 6: Aerial & Existing Land Use
- Appendix 7: Block Plan Designations
- Appendix 8: Tertiary Plan
- Appendix 9: Information Summary





- SUBJECT LAND
- GREENSPACE
- PROPERTY LINE
- 🚩 SCHOOLS

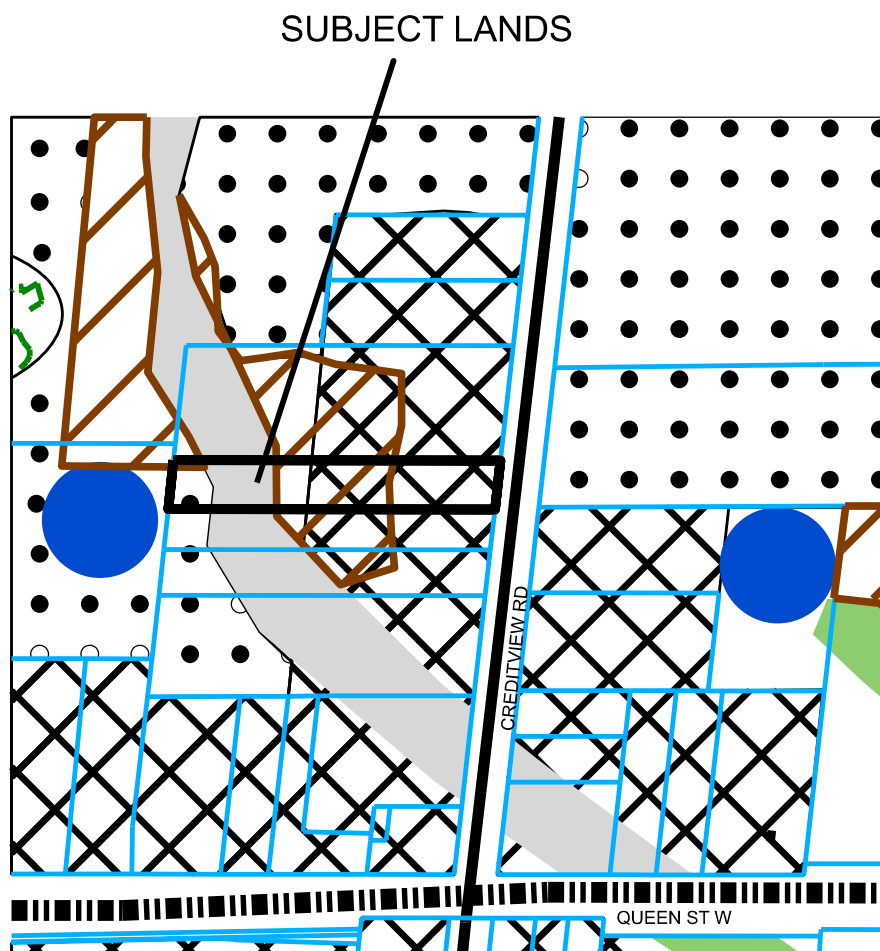




EXTRACT FROM SCHEDULE A (GENERAL LAND USE DESIGNATIONS) OF THE CITY OF BRAMPTON OFFICIAL PLAN

- SUBJECT LAND
- RESIDENTIAL
- OPENSPACE



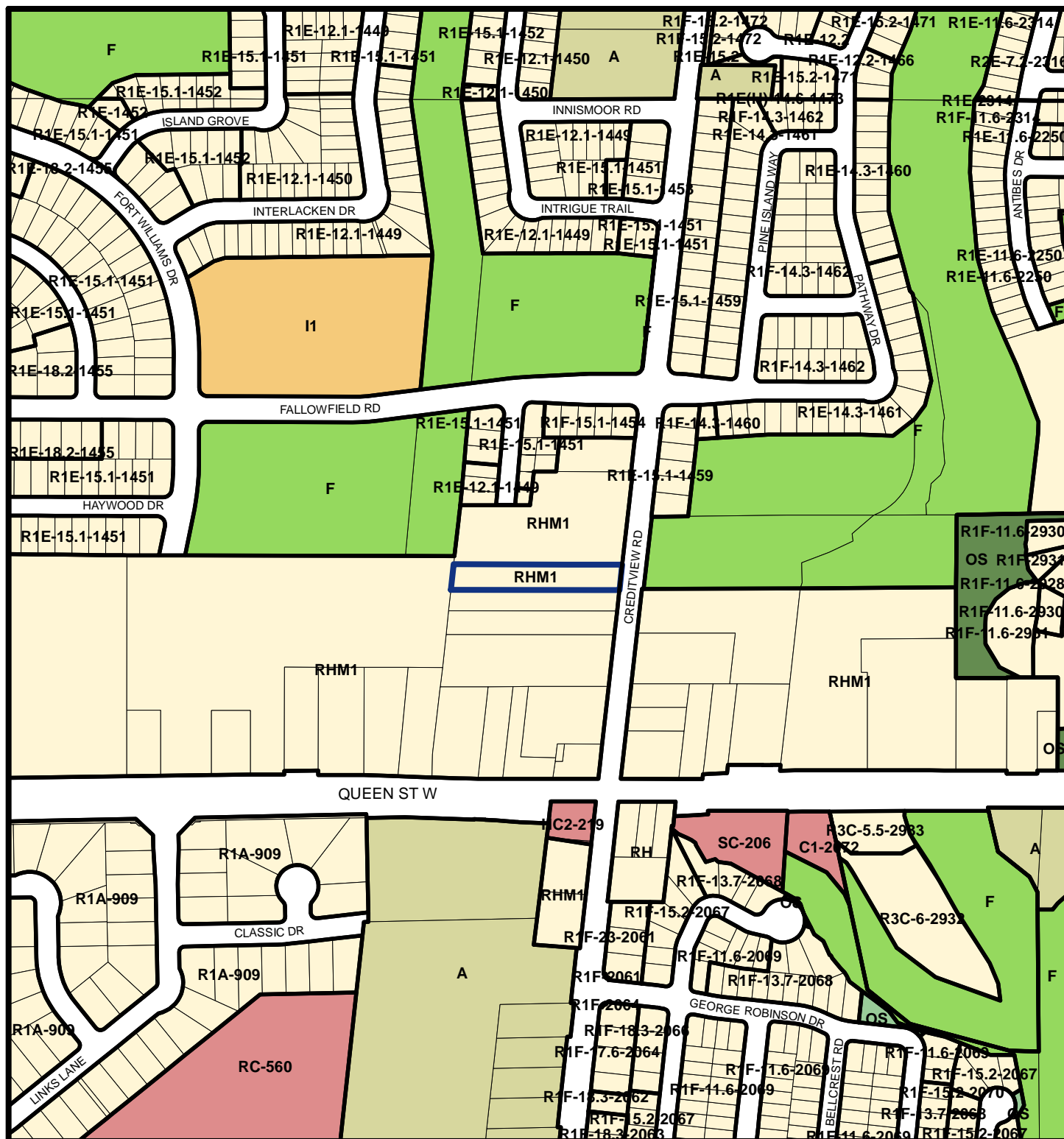



EXTRACT FROM SCHEDULE SP45(A) OF THE DOCUMENT KNOWN AS THE CREDIT VALLEY SECONDARY PLAN

RESIDENTIAL			
	Low Density 1		Terrestrial Features
	Low Density 2		Neighbourhood Park
	Springbrook Settlement Area		Potential Stormwater Management Ponds
OPEN SPACE			
	Primary Valleyland	INFRASTRUCTURE	
	Secondary Valleyland		Minor Arterial Roads
			Two Lane Scenic Road



APPENDIX 5



- | | | | | | |
|--|------------------------|--|---------------|--|--------------|
|  | ZONING MULTIPLE EXPORT |  | RESIDENTIAL |  | AGRICULTURAL |
|  | ZONING DISSOLVE EXPORT |  | COMMERCIAL |  | OPEN SPACE |
|  | SUBJECT LAND |  | INSTITUTIONAL |  | FLOODPLAIN |

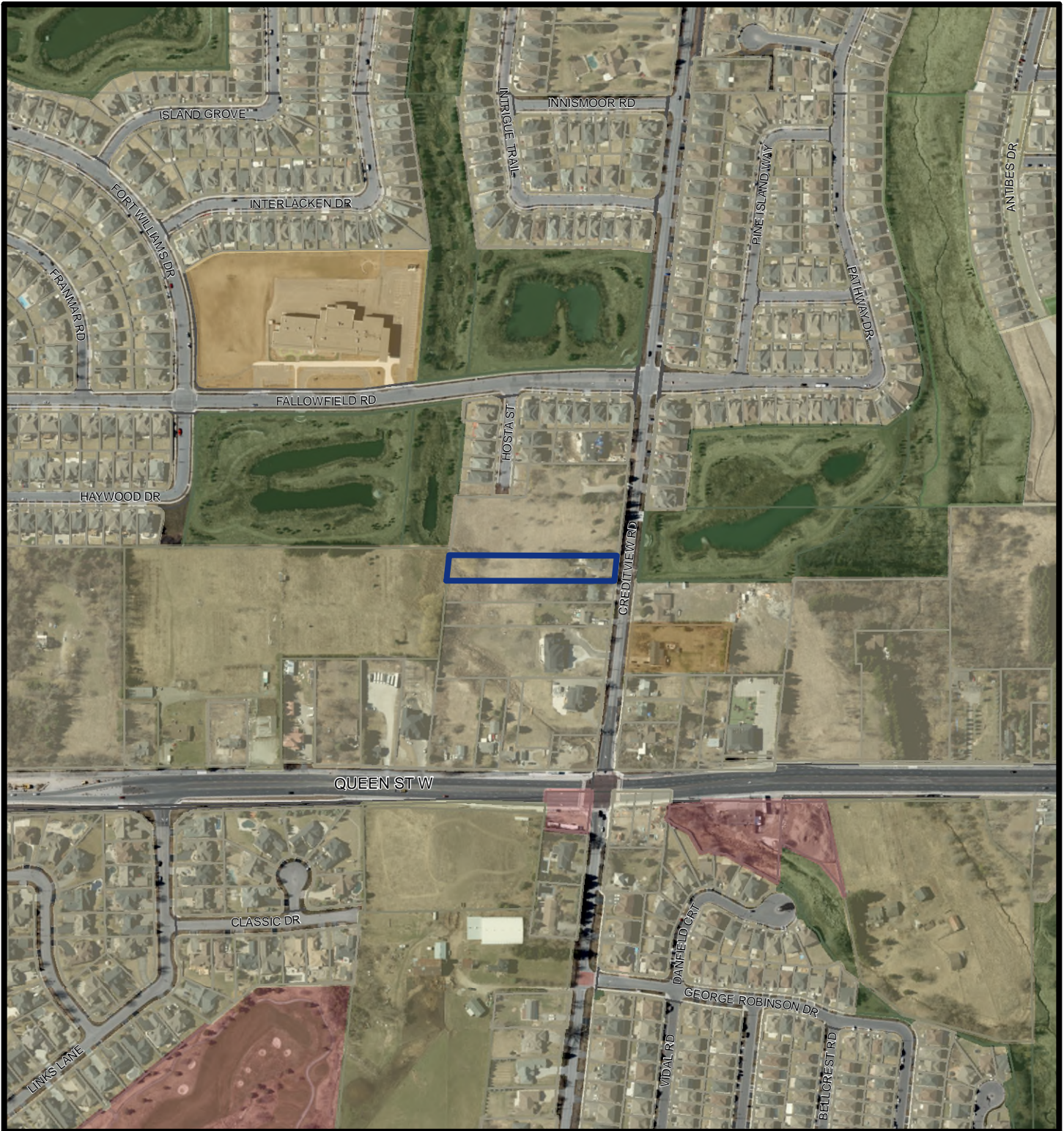


APPENDIX 5
ZONING DESIGNATIONS
GAGNON WALKER DOMES LTD.
GILL GURPREET

A horizontal scale bar with markings at 0, 50, and 100. The word "Metres" is written below the bar. The bar is divided into two equal segments by the 50 mark. The first segment (0 to 50) is black with a white line at the bottom. The second segment (50 to 100) is white with a black line at the bottom.





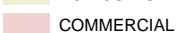



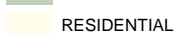
Author: ckovac
Date: 2020/09/01

Page 121 of 881
CITY FILE: OZS-2020-0018



AERIAL PHOTO DATE: SPRING 2019

Legend

	SUBJECT LAND		AGRICULTURAL		INSTITUTIONAL		ROAD
			COMMERCIAL		OPEN SPACE		UTILITY
			INDUSTRIAL		RESIDENTIAL		



SUBJECT LANDS



EXTRACT FROM BLOCK PLAN 45-2 KNOWN AS THE CREDIT VALLEY BLOCK PLAN

- PEDESTRIAN TRAILWAY
- LIVE / WORK LOT
- TURNING CIRCLE - ULTIMATE DESIGN TO BE DETERMINED

LEGEND



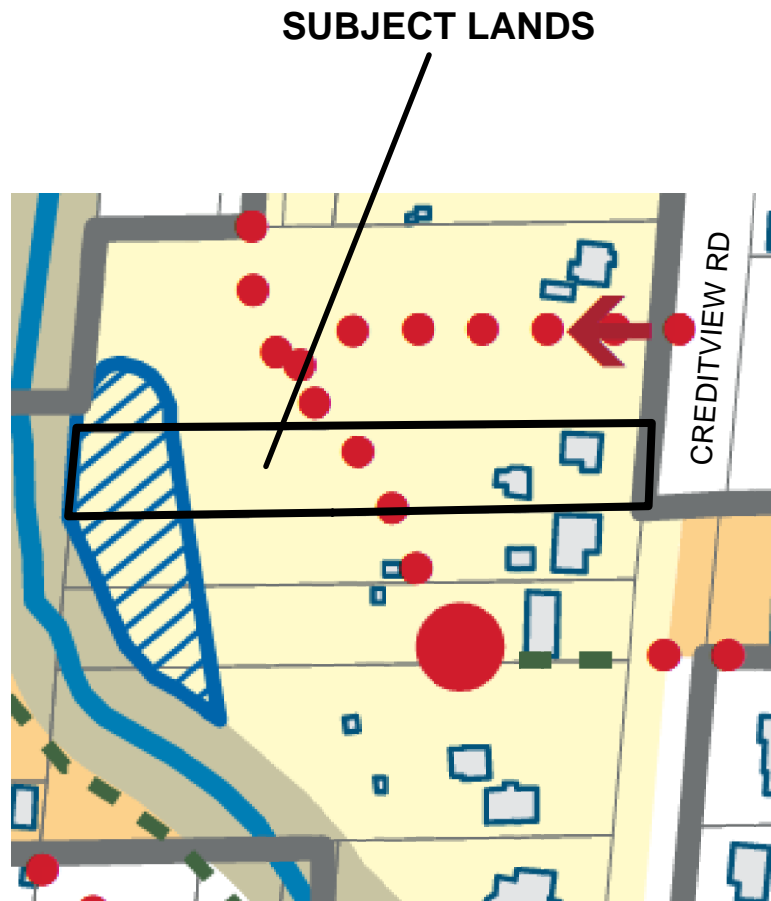
SPRINGBROOK
SPECIAL
STUDY
AREA



REGIONAL
CONTROL
SWMP
EXPANSION






CREDITVIEW ROAD
SPECIAL STUDY AREA
(TO BE ADJUSTED)














EXTRACT FROM THE DOCUMENT KNOWN AS THE SPRINGBROOK TERTIARY PLAN

Legend

-  Tertiary Plan Boundary
-  Existing Building Footprint
-  Watercourses

Natural Heritage System

-  Wetland (subject to further study)
-  Woodland (subject to further study)
-  Valleyland/Watercourse Corridor
-  Existing Stormwater Management Pond
-  Proposed Stormwater Management Pond (subject to further study)
-  Parkette - Conceptual

-  Low Density Residential
-  Low-Medium Density Residential
-  Conceptual Road
-  Conceptual Trail Opportunity
-  Conceptual Access

Information Summary

Notwithstanding the information summary provided below, staff advises that, prior to finalizing recommendations to Council, this application will be further evaluated for consistency with the Provincial Policy Statement (2020), conformity with the Growth Plan for the Greater Golden Horseshoe (2019), the Region of Peel Official Plan and the City of Brampton Official Plan.

Planning Act:

The proposal will be reviewed for its compliance to matters of provincial interest as identified in Section 2 of the *Planning Act R.S.O. 1990*. A preliminary assessment identified that the sections applicable to this application included, but are not limited to:

- a) The protection of ecological systems, including natural areas, features and functions;*
- h) The orderly development of safe and healthy communities;*
- j) The adequate provision of a full range of housing, including affordable housing;*
- p) The appropriate location of growth and development;*
- q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and*
- r) The promotion of built form that is well designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.*

Provincial Policy Statement (PPS):

The proposal will be reviewed for its consistency with the matters of provincial interest as identified in the Provincial Policy Statement (PPS). The PPS policies that are applicable to this application include but are not limited to:

- *Section 1.1.1(b)* - Healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs.
- *Section 1.1.1(h)* - Promoting development and land use patterns that conserve biodiversity.
- *Section 1.1.3.1* - Settlement areas shall be the focus of growth and development.
- *Section 1.1.3.6* - New development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of

use and densities that allow for efficient use of land, infrastructure and public service facilities.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe:

The application will be evaluated against the Growth Plan for the Greater Golden Horseshoe (GGH) to ensure that the proposal conforms to the Plan. A preliminary assessment of the Greater Golden Horseshoe sections applicable to this application include but are not limited to:

- *Section 2.2.7* – New development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that: supports the achievement of complete communities, supports active transportation, and encourages the integration and sustained viability of transit services.
- *Section 2.2.1.4* – Support the achievement of complete communities that feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores services and public facilities; expand convenient access to a range of transportation options; and, ensure the development of high quality compact built form, and attractive and vibrant public realm through site design and urban design standards.
- *Section 4.2.2* - There are no negative impacts on key natural heritage features or key hydrologic features or their functions.

Region Official Plan, 2016:

The subject application is within the '*Urban System*' and '*Designated Greenfield Area*' in the Regional Official Plan. The proposal will be evaluated against the Region of Peel Official Plan to ensure that it conforms to the Plan. The Region of Peel Official Plan sections that are applicable to this application include, but are not limited to:

- *Section 5.3.1.1* - To conserve the environmental and resource attributes of the region.
- *Section 5.3.1.3* - To establish healthy complete urban communities that contain living, working and recreational opportunities, which respect the natural environment, resources and the characterizing of existing communities.
- *Section 5.3.1.4* - Contributing to achieving intensified and compact form and a mix of land uses in appropriate areas that efficiently use land, service, infrastructure and public finances while taking into account the characteristics of existing communities and services.
- *Section 5.3.1.5* - To achieve an urban structure, form and densities which are pedestrian friendly and transit supportive.
- *Section 5.3.1.7* - To recognize the integrity and physical characteristics of existing communities in Peel.

- *Section 5.5.4.1.1* – To plan and designate greenfields to contribute to complete communities.
- *Section 5.5.4.1.2* – To achieve compact urban forms within the designated greenfield area that support walking cycling and the early integration and sustained viability of transit services.
- *Section 5.5.4.1.3* – To achieve compatible and diverse mix of land uses to support vibrant neighborhoods.
- *Section 5.5.4.1.4* – To optimize the use of designated greenfield area.

City of Brampton Official Plan, 2006

The subject lands are designated as ‘*Communities*’ and ‘*Designated Greenfield Area*’ in *Schedule 1 – City Concept* and ‘*Residential*’ within *Schedule A – General Land Use Designation* of the Official Plan.

The ‘*Communities*’ designations are the basic living units of the City that the residents can most relate to and take ownership of. Communities are made up of both existing development and new communities and must be planned using an ecosystem approach and the principles of sustainability.

The ‘*Designated Greenfield Area*’ designation is comprised of lands outside of the Built Boundary. New communities within the Designated Greenfield Area will contribute to the creation of complete communities by providing a diverse mix of land uses and creating an urban form that supports walking, cycling and transit (Section 3.2.2). The Official Plan sections that are applicable to this application include, but are not limited to:

- *Section 3.2.2.1* - By 2015 and for each year to 2025, a minimum of 40% of all new residential development will occur within the built-up area of the Region of Peel. By 2026 and for each year thereafter, the Region of Peel Official Plan plans for a minimum of 50% of all new residential development within the built-up area of the Region of Peel. Brampton shall contribute at least 26,500 residential units between 2006 and 2031 to the built-up area.
- *Section 3.2.2.2* - Brampton’s Designated Greenfield Area forms part of the Region of Peel’s Designated Greenfield Area which is planned to achieve a density of 50 residents and jobs combined per hectare by 2031. Brampton shall contribute to this target by planning to achieve a density of 51 persons and jobs per hectare over its Designated Greenfield Area by 2031, in accordance with the Growth Plan policies for measuring density.

The '*Residential*' designation predominately permits residential land uses including a full range of dwelling types. The Official Plan policies that are applicable to this application include but are not limited to:

- *Section 4.2.1.1* - The Residential designations shown on Schedule 'A' permit predominantly residential land uses including a full range of dwelling types ranging from single detached houses to high-rise apartments. Complementary uses, other than Places of Worship, shall be permitted subject to specific Secondary Plan policies or designations, and may include uses permitted in the Commercial and Institutional and Public Use designations of this plan, such as schools, libraries, parks, community and recreation centres, health centres, day care centres, local retail centres, neighbourhood retail, convenience retail or highway and service commercial uses.

An amendment to the Official Plan is not required.

Credit Valley Secondary Plan:

The subject lands are within the '*Springbrook Settlement Area*' and are designated as '*Low Density Residential 1*', '*Secondary Valleyland*' and '*Terrestrial Feature*', in the Credit Valley Secondary Plan (SPA 45). The proposal will be evaluated against the Secondary Plan policies to ensure that it conforms to the Plan. The Secondary Plan policies that are applicable to the application include but are not limited to:

Springbrook Settlement Area

- *Section 5.2.7.1* - The Springbrook Settlement Area is a historical crossroad hamlet associated with the agricultural settlement of the area. The infilling of Springbrook shall be limited to the lands fronting onto the existing open road allowances within the defined limits of the settlement as shown on Schedule SP45(a). In accordance with Section 4.1.3 of the Official Plan, limited service commercial, village crafts and home workshops shall be permitted but in the form of a low intensity and low-density development that is in keeping with the scale and character of the historic hamlet.
- *Section 5.2.7.2* - New residential development adjacent to the Springbrook Settlement Area shall be developed in a manner that is compatible with the scale and character of the historic hamlet. Where the adjacent lands are to be developed, and in order to avoid incompatibility, appropriate buffering may be required, which may include measures such as setbacks, berming, fencing, landscaping and planting, and will be specifically determined prior to development approval.

Low Density Residential 1

- *Section 5.2.4.1* - Lands within the Low Density 1 Residential designation on Schedule SP45(a) shall be developed primarily for a variety of large lot and wide

frontage single-detached housing that takes advantage of the locational and natural attributes of the area and acts as a transition between the Executive Residential Area and the conventional areas of the community.

- *Section 5.2.4.2* - In areas designated Low Density 1 Residential on Schedule SP45(a), the following shall apply, subject to Section 5.2.1 of this Chapter:
 - i) primarily single detached structural units shall be permitted. A limited number of high-end, semi-detached and townhouses may be considered subject to appropriate location and superior site design, architecture and streetscape;
 - ii) limited development of the following complementary uses shall also be permitted without an amendment to this Plan:
 - private education facilities;
 - libraries;
 - day care centres;
 - health centres; and
 - public recreation facilities.
 - iii) a maximum density of 19.5 units per net residential hectare (8 units per net residential acre) shall be permitted; and,
 - iv) Lots adjacent to areas designated Executive Residential shall have a minimum lot frontage of 12.2 metres (40 feet). In other areas within the Low Density 1 Residential designation lot frontage shall not be less than 11.6 metres (38 feet).
- *Section 5.2.4.4* - On those lands within the Low Density 1 designation, which do not abut and are not directly adjacent to the Executive Residential designation, smaller lot frontages shall be permitted as long as the maximum density of 19.5 units per net hectare (8 units per net acre) is maintained.
- *Section 5.2.4.5* - For lands designated Low Density 1 Residential within the boundaries of Sub-area 5, a maximum density of 24 units per net hectare (9.7 units per net acre) shall be permitted:-

Secondary Valleyland

- *Section 5.4.2.3* - Lands designated Secondary Valleyland on Schedule SP45(a) identify natural corridors that currently contribute to the ecological integrity of the subwatersheds. The final limit of Secondary Valleylands will be determined through an Environmental Implementation Report. Secondary Valleylands may be altered, or the feature may be replaced by an alternate system, provided it is demonstrated that the current ecological function and integrity of the subwatershed is protected and enhanced. Any residual lands shall revert to the adjacent land use designation without the necessity of further amendment to this Chapter.
- *Section 5.4.2.5* - Appropriate setbacks shall be imposed, if required, from the margin of valleylands so as to have regard for ecological functions and the extent

and severity of existing and potential hazards. Setbacks, if required, shall be determined through the preparation of an Environmental Implementation Report, prior to draft approval of affected plans of subdivision and incorporated into the implementing zoning by-law. These considerations have the potential to reduce the total amount of tableland area available for urban development.

Terrestrial Features

- *Section 5.4.8.1* - Lands designated Terrestrial Features have been identified as lands, such as wet meadows and woodlots that contribute currently to the ecological integrity of the subwatershed.
- *Section 5.4.8.2* - The extent of a Terrestrial Feature shall be confirmed through the preparation of an Environmental Implementation Report. Terrestrial Features may be altered or the feature may be replaced, provided it is demonstrated that the current ecological function and integrity of the subwatershed is protected.

The limits of the Terrestrial Feature have been determined through an Environmental Impact Study.

An amendment to the Secondary Plan is not required.

Springbrook Tertiary Plan:

The subject lands were formerly located within the Springbrook Settlement Area; which is a historic hamlet located at the intersection of Queen Street West and Creditview Road. On October 28, 2020, Council adopted an amended City-initiated Official Plan Amendment to the Credit Valley Secondary Plan Area 45. At Council's request, this revised OPA implements a 'Springbrook Tertiary Plan' only for lands not located within the Queen Street West frontage. Properties within the Queen Street frontage remain designed Springbrook Settlement Area, until the City undertakes a study to determine the potential for these properties to develop at higher densities.

The objectives of the Springbrook Tertiary Plan are to develop a comprehensive land use plan that will ensure new development is compatible with existing uses in the hamlet, and to identify guidance for the provision of infrastructure to support proposed development, such as road connections, access, and stormwater management, while recognizing the existing settlement pattern and environmental constraints.

The subject lands are designated as '*Low Density Residential*' within the Tertiary Plan for the Springbrook Area. Low Density Residential uses are to be developed in accordance with the Low Density 1 designation of the City of Brampton Official Plan, to ensure a transition in density and compatibility with the existing Credit Valley community.

The Tertiary Plan shows access to the subject site through the future extension of Hosta Street as part of the redevelopment of the adjacent properties to the north (9084 and 9074 Creditview Road).

Block Plan:

The subject lands are part of Block Plan 45-2 also referred to as the Credit Valley Block Plan. The lands are within the Springbrook Special Study Area. The area is bounded by Williams Parkway and residential lands to the north, Mississauga Road and existing agricultural lands to the west, Queen Street West and residential lands to the south, and the Springbrook Creek and existing residential lands to the east. Creditview Road bisects the eastern portion of the area and the Huttonville Ravine passes north-south through the western portion of the district.

The Block Plan implements the policies of the City Official Plan and Secondary Plan based on the findings of a number of background studies completed to address environmental, servicing transportation, urban design and growth management considerations. The Block Plan ensures that the development of the new community addresses principles of sustainability and incorporates the principles of the City's Development Guidelines.

The policies related to subject lands and adjacent properties in the Credit Valley Block Plan 45-2 have been replaced by the recently approved Tertiary Plan. The policies in the Block Plan for the Springbrook Area contribute to the Tertiary Plan.

City of Brampton Zoning By-law:

The subject lands are zoned 'Residential Hamlet (RHM1)' as per Zoning By-Law 270-2004, as amended. The 'Residential Hamlet (RHM1)' zone permits various residential and non-residential uses.

The residential uses include: a single detached dwelling, a group home (Type 1), and an auxiliary group home. The non-residential uses include: purposes accessory to other permitted purposes include a park, playground, recreational area and community centre established and operated by a public authority or its agent; a place of worship; a public or private school; a cemetery; a nursing home; and a greenhouse or nursery.

An amendment to the Zoning By-law is required for the proposed residential development. The application proposes to rezone the subject lands from 'Residential Hamlet (RHM1)' to 'Residential Single Detached E1 (R1E)' for residential lots 1 to 5 and 'Floodplain (F)' to accommodate the wetland and proposed buffer.

Sustainability Score and Summary

The City of Brampton's Sustainability Metrics are used to evaluate the environmental sustainability of development applications.

To measure the degree of sustainability of this development application, a Sustainability Score and Summary were submitted. The application has a Sustainability Score of 31 points, which achieves the City's Bronze threshold. City staff will verify the sustainability score prior to the Recommendation Report.

Documents Submitted in Support of this Application:

- Application Form(s)
- Application Fees
- Cover Letter
- Pre-Application Consultation Checklist and Comment Response Matrix
- Parcel Register
- Survey (Topographic and Boundary)
- Draft Plan of Subdivision
- Draft Zoning By-law
- Interim and Ultimate Condition Development Concept Plans
- Tertiary Plan
- Planning Justification Report
- Public Consultation Strategy
- Functional Servicing and Stormwater Management Report
- Environmental Impact Report
- Tree Inventory and Preservation Plan and Report
- Geotechnical Engineering Investigation
- Phase 1 Environmental Site Assessment
- Letter of Acknowledgement and Record of Site Condition
- Sustainability Score and Summary
- Addendum to the Springbrook Estates Community Design Guidelines
- Environmental Noise Assessment
- Archaeological Assessment (Stage 1-2)
- Draft Notice Sign

The City may request further technical information necessary for its review, based on agency circulation or public input.

Comments on the circulation of the above noted documents, along with comments on the application from external commenting agencies and City divisions and departments, will be provided in the future Recommendation Report.

Date: 2020-11-04

File: OZS-2020-0014

Subject: **Information Report**
Application to Amend the Official Plan and Zoning By-law
(to permit a 12-storey mixed-use building)
2613497 Ontario Inc – Evans Planning Inc.
1107 & 1119 Queen Street West
OZS-2020-0014
Ward: 4

Contact: Nicholas Deibler, Development Planner, Planning, Building and Economic Development, Nicholas.Deibler@brampton.ca, (905) 874-3556
David VanderBerg, Manager, Development Services, Planning, Building and Economic Development,
David.Vanderberg@brampton.ca, (905) 874-2325

Report Number: Planning, Building and Economic Development-2020-356

Recommendations:

1. **THAT** the report titled: **INFORMATION REPORT**, Application to Amend the Official Plan and Zoning By-law, **2613497 Ontario Inc – Evans Planning Inc.**, 1107 & 1119 Queen St West, Ward 4 (OZS-2020-0014), dated November 4th, 2020 to the Planning and Development Committee Meeting of December 7th, 2020, be received; and,
2. **THAT** Planning, Building and Economic Development staff be directed to report back to the Planning and Development Committee with the results of the Public Meeting and a staff recommendation, subsequent to the completion of the circulation of application and a comprehensive evaluation of the proposal.

Overview:

- The applicant proposes to develop the lands for a 12-storey mixed-use building containing 158 apartment dwelling units with retail uses on the ground floor.
- The properties are designated “Residential” in the Official Plan and are designated “Low Density 2” in the Credit Valley Secondary plan (Area 45(a)). An amendment to the Secondary Plan is required to permit the proposed high-density development.
- The subject properties are designated “Low Density 2, Residential Character Area 3” in Block Plan 45-5. A Block Plan Amendment is required to include site specific policies for the properties.
- The properties are zoned “Agricultural” by By-law 270-2004, as amended. An amendment to the Zoning By-law is required to permit this proposal for a mixed-use apartment building.
- This Information Report and the associated public meeting facilitate compliance with the Term of Council Priorities 2019-2022 “A Well-run City (Good Government)” priority, with respect to encouraging public participation by actively engaging the community.

Background:

This application was received on May 14, 2020, with additional materials as requested submitted on June 29, 2020. The application has been reviewed for completeness and found to be complete in accordance with the *Planning Act*. A formal Notice of Complete Application dated July 21, 2020 was provided to the applicant.

Current Situation:Proposal

This application to amend the Official Plan and the Zoning By-law has been filed with the City to develop this 0.49 ha (1.2 acre) site with a mixed-use apartment building.

Details of the proposal are as follows:

- A 12-storey mixed-use building.
- A total of 158 units:
 - 102 one bedroom units.

- 36 two bedroom units.
- 20 three bedroom units.
- A Floor Space Index (FSI) of 4.06. This represents the ratio between the floor area of the building to site area.
- A total of 284 parking spaces, including
 - 213 resident parking spaces and 71 visitor parking spaces:
 - 14 spaces at grade, with the remainder in three levels of underground parking.
 - 8 accessible parking spaces.
- One vehicular access point from Queen St W.

Property Descriptions and Surrounding Land Uses

The properties have the following characteristics:

- Are municipally known as 1107 & 1119 Queen Street West.
- Are located on the south side of Queen St W., between James Potter Road to the west and Chinguacousy Rd to the east.
- Have a combined site area of 4,869 m² (52,409 ft²).
- Have a combined frontage of approximately 92.05 m (302 ft) on Queen Street West, 58.15 m (191 ft) on Byville Court/Allegro Drive, and a depth of approximately 52.7 m (173 ft).
- Are currently each occupied by one single-detached residential dwelling.

The surrounding land uses are described as follows:

North: Queen beyond which is Taramoto Park

South: Byville Court and Allegro Drive, beyond which is a residential neighbourhood comprised primarily of single-family and semi-detached homes

East: Single detached houses on larger lots, beyond is a commercial plaza at the intersection of Queen St W and Chinguacousy Road.

West: A single detached house, beyond which is a tributary of Churchville Creek.

Technical Considerations

Comments from staff and external commenting agencies are required in order to complete a comprehensive analysis of this application. All comments received will be considered in a future Recommendation Report to the Planning & Development Committee.

In addition to the general evaluation of the appropriateness of the proposed land use, the following are preliminary issues that have been identified to date with respect to this application:

- The appropriateness of a high density land use to be located at this site and the compatibility of the development with the adjacent low density neighbourhood.
- How development on this site can be integrated well with potential development on the adjacent properties on Queen Street West, which will be evaluated through the tertiary planning process. A conceptual Tertiary Plan has been created by the applicant and is attached in Appendix 1.
- The site has been identified as being in the Ontario Archaeological Sites database after the completion of the Stage 1 and Stage 2 Archaeological Assessments. A Stage 4 mitigative excavation will need to be completed prior to development.
- The Queen Street-Highway 7 Bus Rapid Transit Planning Study and Initial Business Case is underway and includes the section of Queen St. fronting the subject property. Land dedication may be needed to accommodate bus rapid transit and access may be restricted.

Further details on this application can be found in the Information Summary contained in Appendix 8. The future Recommendation Report will contain an evaluation of the various technical aspects, including matters addressed in the site specific studies submitted by the applicant.

Public Meeting Notification Area

The application was circulated to City Departments, commenting agencies, property owners within 240 metres of the subject lands, and advertised in the Brampton Guardian, which exceed the Planning Act circulation requirements. This report along with the complete application requirements, including studies, has also been posted to the City's website.

Corporate Implications:

Financial Implications:

There are no financial implications identified at this time. Revenue collected through the development application fees are accounted for in the approved operating budget. Any implications that arise through the continued processing of this application will be discussed within a future Recommendation Report.

Other Implications:

Other technical planning and development implications associated with this application will be undertaken and discussed within the Recommendation Report.

Term of Council Priorities:

This Information Report and the associated public meeting facilitate compliance with the Term of Council Priorities 2019-2022 “A Well-run City (Good Government)” priority, with respect to encouraging public participation by actively engaging the community. This application will be reviewed to ensure that the development proposal meets the direction and goals of the Term of Council Priorities 2019-2022, and will be discussed in the future Recommendation Report.

Living the Mosaic – 2040 Vision

This report has been prepared in full consideration of the overall vision that the people of Brampton will “Live the Mosaic”.

Conclusion:

Appropriate information and background studies have been received in order to hold a Statutory Public Meeting in compliance with the requirements of the *Planning Act*.

A future Recommendation Report will detail a complete technical analysis and assess the planning merits of this application to amend the Zoning By-law.

Authored by:

Reviewed by:

Nicholas Deibler
Development Planner
Planning, Building & Economic
Development

Allan Parsons, MCIP., RPP.
Director, Development Services
Planning, Building & Economic
Development

Approved by:

Submitted by:

Richard Forward, MBA, M.Sc., P.Eng.
Commissioner
Planning, Building & Economic
Development

David Barrick
Chief Administrative Officer

Attachments:

Appendix 1:	Concept Site Plan
Appendix 1B:	Conceptual Tertiary Plan
Appendix 2:	Location Map
Appendix 3:	Official Plan Designation
Appendix 4:	Secondary Plan Designations
Appendix 5:	Zoning Designations
Appendix 6:	Aerial & Existing Land Use
Appendix 7:	Block Plan Designation
Appendix 8:	Heritage Resources
Appendix 9:	Information Summary





LEGEND

- Subject Lands - 13,394m²
- Floodplain
- 10m Buffer from Floodplain
- Pedestrian Connection

APPENDIX 1B - CONCEPTUAL TERTIARY PLAN

* Potential Drive-in Connection
(Subject to mutual use and cost sharing arrangements)



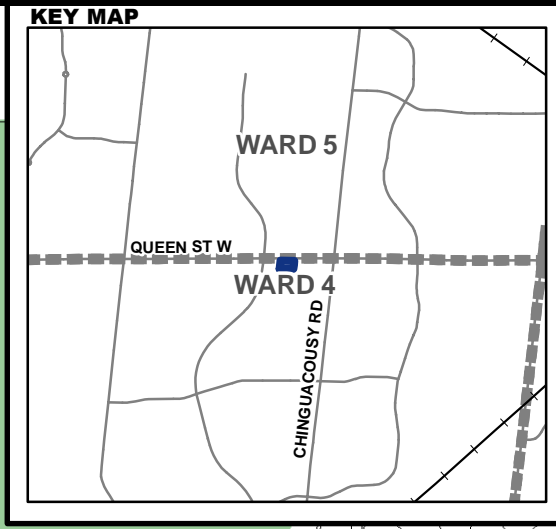
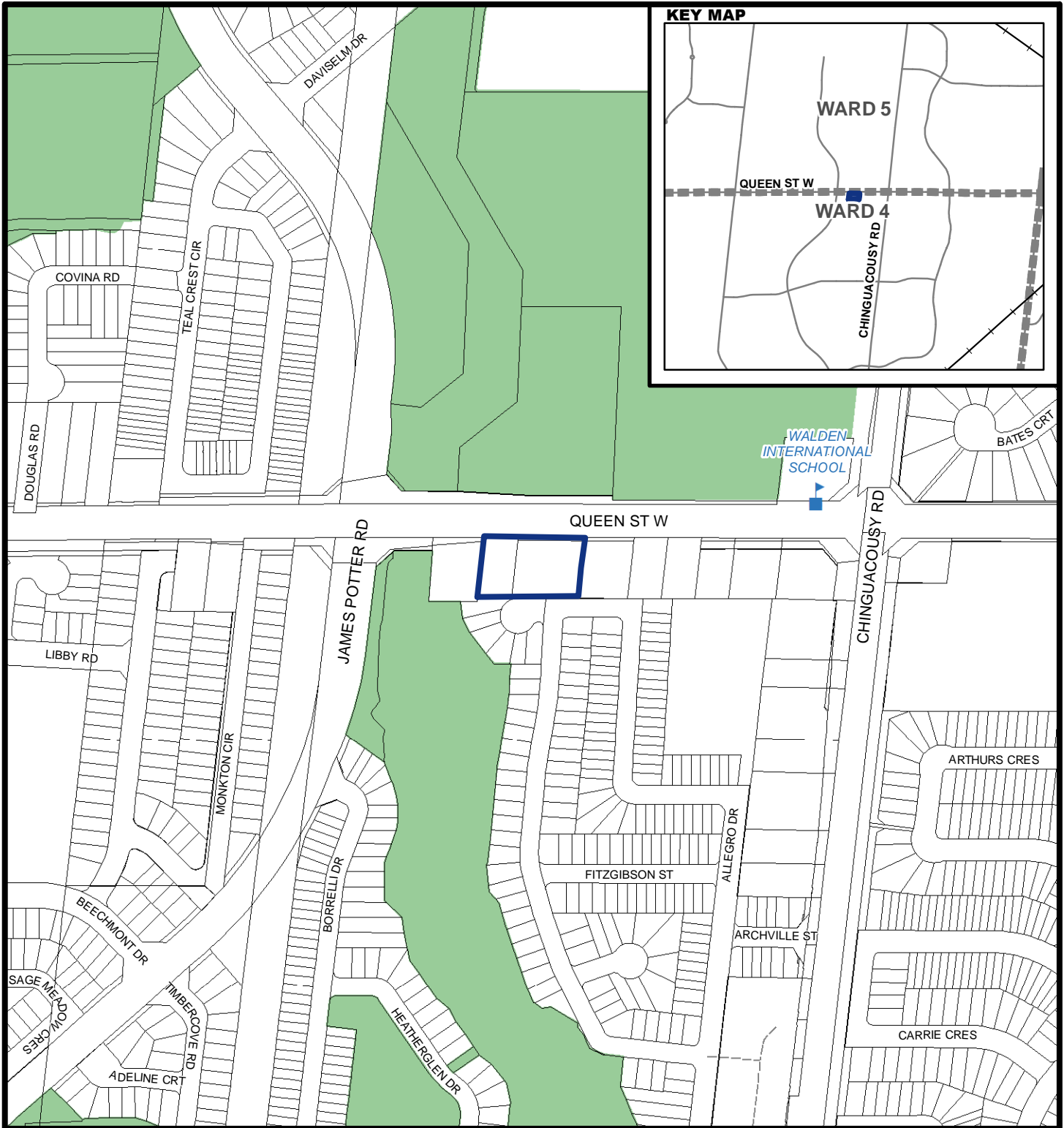
Scale:



TERTIARY PLAN

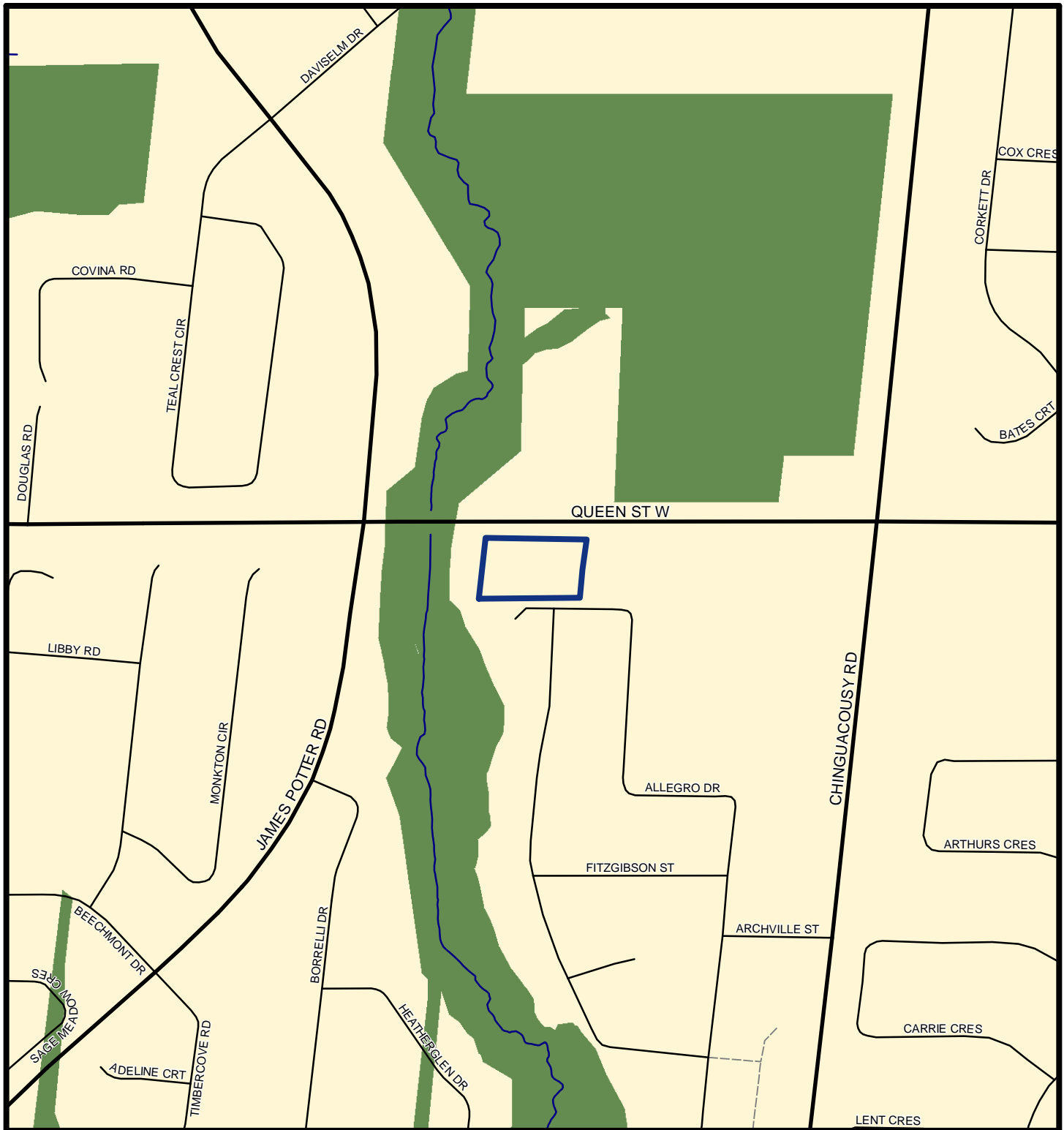
1061 - 1127 QUEEN STREET WEST

PART OF LOT 5, CONVESSION 3
WEST OF HUNTINGTON STREET
(SACRAMENTO TOWNSHIP OF CHALCOTTE)
CITY OF BRAMPTON
REGIONAL MUNICIPALITY OF PEE



- SUBJECT LAND
- GREENSPACE
- PROPERTY LINE
- ▢ SCHOOLS

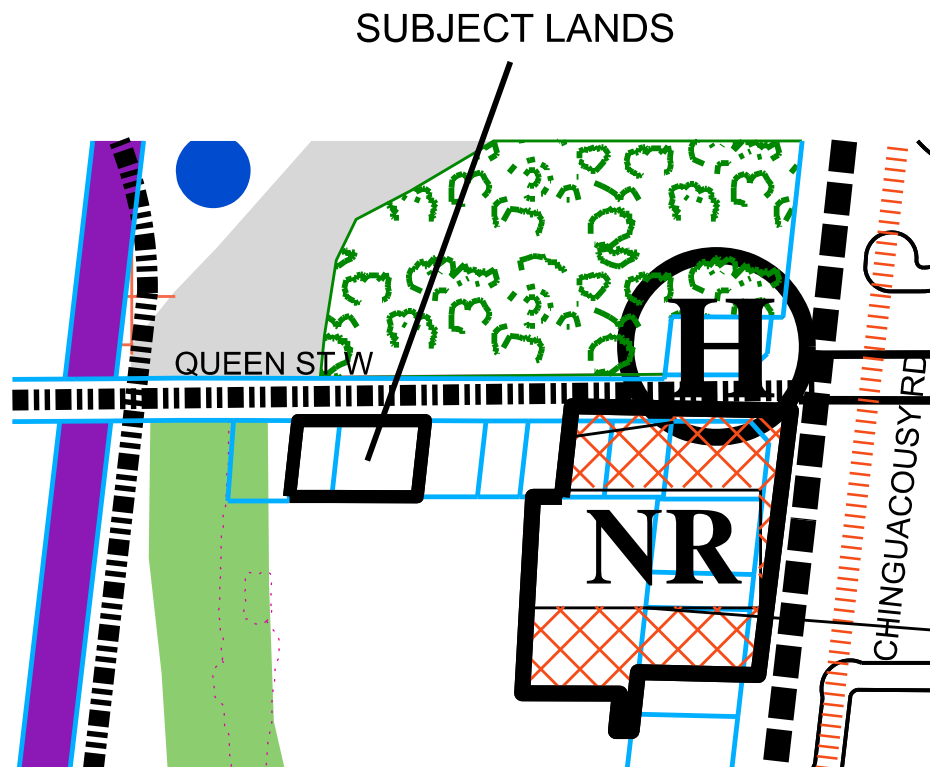



















EXTRACT FROM SCHEDULE A (GENERAL LAND USE DESIGNATIONS) OF THE CITY OF BRAMPTON OFFICIAL PLAN

- SUBJECT LAND
- RESIDENTIAL
- OPENSACE

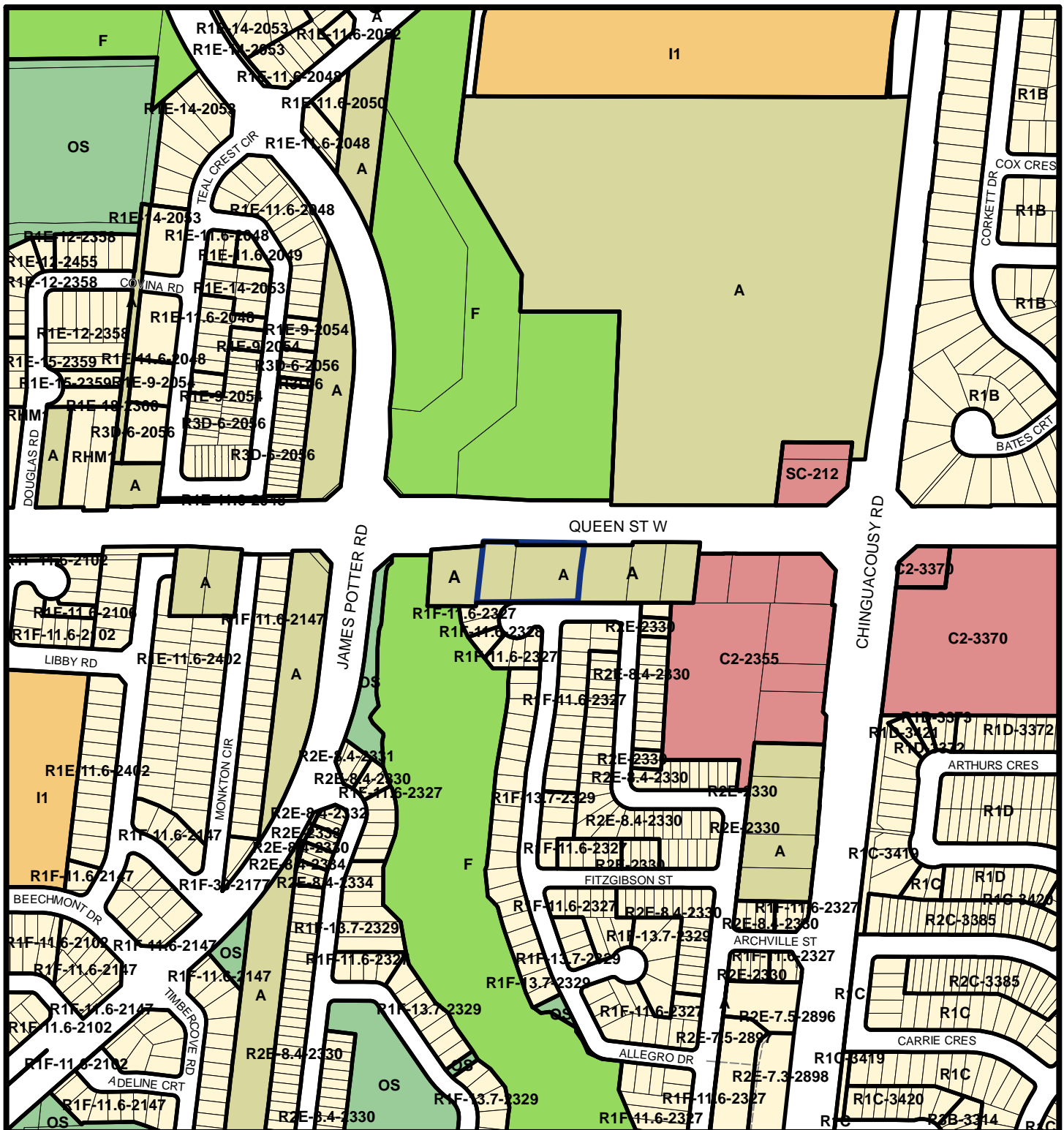




EXTRACT FROM SCHEDULE SP45(A) OF THE DOCUMENT KNOWN AS THE CREDIT VALLEY SECONDARY PLAN

- | | | | |
|---|--------------------------------|---|--|
|  | RESIDENTIAL |  | Community Park |
|  | Low Density 2 |  | Potential Stormwater Management Ponds |
|  | COMMERCIAL |  | INFRASTRUCTURE |
|  | Neighbourhood Retail |  | Ontario Hydro Power Corridor |
|  | Secondary Plan Boundary |  | Major Arterial Roads |
|  | OPEN SPACE |  | Minor Arterial Roads |
|  | Primary Valleyland |  | Heritage Resource |
|  | Secondary Valleyland | | |

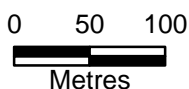




- | | | | | | |
|---|------------------------|---|---------------|---|--------------|
|  | ZONING MULTIPLE EXPORT |  | RESIDENTIAL |  | AGRICULTURAL |
|  | ZONING DISSOLVE EXPORT |  | COMMERCIAL |  | OPEN SPACE |
|  | SUBJECT LAND |  | INSTITUTIONAL |  | FLOODPLAIN |



APPENDIX 5
ZONING DESIGNATIONS
EVANS PLANNING INC
DIAM QUEEN PROPERTY INC










Page 144 of 881
CITY FILE: OZS-2020-0014

Author: ckovac
Date: 2020/08/18

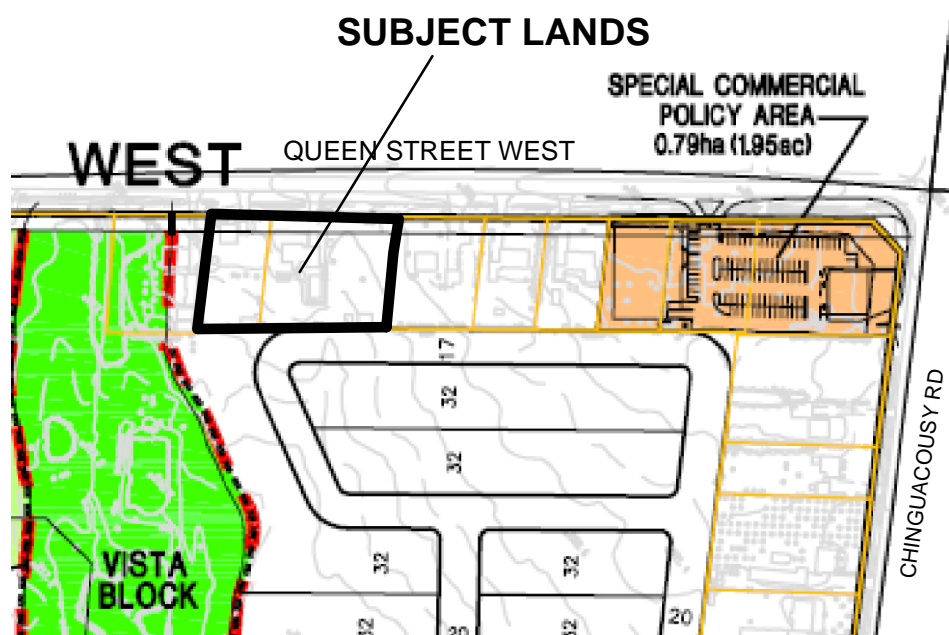


AERIAL PHOTO DATE: SPRING 2019

Legend





	SUBJECT LAND		AGRICULTURAL		INSTITUTIONAL		ROAD
	COMMERCIAL		OPEN SPACE		UTILITY		
	INDUSTRIAL		RESIDENTIAL				

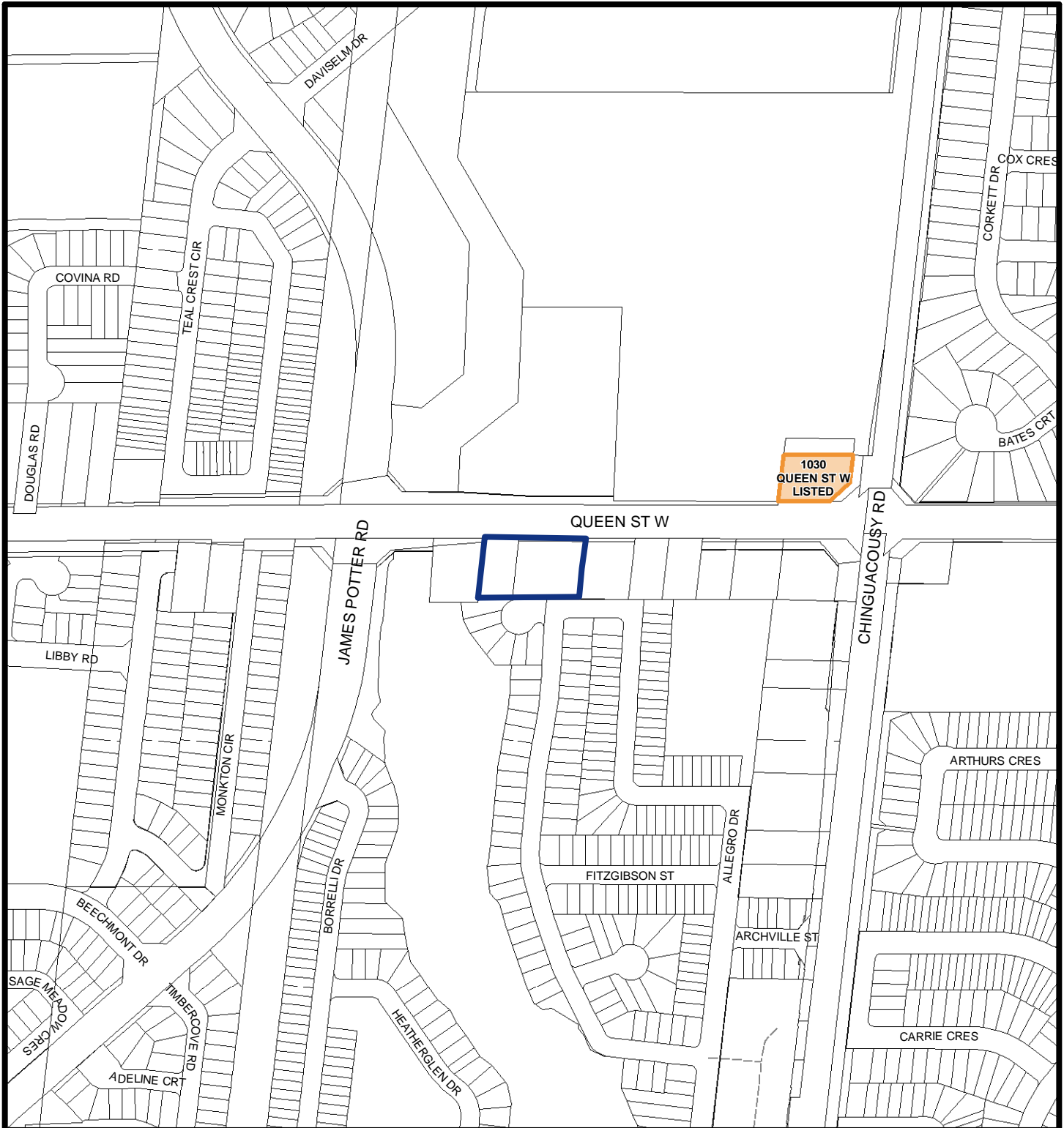







EXTRACT FROM BLOCK PLAN 45-5 OF THE DOCUMENT KNOWN AS THE CREDITVIEW CROSSING BLOCK PLAN

LEGEND

H	HERITAGE FEATURE	1	LIVE/WORK BUILDING		REGIONAL CONTROL SWMP EXPANSION
	GATEWAY	2	3 to 4 STOREY APARTMENT		SUBJECT TO FURTHER ASSESSMENT OF THE LIMIT OF DEVELOPMENT
		3	TOWNHOUSE - END CAP		LIMIT OF DEVELOPMENT
					LIMIT OF GRADING



- | | | | |
|--|--------------|---|---------------------------------|
|  | SUBJECT LAND |  | HERITAGE PROPERTIES OUTSIDE 50M |
|  | CITY LIMIT |  | HERITAGE PROPERTIES WITHIN 50M |



Information Summary

Notwithstanding the information summary provided below, staff advises that, prior to finalizing recommendations to Council, this application will be further evaluated for consistency with the Provincial Policy Statement (2014), conformity with the Growth Plan for the Greater Golden Horseshoe (2017), the Region of Peel Official Plan and the City of Brampton Official Plan.

Planning Act:

The proposal will be reviewed for its compliance to matters of provincial interest as identified in Section 2 of the Planning Act R.S.O 1990. A preliminary assessment identified that the sections applicable to this application included, but are not limited to:

- Section 2(h) – the orderly development of safe and healthy communities;
- Section 2(j) – the adequate provision of a full range of housing;
- Section 2(p) – the appropriate location of growth and development;
- Section 2(q) – the promotion of development that is designed to be sustainable, to support public transit, and to be oriented to pedestrians;
- Section 2(r) – the promotion of built form that,
 - (i) is well designed;
 - (ii) encourages a sense of place; and,
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

Provincial Policy Statement, 2020

The proposal will be reviewed for its consistency with the matters of provincial interest as identified in the Provincial Policy Statement (PPS). The PPS policies that are applicable to this application include but are not limited to:

- Policy 1.1.1 – Healthy, liveable and safe communities are sustained by:
 - a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
 - b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
 - e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
 - f) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;
- Policy 1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a provincial plan, that time frame may be used for municipalities within the area.

Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.

- Policy 1.1.3.2 Settlement areas shall be the focus of growth and development.
- Policy 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
 - d) prepare for the impacts of a changing climate;
 - e) support active transportation;
 - f) are transit-supportive, where transit is planned, exists or may be developed; and
 - g) are freight-supportive.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- Policy 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing

building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs

- Policy 1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.
- Policy 1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation

Growth Plan for the Greater Golden Horseshoe (2019)

The subject lands are located within the “Designated Greenfield Area’ as defined by the 2019 Growth Plan for the Greater Golden Horseshoe. The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides a framework for building stronger, prosperous communities by managing growth over the long term. Guiding principles include supporting complete communities, providing a mix of housing, and prioritizing intensification.

The Growth Plan sections applicable to this application include, but are not limited to:

- Policy 2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:
 - a) the vast majority of growth will be directed to settlement areas that:
 - I. have a delineated built boundary;
 - II. have existing or planned municipal water and wastewater systems; and
 - III. can support the achievement of complete communities;
 - b) growth will be limited in settlement area that;
 - I. are rural settlements;
 - II. are not serviced by existing or planned municipal water and wastewater systems; or
 - III. are in the Greenbelt Area;
 - c) within settlement areas, growth will be focused in:
 - I. delineated built-up areas;
 - II. strategic growth areas;
 - III. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
 - IV. areas with existing or planned public service facilities;
 - d) development will be directed to settlement areas, except where the policies of this Plan permit otherwise;

- Policy 2.2.1.4 Applying the policies of this Plan will support the achievement of complete communities that:
 - a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
 - b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
 - c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
 - d) expand convenient access to:
 - I. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
 - II. public service facilities, co-located and integrated in community hubs;
 - III. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - IV. healthy, local, and affordable food options, including through urban agriculture;
 - e) provide for a more compact built form and a vibrant public realm, including public open spaces;
 - f) mitigate and adapt to climate change impacts, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and
 - g) integrate green infrastructure and appropriate low impact development.

- Policy 2.2.4.10 Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.

- Policy 2.2.5.3 Retail and office uses will be directed to locations that support active transportation and have existing or planned transit.

- Policy 2.2.5.15 The retail sector will be supported by promoting compact built form and intensification of retail and service uses and areas and encouraging the integration of those uses with other land uses to support the achievement of complete communities.

- Policy 2.2.7.2 – The minimum density target applicable to the designated greenfield area of each upper- and single-tier municipality is as follows:

- a) The Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will plan to achieve within the horizon of this Plan a minimum density target that is not less than 50 residents and jobs combined per hectare; and

Region of Peel Official Plan

The subject application is within the “Urban System” area as established in the Regional Official Plan. It is not located with the Region’s Greenlands System, as designated in Schedule A, but a watercourse is identified at the west of the subject properties. As per Schedule G – Rapid Transit Corridors, Queen Street West is identified as an “Other Potential Rapid Transit Corridor”.

The proposal will be evaluated against the Region of Peel Official Plan to ensure that it conforms to the Plan. The Region of Peel Official Plan sections that are applicable to this application include, but are not limited to:

- Policy 5.3.2.2 Direct urban development and redevelopment to the Urban System within the 2031 Regional Urban Boundary, as shown on Schedule D, consistent with the policies in this Plan and the area municipal official plans.
- Policy 5.3.2.3 Plan for the provision and financing of Regional facilities and services so as to efficiently use existing services and infrastructure, and encourage a pattern of compact forms of urban development and redevelopment.
- Policy 5.5.2.2 Direct a significant portion of new growth to the built-up areas of the community through intensification.
- Policy 5.5.2.3 Develop compact, transit-supportive communities in designated greenfield areas.
- Policy 5.5.3.2.3 Accommodate intensification within urban growth centres, intensification corridors, node and major transit station areas and any other appropriate areas within the built-up area.
- Policy 5.9.4.2.11 Control frontage development and vehicular access onto Regional roads consistent with relevant Regional By-laws.
- Policy 5.9.4.2.12 Control access to Regional roads so as to optimize traffic safety and carrying capacity, and control the number and location of intersections with Regional roads in consultation with the affected area municipality.
- Policy 5.9.4.2.13 Protect residential development adjacent to Regional roads from vehicular noise through appropriate noise mitigation, planning and design,

and by ensuring the provision of noise attenuation measures at the time of development.

- Policy 5.9.5.2.10 Encourage the intensification of residential and non-residential development at nodes and mobility hubs and along corridors to support a higher level of transit service and other sustainable modes.

City of Brampton Official Plan

The properties are designated “Residential” in the Official Plan. The “Residential” designation permits predominantly residential land uses, including a full range of dwelling types ranging from single detached houses to high-rise apartments, and some complimentary uses. As per Schedule 1 – City Concept it is located outside of the Built Boundary and within a Designated Greenfield Area. The properties are subject to the housing mix policies in the Official Plan, which permits a density of 30 units/net hectare.

The Official Plan policies that are applicable to this application include, but are not limited to:

- Policy 3.2.1.1 Development of greatest mass and highest densities must be located within the Urban Growth Centre and Central Area, along intensification corridors and within Mobility Hubs and Major Transit Station Areas. These areas shall:
 - I. Accommodate a significant portion of population and employment growth;
 - II. Provide a diverse and compatible mix of land uses, including residential and employment uses;
 - III. Provide high quality public open spaces;
 - IV. Support transit, walking and cycling for everyday activities;
 - V. Develop in a compact form that will efficiently use land and resources,
 - VI. Optimize the use of existing and new infrastructure and services;
 - VII. Contribute to minimizing potential impacts on air quality and promoting energy efficiency; and,
 - VIII. Achieve an appropriate transition of built form to adjacent areas.
- Policy 3.2.2.2 Brampton’s Designated Greenfield Area forms part of the Region of Peel’s Designated Greenfield Area which is planned to achieve a density of 50 residents and jobs combined per hectare by 2031. Brampton shall contribute to this target by planning to achieve a density of 51 persons and jobs per hectare over its Designated Greenfield Area by 2031, in accordance with the Growth Plan policies for measuring density.
- Policy 3.2.8.1 The City shall consider appropriate forms of infilling to maximize the benefits of municipal services already in place. Specific locations suitable for infilling will be detailed within Secondary Plans.

- Policy 3.2.8.3 – Residential development in areas outside of the Central Area, including the Urban Growth Centre, Mobility Hubs; Major Transit Station Areas or intensification corridors shall generally be limited to 50 units per net hectare. Furthermore, residential and non-residential development outside of these areas shall generally be limited to 4 stories in height.
- Policy 3.2.8.5 Where the City has deemed that the City Structure would not be compromised, as required by Section 3.2.4, development outside of the Central Area, including the Urban Growth Centres; Mobility Hubs; Major Transit Station Areas or intensification corridors which is seeking to exceed the limits established in Section 3.2.8.3 and 3.2.8.4 may only be considered subject to the submission of an amendment to this Plan. This amendment is required to demonstrate the following:
 - I. The development is consistent with the general intent and vision of the applicable Secondary Plan;
 - II. The development contributes to the City's desired housing mix;
 - III. There is a need for the development to meet the population and employment forecasts set out in Section 2 of this Plan;
 - IV. The development forms part of an existing or planned Complete Community with convenient access to uses which serve the day-to-day needs of residents such as commercial, recreational and institutional uses;
 - V. There is sufficient existing or planned infrastructure to accommodate the development
 - VI. The development has vehicular access to an Arterial, Minor Arterial, or Collector Road;
 - VII. The development is in close proximity to existing or planned higher order transit and maintains or improves pedestrian, bicycle and vehicular access;
 - VIII. The form of development is compatible and integrates with adjacent land use and planned land use, including lot size, configuration, frontages, height, massing, architecture, streetscapes, heritage features, setbacks, privacy, shadowing, the pedestrian environment and parking;
 - IX. The development meets the required limits of development as established by the City and Conservation Authority and that appropriate buffers and sustainable management measures are applied, if necessary, in order to ensure the identification, protections, restoration and enhancement of the natural heritage system;
 - X. The development site affords opportunities for enjoyment of natural open space by the site's adjacency to significant environmental or topographic features (e.g. river valleys, rehabilitated gravel pits, woodlots) subject to the policies of the Natural Heritage and Environmental Management section of this Plan and the City's Development Design Guidelines;

- XI. The development maintains transition in built form through appropriate height, massing, character, architectural design, siting, setbacks, parking and open and amenity space;
 - XII. Where possible, the development incorporates sustainable technologies and concepts of low impact development, including measures to mitigate the impacts of the development. This should include the submission of a storm water management plan acceptable to the City and Conservation Authority, which identifies the required storm drainage system and potential impacts on downstream watercourses.
- Policy 3.2.8.6 The extent to which a development satisfies the criteria set out in Policy 3.2.8.5 will determine the appropriate density and massing that may be considered. However, recognizing that the Urban Growth Centre, Central Area, Intensification Corridors, Mobility Hubs, and Major Transit Station Areas are the focus areas for higher densities and massing, development outside of these areas should not generally be permitted in excess of 200 units per net hectare or a floor space index of 2.0.
 - Policy 4.2.1.2 The policies of this Plan shall prescribe a range of housing accommodation in terms of dwelling type, through appropriate housing mix and density policies. Such housing mix and density policies in Secondary Plans shall reference the Residential Density Categories set out in the tables below and also set out in the “Residential Areas and Density Categories” definitions contained in Section 5 of this Plan.
 - I. SPA 45 Credit Valley is a new secondary plan area subject to the new housing and density categories of the official plan
 - II. Low Density Category, maximum density is 30 units/net hectare or 12 units/net acre
 - Permitted housing types are single detached homes
 - Policy 4.2.1.6 Brampton shall contribute to the achievement of the Region’s intensification targets as set out in Section 3.2.2.1 by planning to accommodate at least 26,500 residential units between 2006 and 2031 within the built-up area.
 - Policy 4.2.7.1 Residential development proposals and complementary uses, including schools, shall be evaluated in accordance with the Development Design Guidelines and urban Design section of this Plan.

Credit Valley Secondary Plan (Secondary Plan Area 45)

The Credit Valley Secondary Plan (Area 45) was adopted by Council on September 30, 2002, and approved with modifications by the Ontario Municipal Board on January 14, 2004. The subject properties are designated “Low Density 2 Residential” in this Secondary Plan. This designated permits single-detached, semi-detached and

townhouse dwellings, with a maximum combined density of 28 units per net residential hectare. At least 60% of the overall development within the Low Density 2 Residential designation shall be in the form of single-detached structural units.

The Secondary Plan policies that are applicable to this application include, but are not limited to:

- Policy 4.2.4 Develop excellence in community living based on the application of the following principles:
 - I. a well-balanced community in terms of an appropriate mix and distribution of residential densities and complementary uses;
 - II. the promotion of excellence in civic design in both the public and private realm;
 - III. an interconnected system of open space and recreational areas;
 - IV. a range of recreational and community facilities that facilitate shared use where practical;
 - V. integration of new development with existing residences, settlement areas and road patterns in and adjacent to the new community;
 - VI. preservation of the area's built and cultural heritage resources, particularly the existing heritage buildings and the bow-string bridge across the Credit River;
 - VII. an attractive and ordered built form of appropriate building heights, massing, setbacks, streetscapes, gateways and architectural treatments; and,
 - VIII. efficient transportation links.
- Policy 5.2.1.3 Any proposal for residential development will have regard for the transition and physical integration with adjacent forms of development and effective separation and buffering from major roads, other noise sources or adjacent commercial uses.

An amendment to the Secondary Plan is required to permit the proposed high density, mixed-use development.

Block Plan

The subject properties are a part of Block Plan 45-5 (Creditview Crossing). The subject properties are designated "Low Density 2 Residential". The Block Plan Development Policies that are applicable to this application include, but are not limited to:

- Policy 5.8 The design of the Block 5 Plan shall provide appropriate development opportunities and options for the existing residences fronting Queen Street West and Chinguacousy Road that can appropriately be integrated with the planned community character of the block plan area to the satisfaction of the City of Brampton.

- Policy 5.11 All development applications submitted within the boundaries of Sub-area 5 shall conform to the approved recommendations of the Sub-area 5 Environmental Implementation Report.

An amendment to the Secondary Plan is required to permit the proposed high density, mixed-use development.

Sustainability Score and Summary:

The City of Brampton's Sustainability Metrics are used to evaluate the environmental sustainability of development applications.

To measure the degree of sustainability of this development application, a Sustainability Score and Summary were submitted. The application has a Sustainability Score of 38 points, which achieves the City's Bronze threshold. City staff will verify the sustainability score prior to the Recommendation Report.

Documents Submitted in Support of this Application:

The applicant has submitted the following documents in support of the application:

- Official Plan Amendment/Zoning By-law Amendment application forms
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Planning Justification Report
- Sustainability Summary
- Sustainability Assessment Context Map
- Public Consultation Strategy prepared by Evans Planning Inc.
- Urban Design Brief
- Site Plan and Architectural Drawings
- Tree Inventory and Preservation Plan
- Landscape Plan
- Traffic Impact Study, Parking Study, Site Circulation Review and Construction Traffic Management Plan
- Tertiary Plan
- Functional Servicing & Stormwater Management Report
- Noise Feasibility Study
- Hydrogeological Assessment
- Geotechnical Investigation
- Shadow Impact Study
- Traffic Control Plan
- Stage 1 and 2 Archaeological Assessment and Stage 3 Archaeological Assessment

- Phase One Environmental Site Assessment and Phase Two Environmental Site Assessment
- Property survey plan

The City may request further technical information necessary for its review, based on agency circulation or public input.

Comments on the circulation of the above noted documents, along with comments on the application from external commenting agencies and City divisions and departments, will be provided in the future Recommendation Report.



Delegation Request

For Office Use Only:

Meeting Name:

Meeting Date:

Please complete this form for your request to delegate to Council or Committee on a matter where a decision of the Council may be required. Delegations at Council meetings are generally limited to agenda business published with the meeting agenda. Delegations at Committee meetings can relate to new business within the jurisdiction and authority of the City and/or Committee or agenda business published with the meeting agenda. **All delegations are limited to five (5) minutes.**

Attention: City Clerk's Office, City of Brampton, 2 Wellington Street West, Brampton ON L6Y 4R2

Email: cityclerksoffice@brampton.ca Telephone: (905) 874-2100 Fax: (905) 874-2119

Meeting: ☐ City Council ☒ Planning and Development Committee
☐ Committee of Council ☐ Other Committee:

Meeting Date Requested: 2020-12-07

Agenda Item (if applicable):

Name of Individual(s): Prashanth Panda, Karmbir Singh & Vijay

Position/Title:

Organization/Person
being represented:

Full Address for Contact:

Telephone:

Email:

Subject Matter
to be Discussed:

1.Application OZS-2020-0011 – Amend official plan and zoning by Law.
2.Embelton / Mississauga Community Park Progress

Action
Requested:

We had requested to expedite construction of Community Park in early 2018 (172 families signed petition on change.org). So would like to know action taken and progress done in last 3 years.
Environmental Clearance, Traffic Study and Commercial space study for application OZS-2020-0011

A formal presentation will accompany my delegation: ☐ Yes ☒ No

Presentation format: ☐ PowerPoint File (.ppt) ☐ Adobe File or equivalent (.pdf)
☐ Picture File (.jpg) ☐ Video File (.avi, .mpg)

☐ Other:

Additional printed information/materials will be distributed with my delegation: ☒ Yes ☐ No ☐ Attached

Note: Delegates are requested to provide to the City Clerk's Office **well in advance of the meeting date:**

- (i) 25 copies of all background material and/or presentations for publication with the meeting agenda and /or distribution at the meeting, and
- (ii) the electronic file of the presentation to ensure compatibility with corporate equipment.

Submit by Email

Once this completed form is received by the City Clerk's Office, you will be contacted to confirm your placement on the appropriate meeting agenda.

Personal information on this form is collected under authority of the Municipal Act, SO 2001, c.25 and/or the Planning Act, R.S.O. 1990, c.P.13 and will be used in the preparation of the applicable council/committee agenda and will be attached to the agenda and publicly available at the meeting and on the City's website. Questions about the collection of personal information should be directed to the Deputy City Clerk, Council and Administrative Services, 2 Wellington Street West, Brampton, Ontario, L6Y 4R2, tel. 905-874-2115.



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Meeting: ☐ City Council ☒ Planning and Development Committee
☐ Committee of Council ☐ Other Committee:

Meeting Date Requested: December 7, 2020

Agenda Item (if applicable):

Name of Individual(s): SHRIDHAR SHAH AND SHILPA SHAH

Position/Title:

Organization/Person
being represented:

Full Address for Contact:

BRAMPTON ON

Telephone:

Email:

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to be Discussed:

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Meeting: ☐ City Council ☒ Planning and Development Committee
☐ Committee of Council ☐ Other Committee:

Meeting Date Requested: 2020-12-07

Agenda Item (if applicable):

Name of Individual(s): GLORIA SHAN

Position/Title:

Organization/Person
being represented:

Full Address for Contact:

Telephone:

Email:

Subject Matter
to be Discussed:

1. Application OZS-2020-0011 - Amend official plan and zoning by Law.
2. Embelton / Mississauga Community park Progress

Action
Requested:

We had requested to expedite construction of community Park in early 2018(172 families signed petition on change.org) So would like to know action taken and progress done in last 3 years.
Environmental Clearance, Traffic Study and commercial space study for application OZS-2020-0011

A formal presentation will accompany my delegation: ☐ Yes ☒ No

Presentation format: ☐ PowerPoint File (.ppt) ☐ Adobe File or equivalent (.pdf)
☐ Picture File (.jpg) ☐ Video File (.avi, .mpg)

☐ Other:

Additional printed information/materials will be distributed with my delegation: ☒ Yes ☐ No ☐ Attached

Note: Delegates are requested to provide to the City Clerk's Office **well in advance of the meeting date:**

- (i) 25 copies of all background material and/or presentations for publication with the meeting agenda and /or distribution at the meeting, and
- (ii) the electronic file of the presentation to ensure compatibility with corporate equipment.

Submit by Email

Once this completed form is received by the City Clerk's Office, you will be contacted to confirm your placement on the appropriate meeting agenda.

Personal information on this form is collected under authority of the Municipal Act, SO 2001, c.25 and/or the Planning Act, R.S.O. 1990, c.P.13 and will be used in the preparation of the applicable council/committee agenda and will be attached to the agenda and publicly available at the meeting and on the City's website. Questions about the collection of personal information should be directed to the Deputy City Clerk, Council and Administrative Services, 2 Wellington Street West, Brampton, Ontario, L6Y 4R2, tel. 905-874-2115.



City of Brampton Official Plan Review – Draft Growth Scenarios Council Presentation

December 7, 2020

Introduction



- The City of Brampton is currently undertaking a comprehensive review and update of its Official Plan (O.P.).
- The City's new O.P. is intended to implement the direction of the “Brampton 2040 Vision” while complying with Provincial and Regional planning direction.
- Watson & Associates Economists Ltd. (Watson) are working with WSP Consulting on this study. Our focus is directed to the development of three long-term range growth scenarios for the City to the year 2051.

Purpose



- The purpose of this meeting is to summarize the draft findings prepared by the Consultant Team with respect to the City's long-range growth scenarios to the year 2051.
- As part of the O.P. review, a total of three long-term growth scenarios for the City have been examined, including:
 - Current Trends Scenario (Scenario 1);
 - Policy Driven Regional Conformity Scenario (Scenario 2); and
 - Preferred Scenario – Brampton Vision 2040 (Scenario 3).
- Each scenario will be used to inform the City's long-term growth potential by Planning Policy Area i.e. Built-up Area (B.U.A. and Designated Greenfield Area (D.G.A)).

What Drives Population and Employment Growth?



Economics

Local and Regional
Economic Outlook



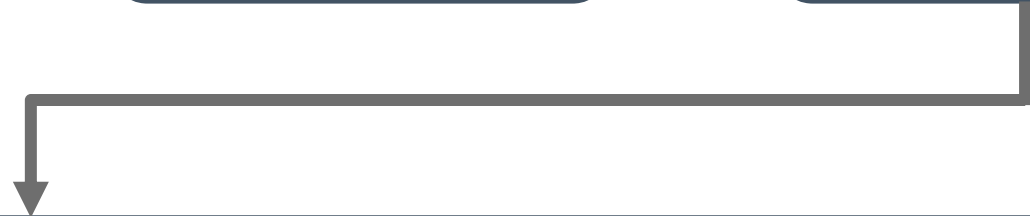
Economic Drivers of
Population and
Employment Growth by
Area



Labour Force Growth
within the Commuter
Shed



Forecast Employment
Growth by Sector



Demographics

Net Migration
and Natural
Increase



Population and
Housing forecast
2016 to 2051



Housing Forecast
by Type, 2016 to
2051



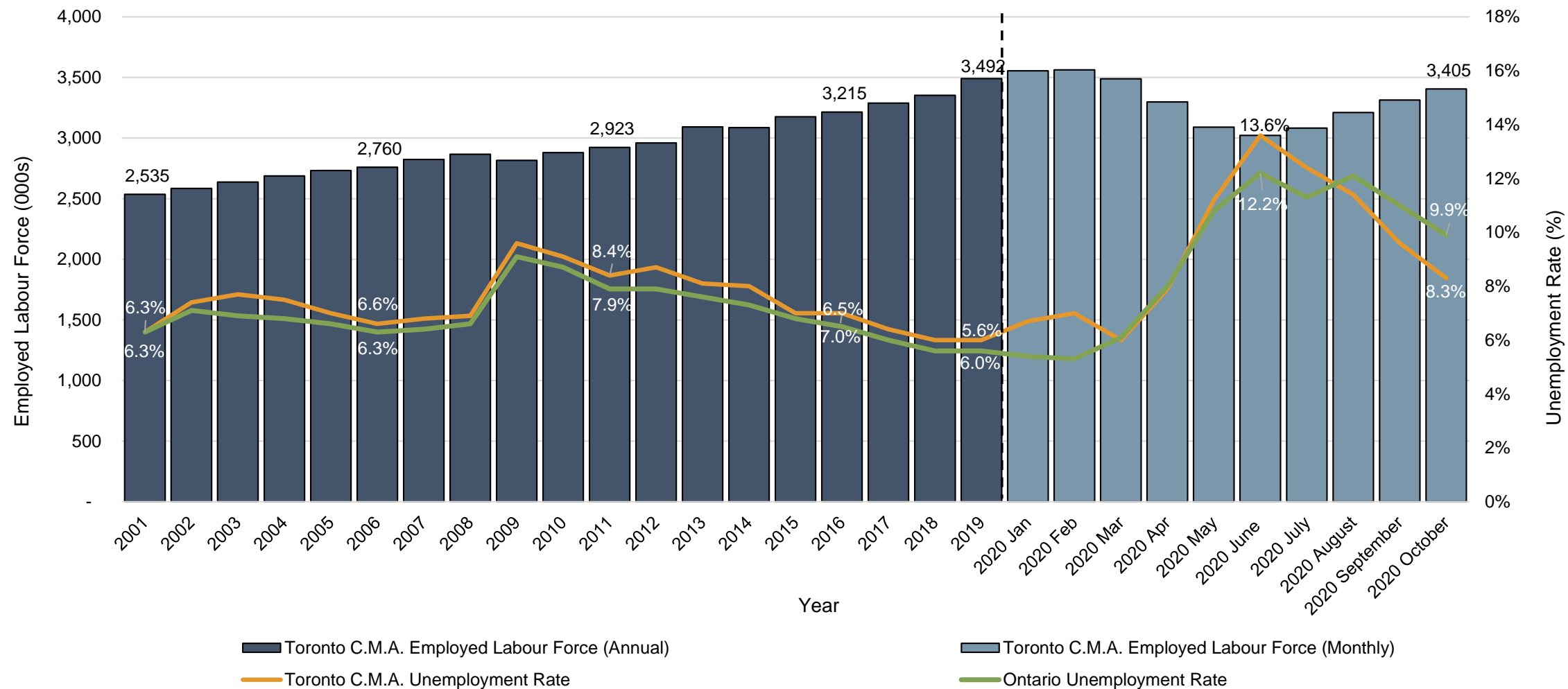
Population,
Housing, and
Employment
Growth Scenarios



Population and
Housing Forecast
Allocation by
D.G.A. and B.U.A.

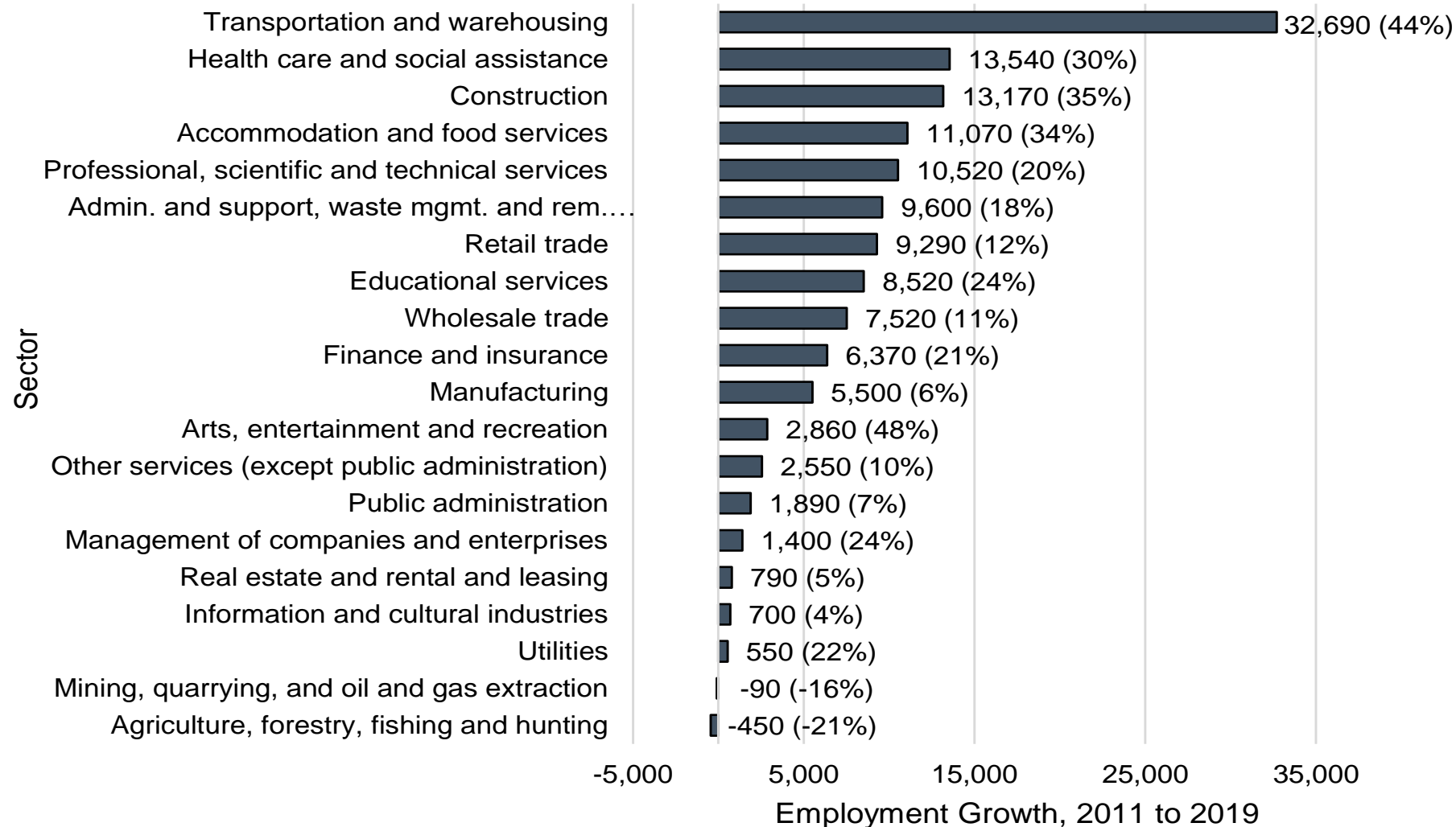
Overview of Macro-Economic and Regional Employment Trends

Toronto C.M.A. Total Labour Force and Unemployment Rate Trends, 2001 to October 2020



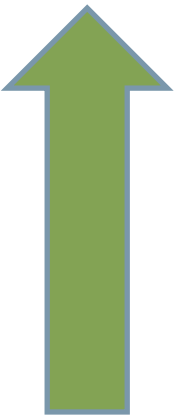
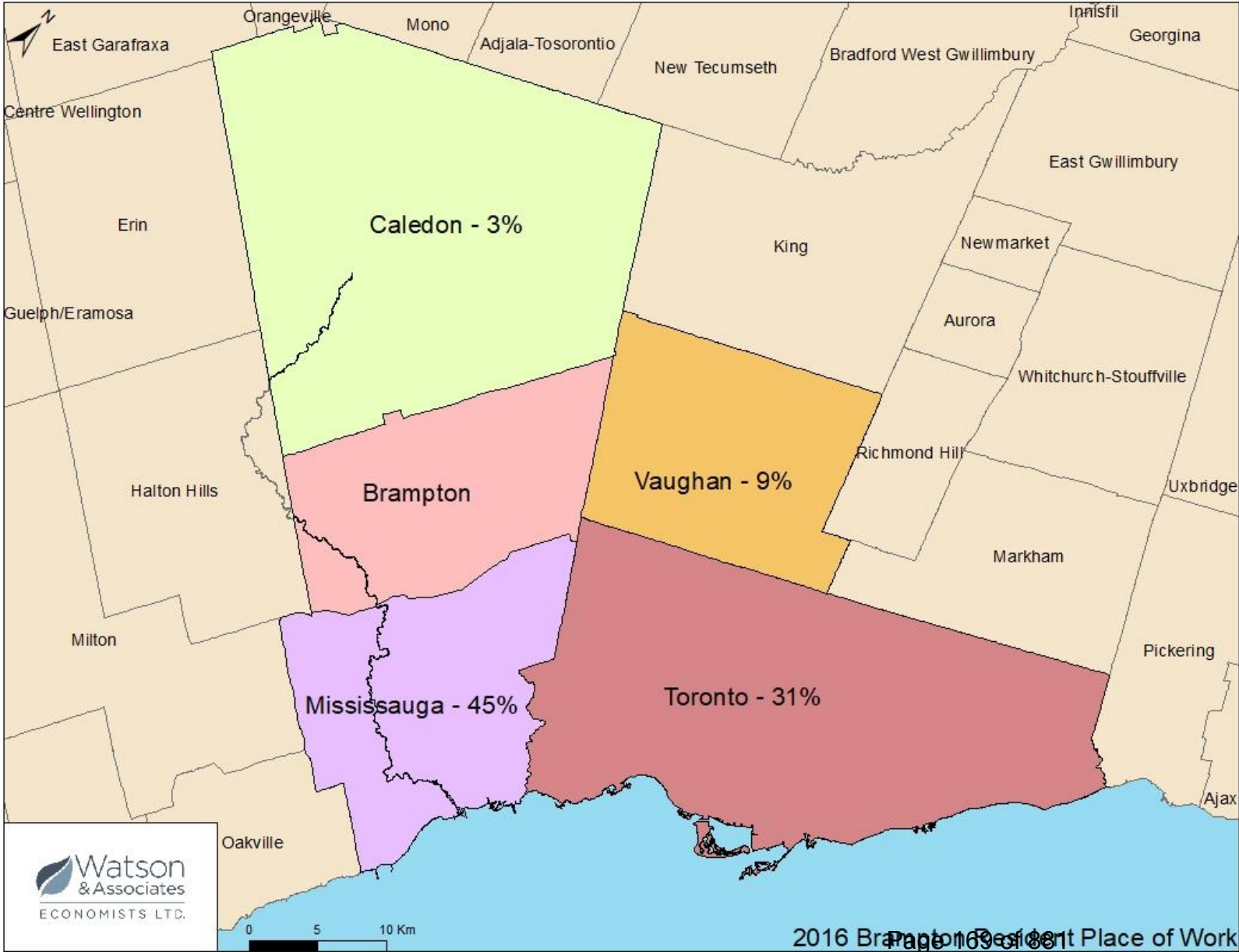
Note: Statistics Canada Labour Force Survey and Census labour force statistics may differ.
Source: Statistics Canada Data Tables 14-10-0098-01 and 14-10-0294-02. By Watson & Associates Economists Ltd., 2020.

Peel Region Employment Growth by Sector, 2011 to 2019



Source: Derived from EMSI data by Watson & Associates Economists Ltd., 2020.
Note: Figure includes employed and self-employed jobs of 881

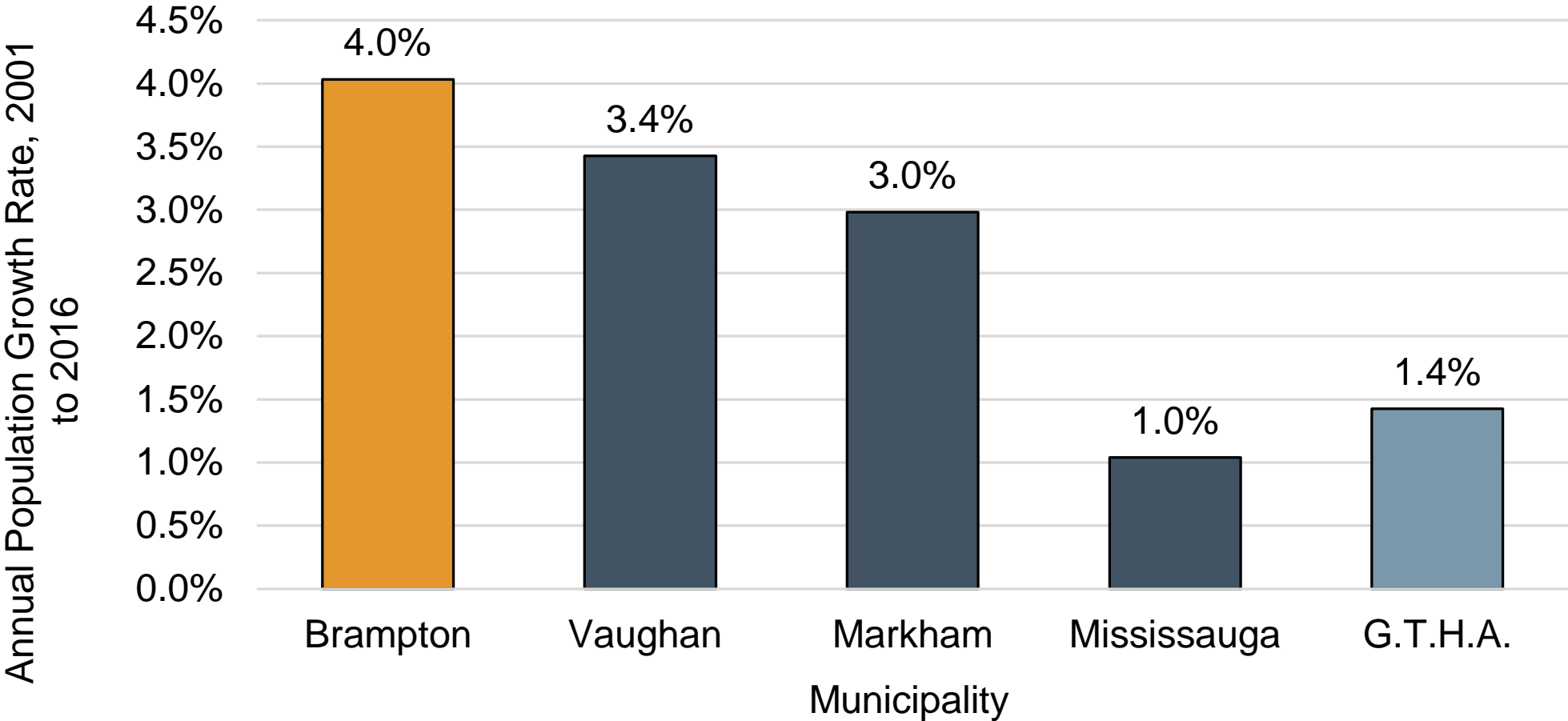
City of Brampton Commuting Patterns by Usual Place of Work, 2016



- 661,000 increase in Primary Commuter Shed jobs from 2016-2051.
- 0.7% Annual employment growth rate 2016-2051.
- Primary commuter shed is 88% of the City's total commuter shed.

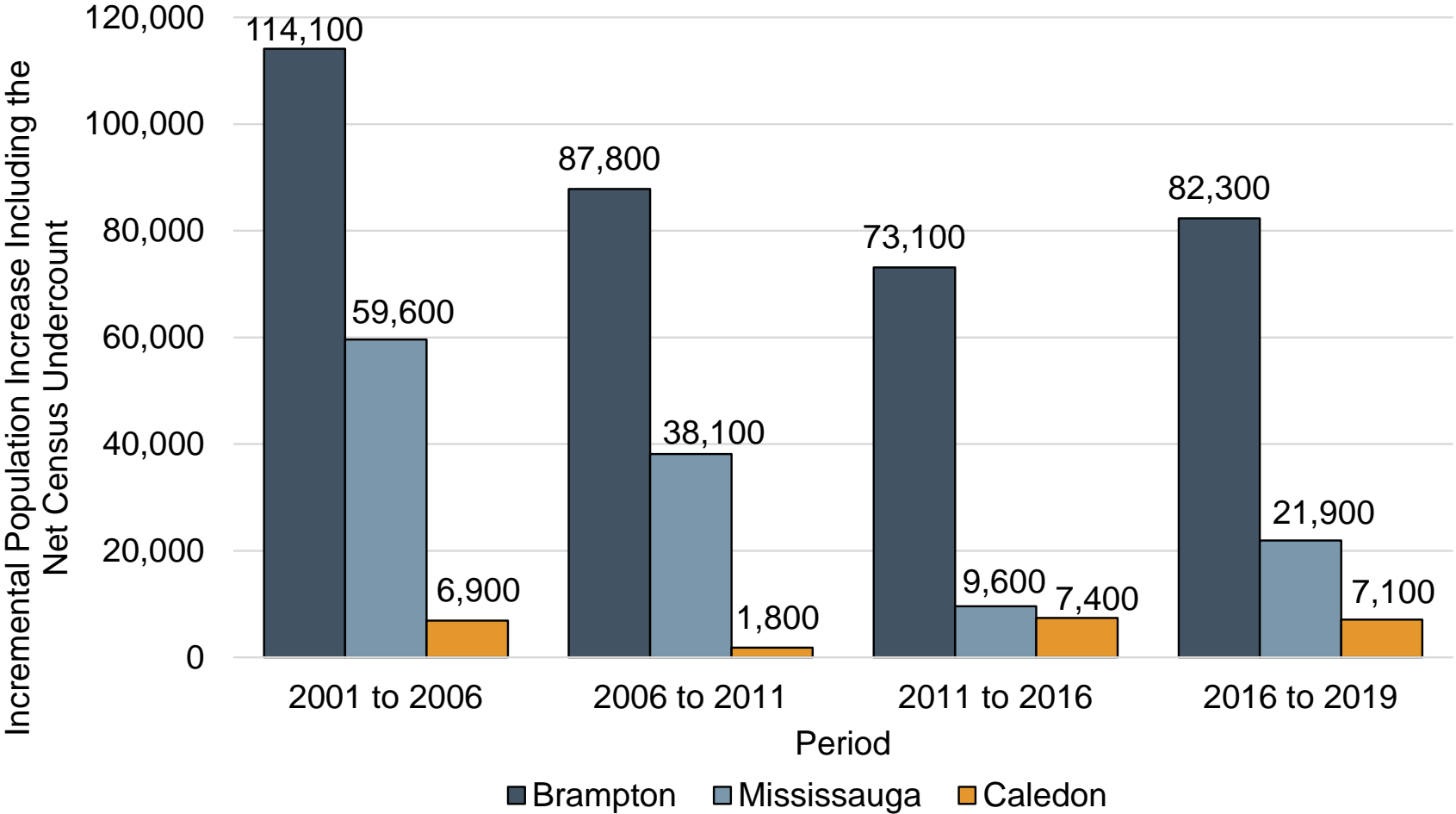
City of Brampton Primary Commuter Shed Employment Forecast		
2016	2051	2016-2051
2,301,000	2,962,000	661,000

Historical Population Growth Rates, 2001 to 2016 by Comparator Municipalities



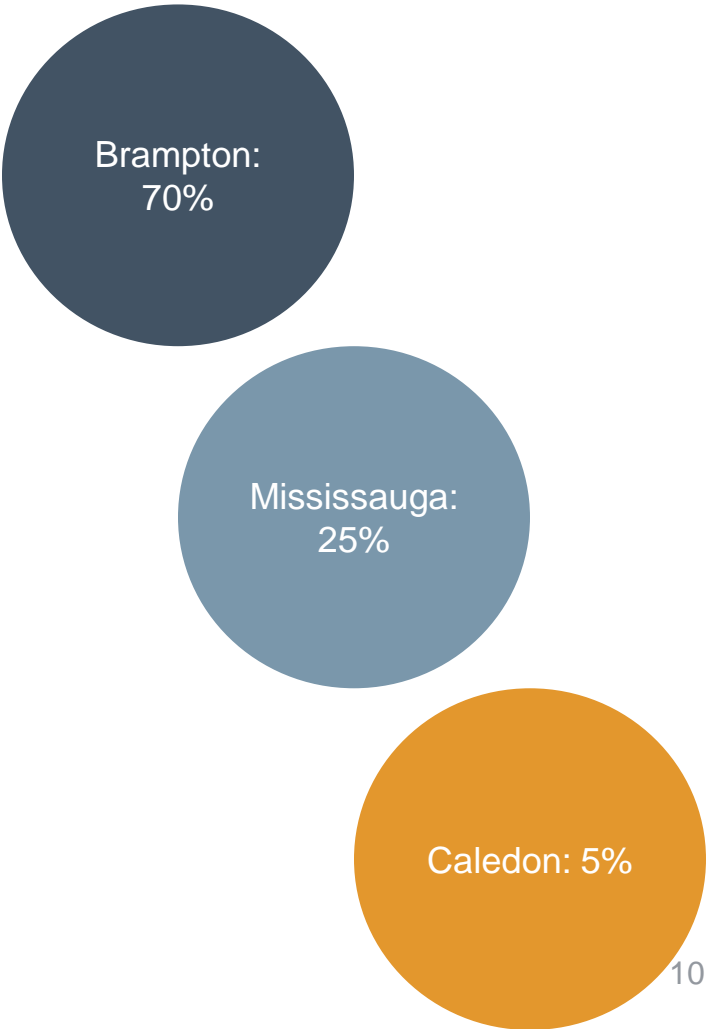
Source: 2001 to 2016 from Statistics Canada Census. Figure by Watson & Associates Economists Ltd., 2020.
Note: Population includes Net Census Undercount.

Region of Peel Historical Population Growth, 2001 to 2019

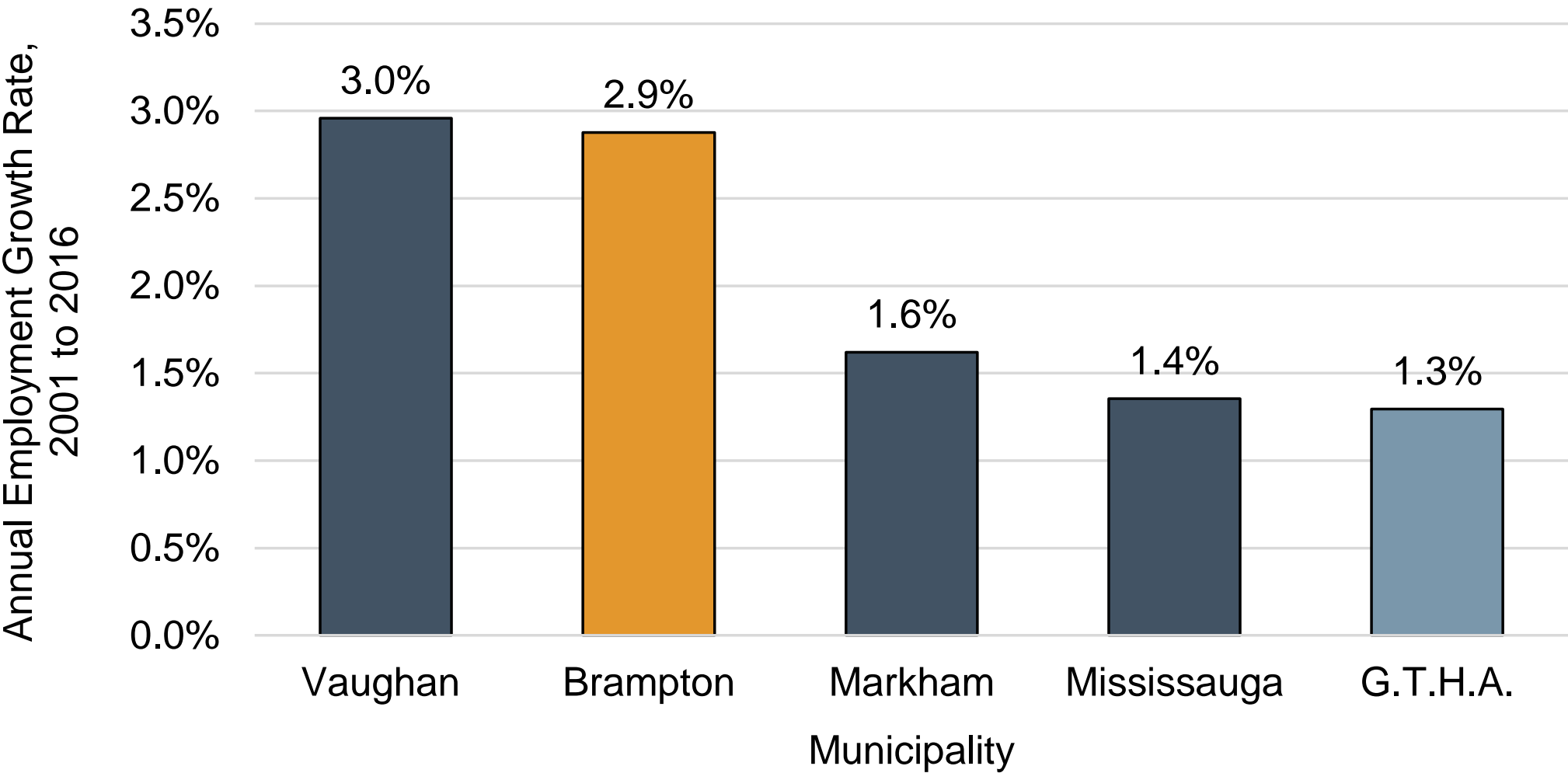


Source: 2001 to 2016 from Statistics Canada Census. 2019 from Statistics Canada Post-Censal Estimates. Figure by Watson & Associates Economists Ltd., 2020.

Share of Regional Population Growth, 2001 to 2019

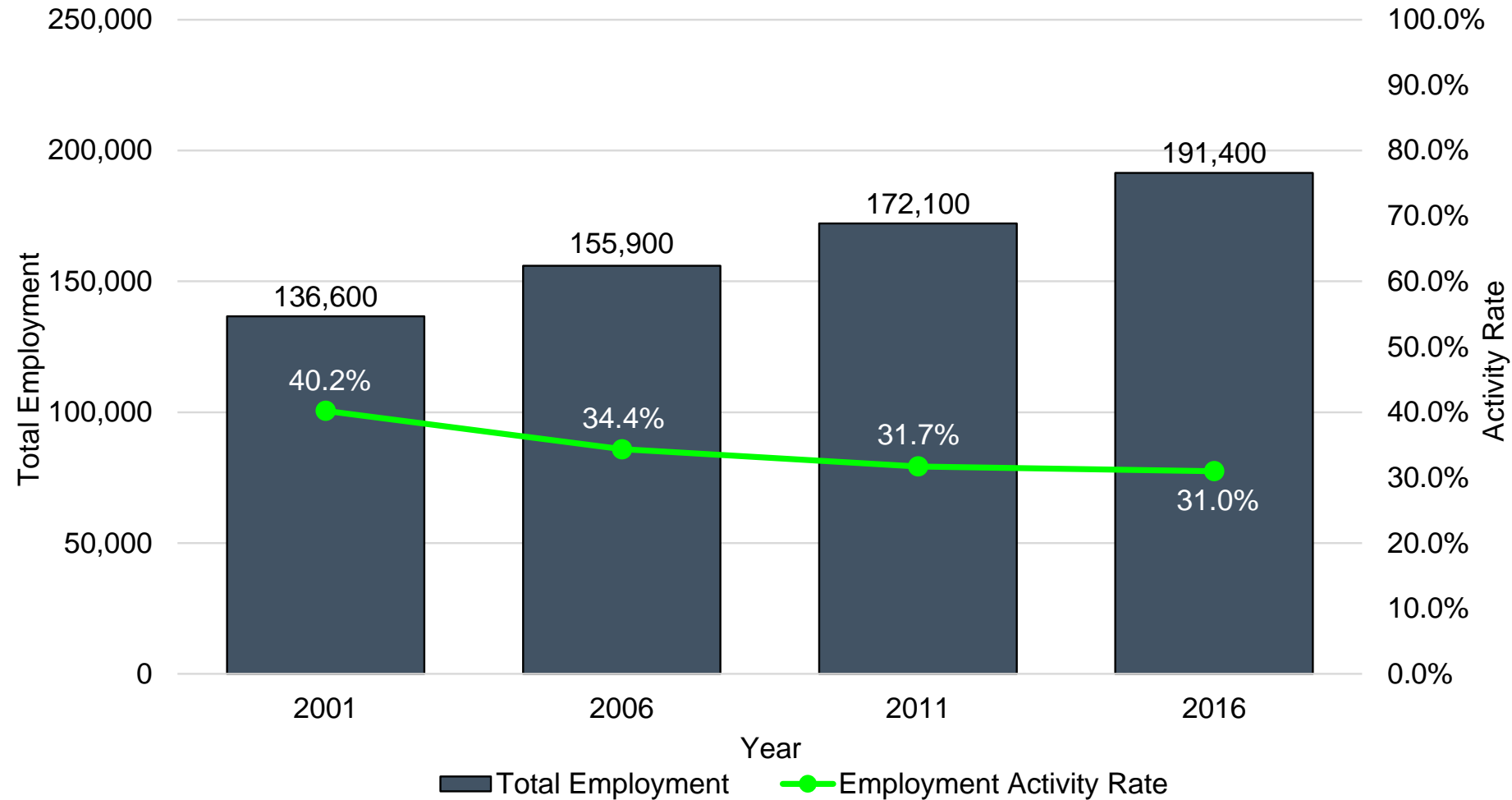


Historical Employment Growth Rates, 2001 to 2016 by Comparator Municipalities



Source: 2001 to 2016 from Statistics Canada Census. Figure by Watson & Associates Economists Ltd., 2020.
Page 172 of 881

City of Brampton Employment Growth, 2001 to 2016

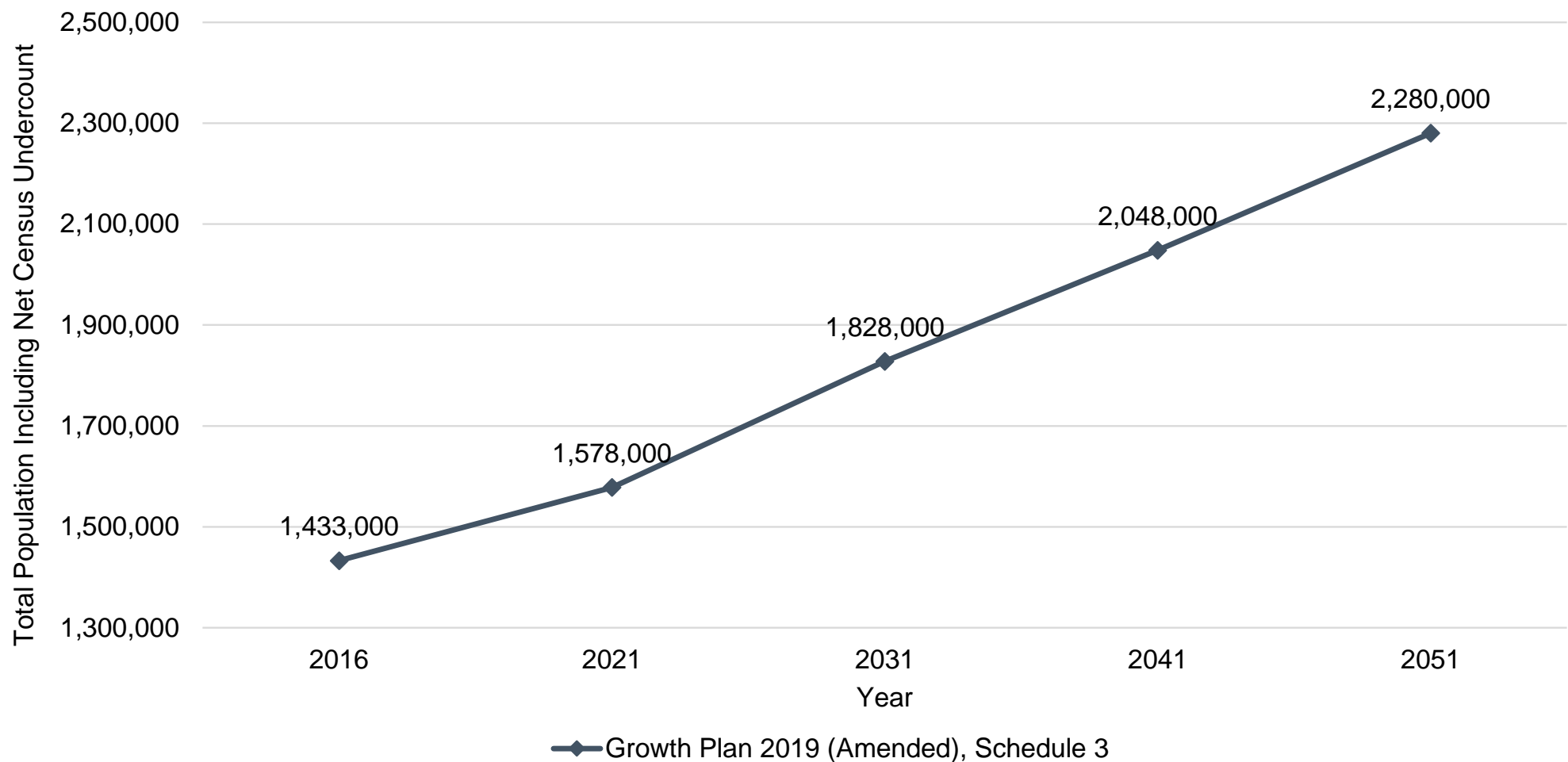


Source: 2001 to 2016 total employment from Statistics Canada Census, by Watson & Associates Economists Ltd., 2020.

Note: Activity rate calculated using the Statistics Canada Census undercount.

City-Wide Long-Term Population and Housing Forecast Scenarios to 2051

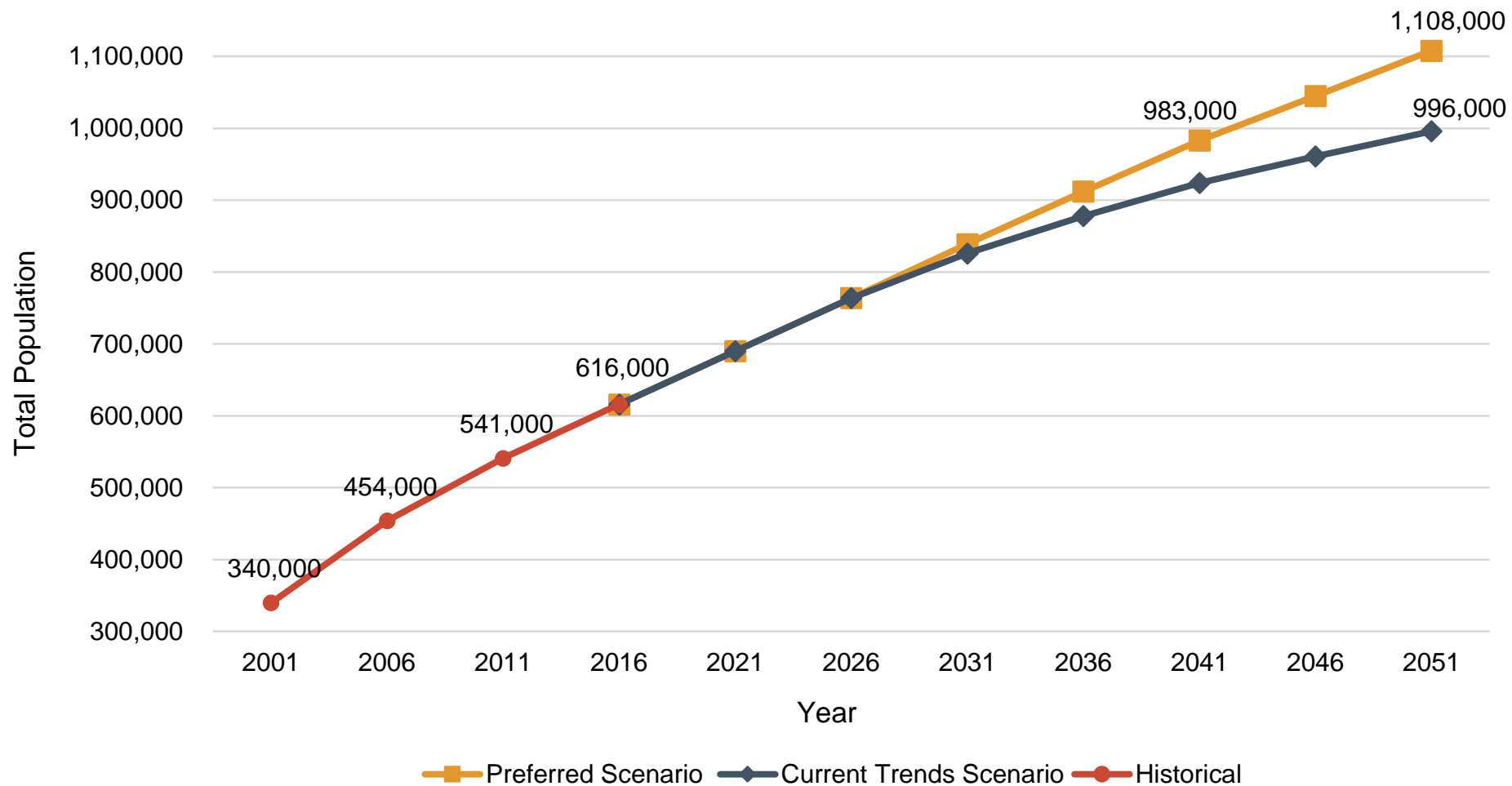
Growth Plan 2019 (Amended), Schedule 3 Forecast for Peel Region, 2016 to 2051



2016 to
2051
Population
Growth:
847,000

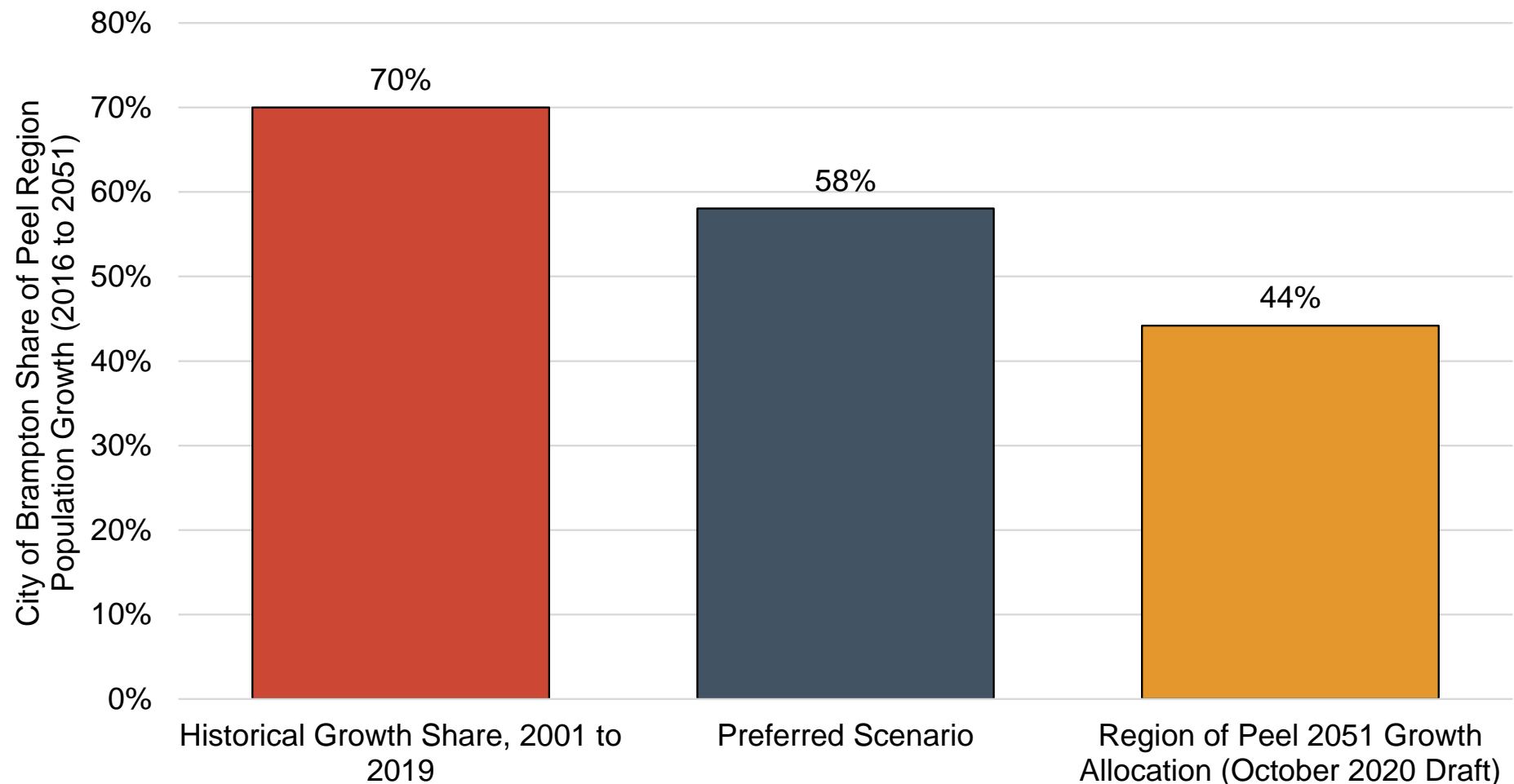
Source: Data from Growth Plan, 2019 and Greater Golden Horeshoe: Growth Forecasts to 2051 by Hemson Consulting Ltd. Figure prepared by Watson & Associates Economists Ltd., 2020.

City of Brampton Population Forecast Scenarios, 2016 to 2051



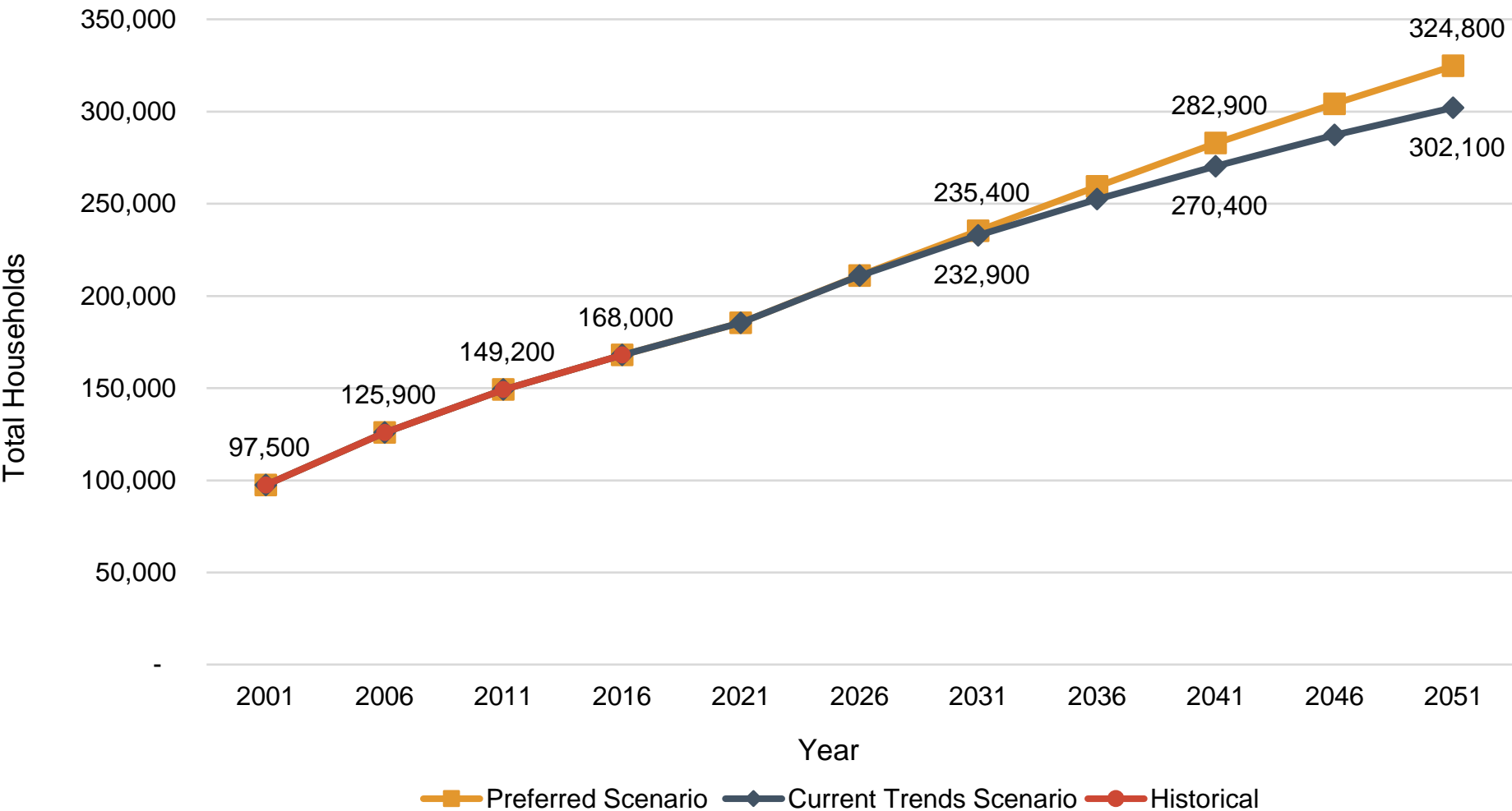
Source: Forecasts by Watson & Associates Economists Ltd., 2020.
Note: Population includes the Net Census Undercount estimated at 0.5%.

Share of Growth Between City of Brampton Forecast Scenarios and Region of Peel Forecast, 2016 to 2051



Source: Region of Peel population growth derived from Growth Plan (2020). Figure by Watson & Associates Economists Ltd., 2020.

City of Brampton Total Household Forecast, 2016 to 2051



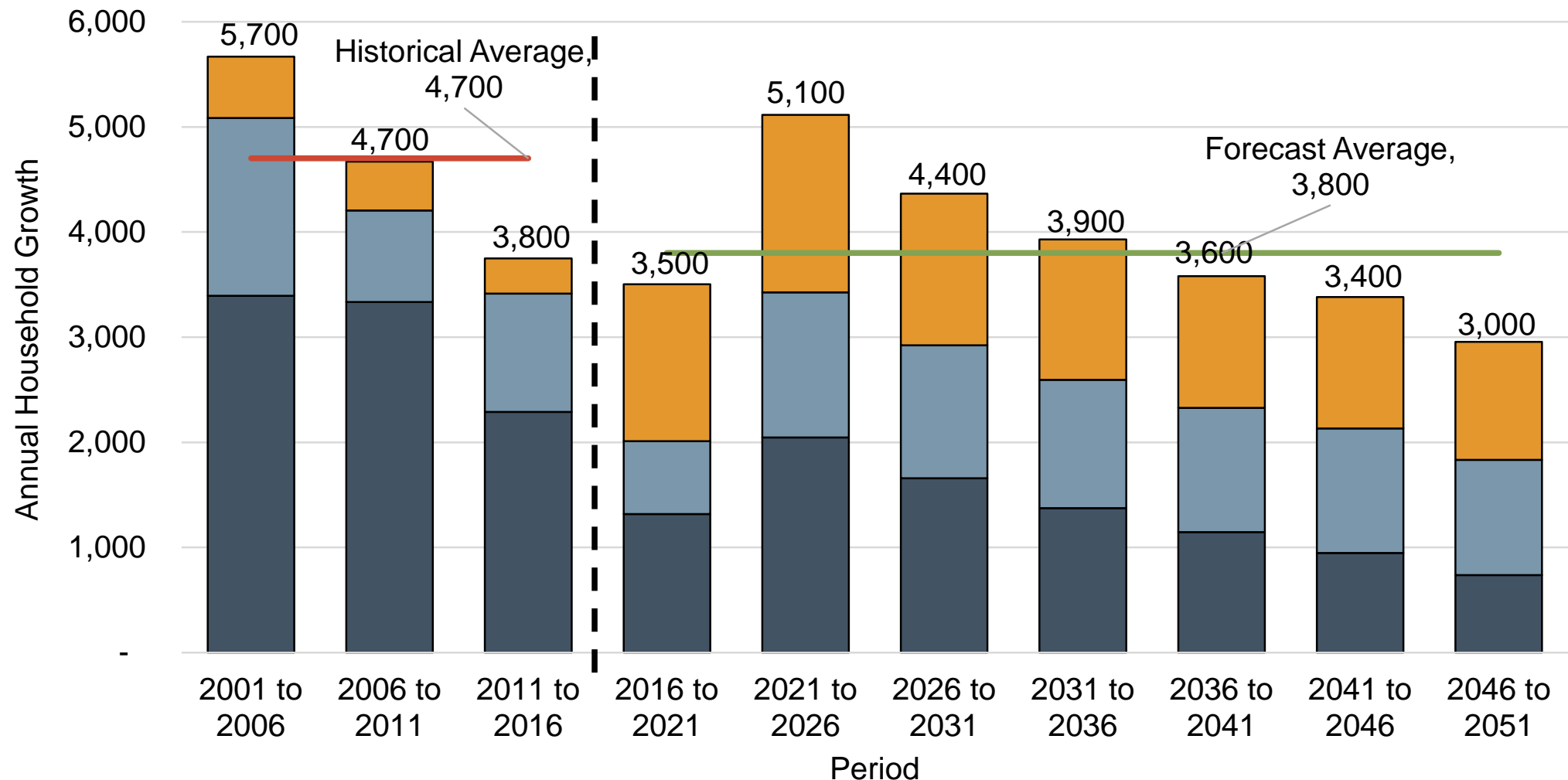
Household Growth,
2016 to 2051:

Preferred:
156,900

Current
Trends:
134,100

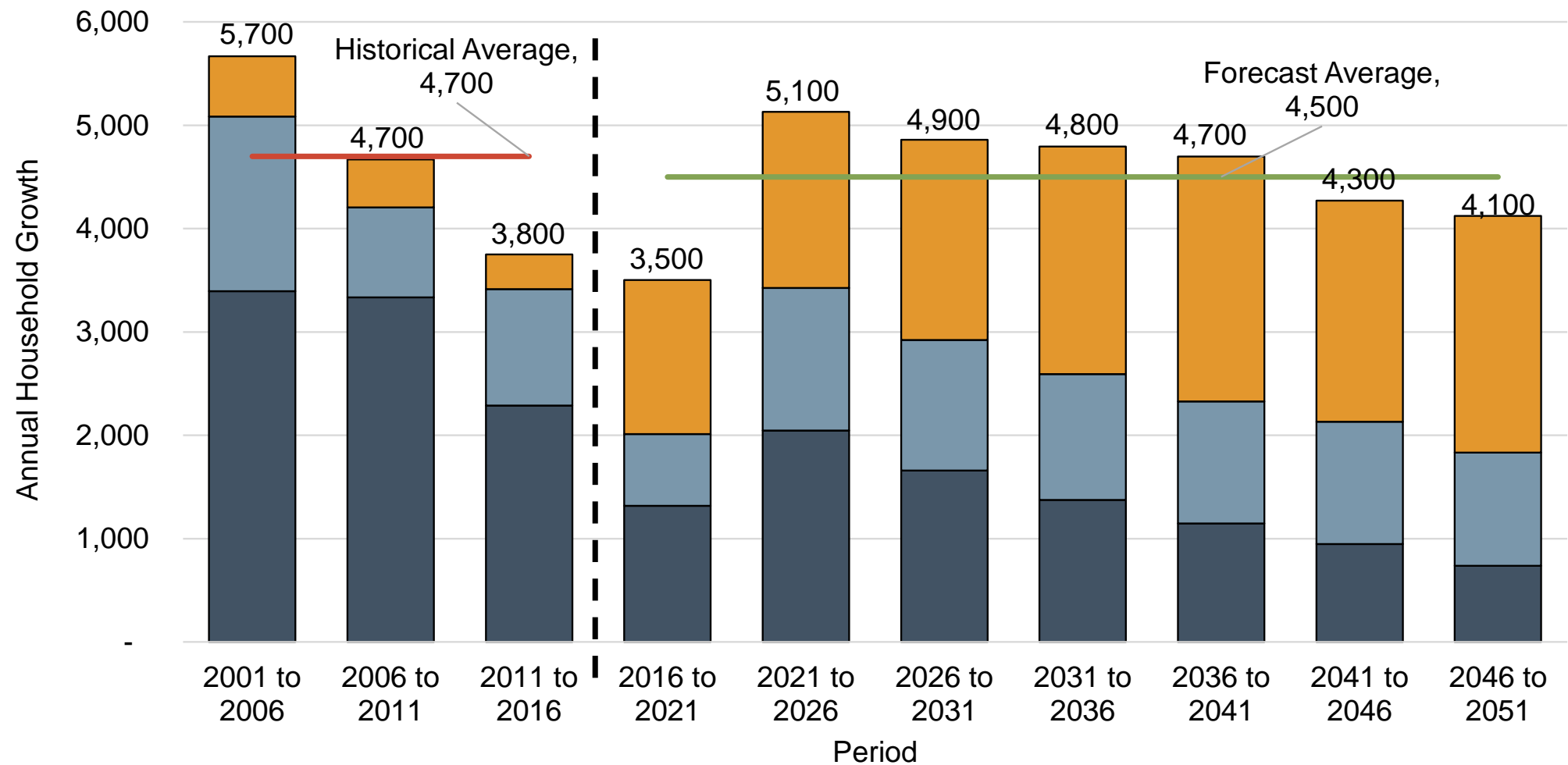
Source: Forecasts by Watson & Associates Economists Ltd., 2020.
Note: Households depict occupied housing units.

City of Brampton Current Trends Annual Household Forecast, 2016 to 2051



Source: 2001 to 2016 from Statistics Canada Census. Forecast by Watson & Associates Economists Ltd., 2020.
Note: Households depict occupied housing units.

City of Brampton Preferred Annual Household Forecast, 2016 to 2051

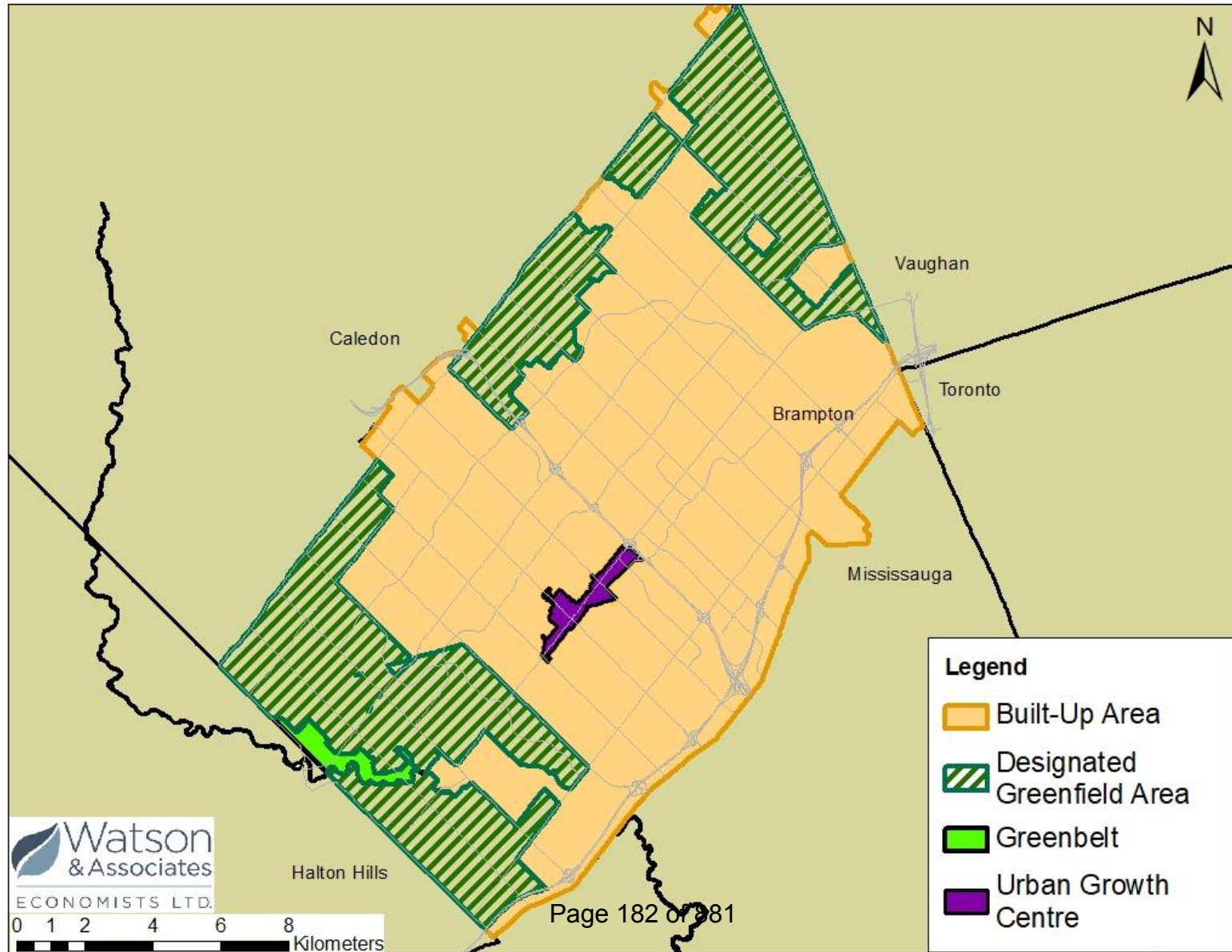


Source: 2001 to 2016 from Statistics Canada Census. Forecast by Watson & Associates Economists Ltd., 2020.

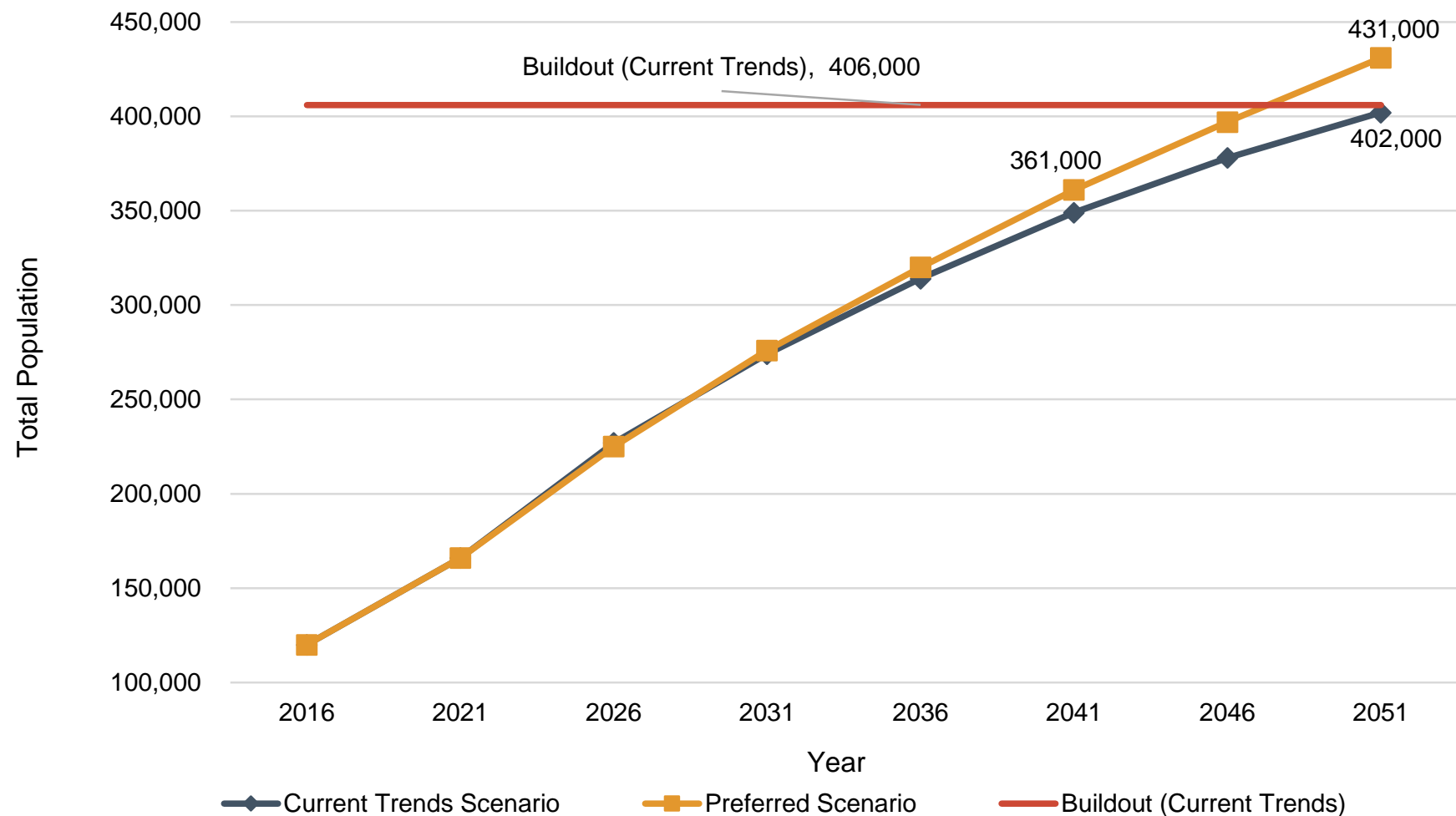
Note: Households depict occupied housing units.

Long-Term Population and Housing Forecast Scenarios by Planning Policy Area to 2051 (Built-up Area and Designated Greenfield Area)

City of Brampton Planning Policy Area Map

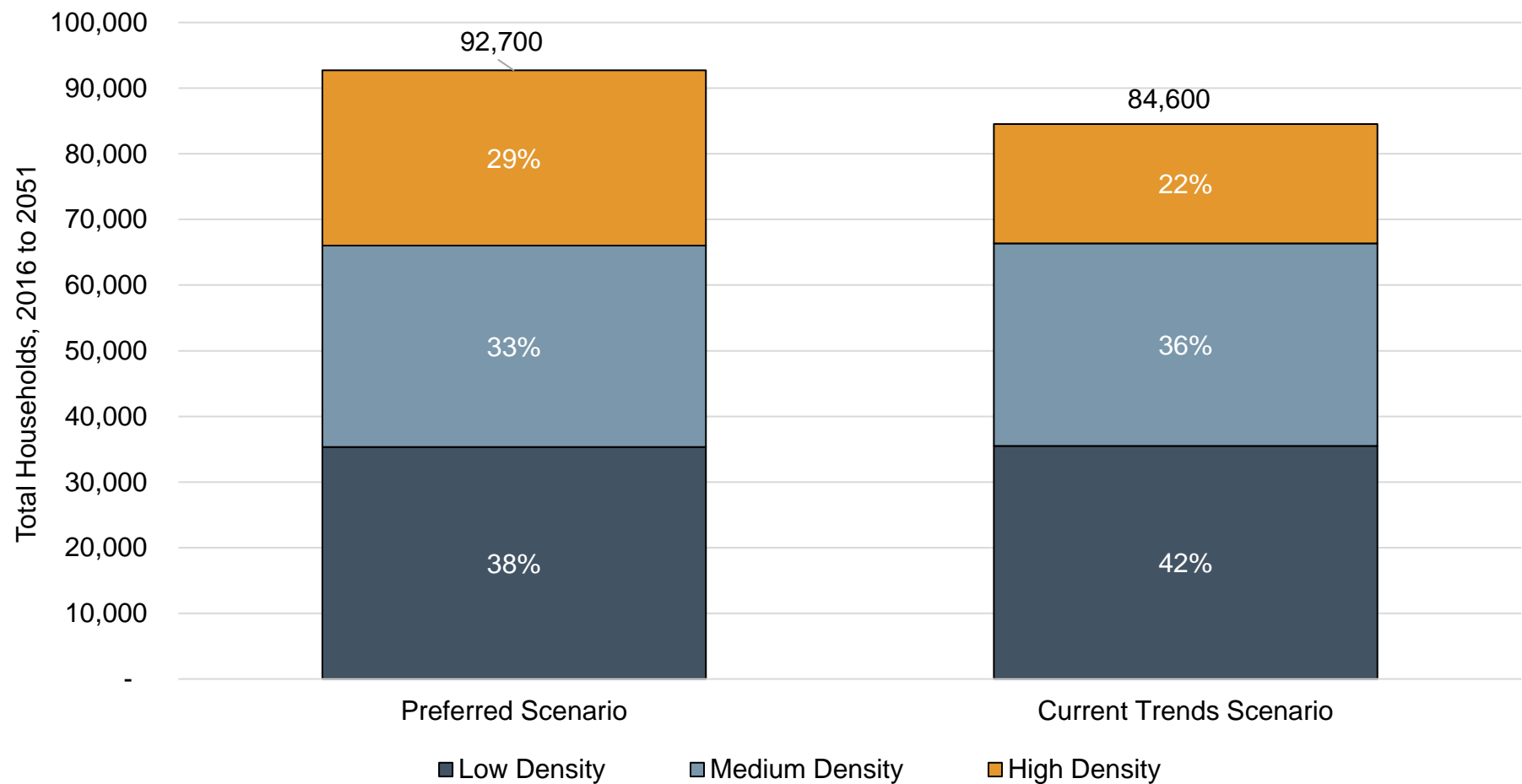


City of Brampton D.G.A. Population Forecast Scenarios, 2016 to 2051



Source: Current Trends and Preferred Scenario by Watson & Associates Economists Ltd., 2020.
Note: Population includes the Net Census Undercount estimated at 10%.

City of Brampton D.G.A. Household Growth by Type, 2016 to 2051

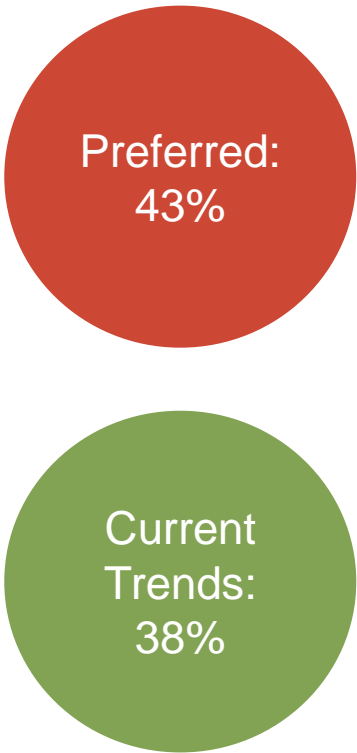
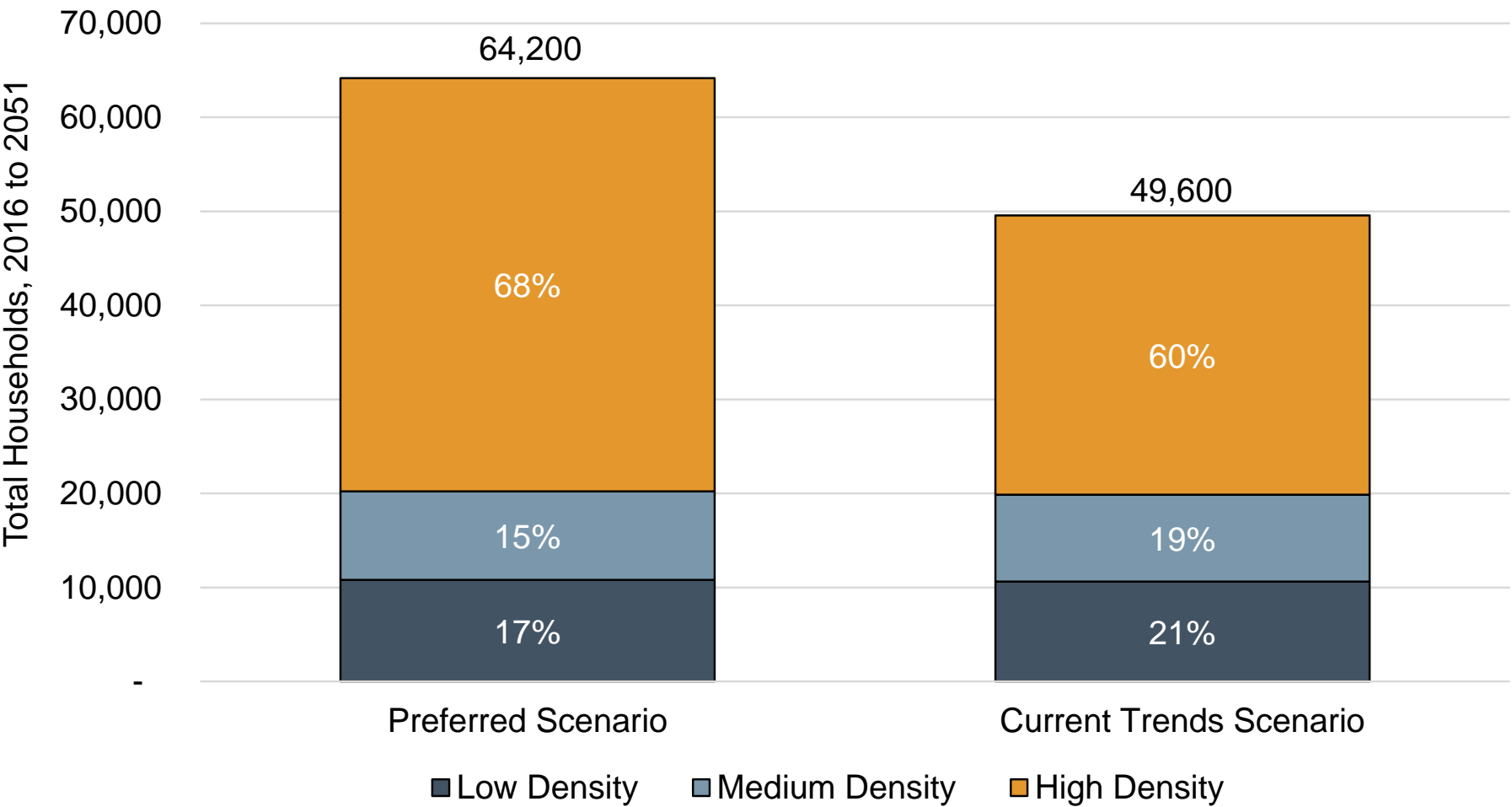


Source: Current Trends and Preferred Scenario by Watson & Associates Economists Ltd., 2020.
Note: Household depicts occupied housing units.

City of Brampton B.U.A. Household Growth by Type, 2016 to 2051



Intensification,
2022 to 2051:



Source: Current Trends and Preferred Scenario by Watson & Associates Economists Ltd., 2020.
Note: Household depict occupied housing units.

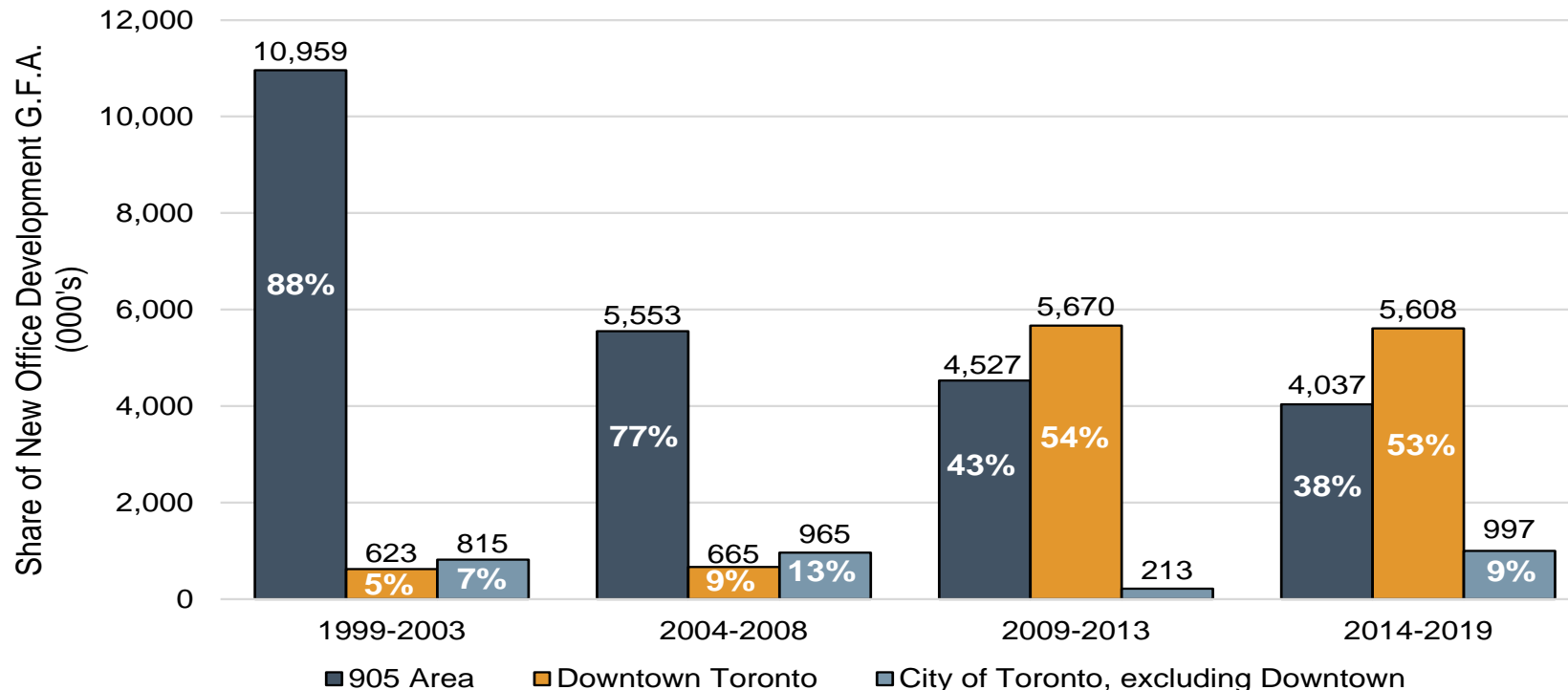
City-Wide Long-Term Employment Forecast Scenarios to 2051

G.T.A. Major Office Market

Share of New Office G.F.A. Sq.ft. Development in the G.T.A.



City of Toronto and Surrounding G.T.A. (905 Area)
Major Office Development, 1999 to 2019

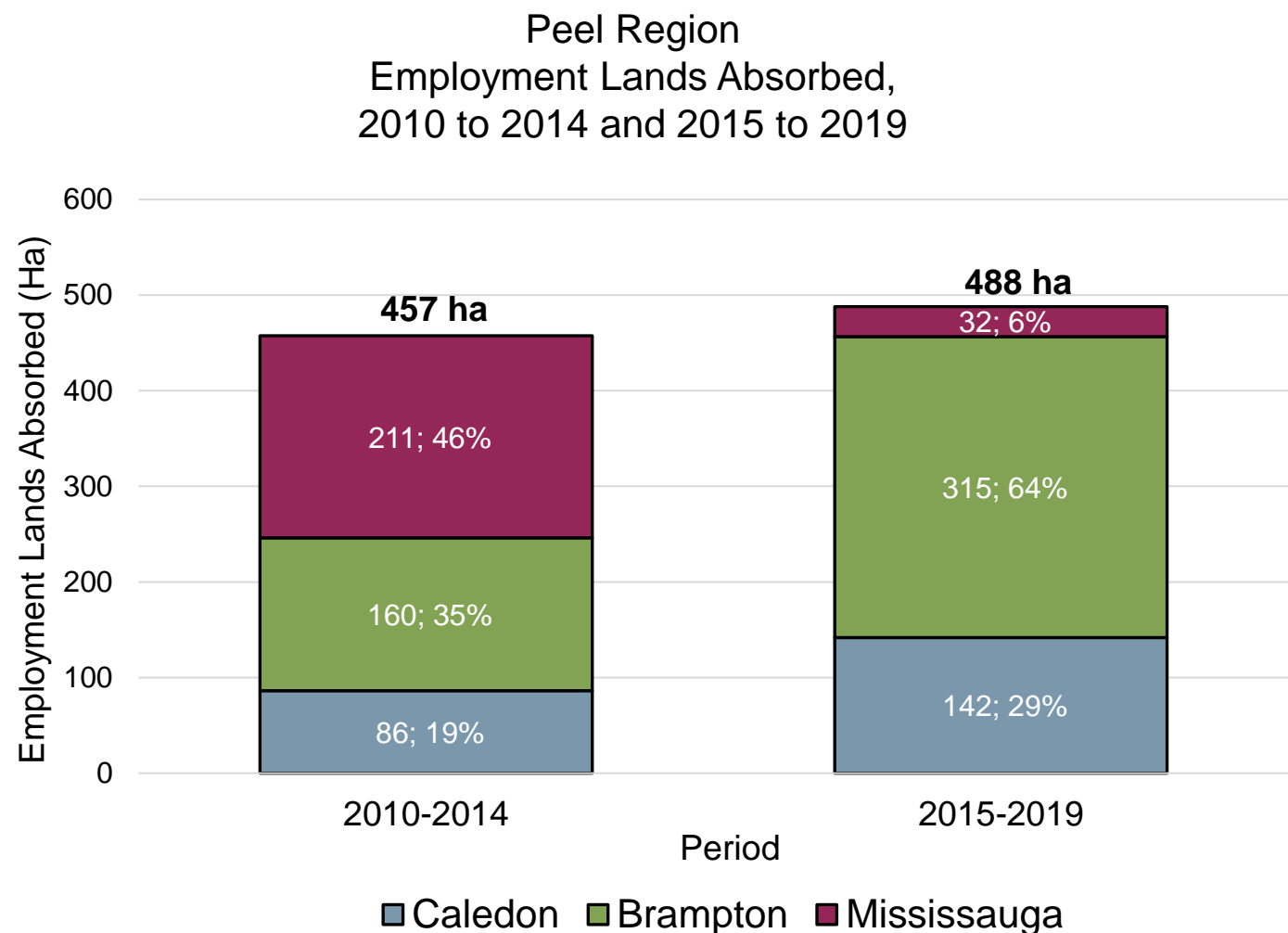


- Within the 905 Area over the 2014 to 2019 period, the City of Mississauga represented 40% of the office development, while Brampton represented less than 1%.

Source: 1999-2013 derived from Office Space Financial/Market Analysis and Marketing Plan Study. 2014-2019 derived from Colliers International Office Market Reports, by Watson & Associates Economists Ltd., 2020.

City of Brampton Employment Lands Employment

Historical Employment Land Absorption, Peel Region

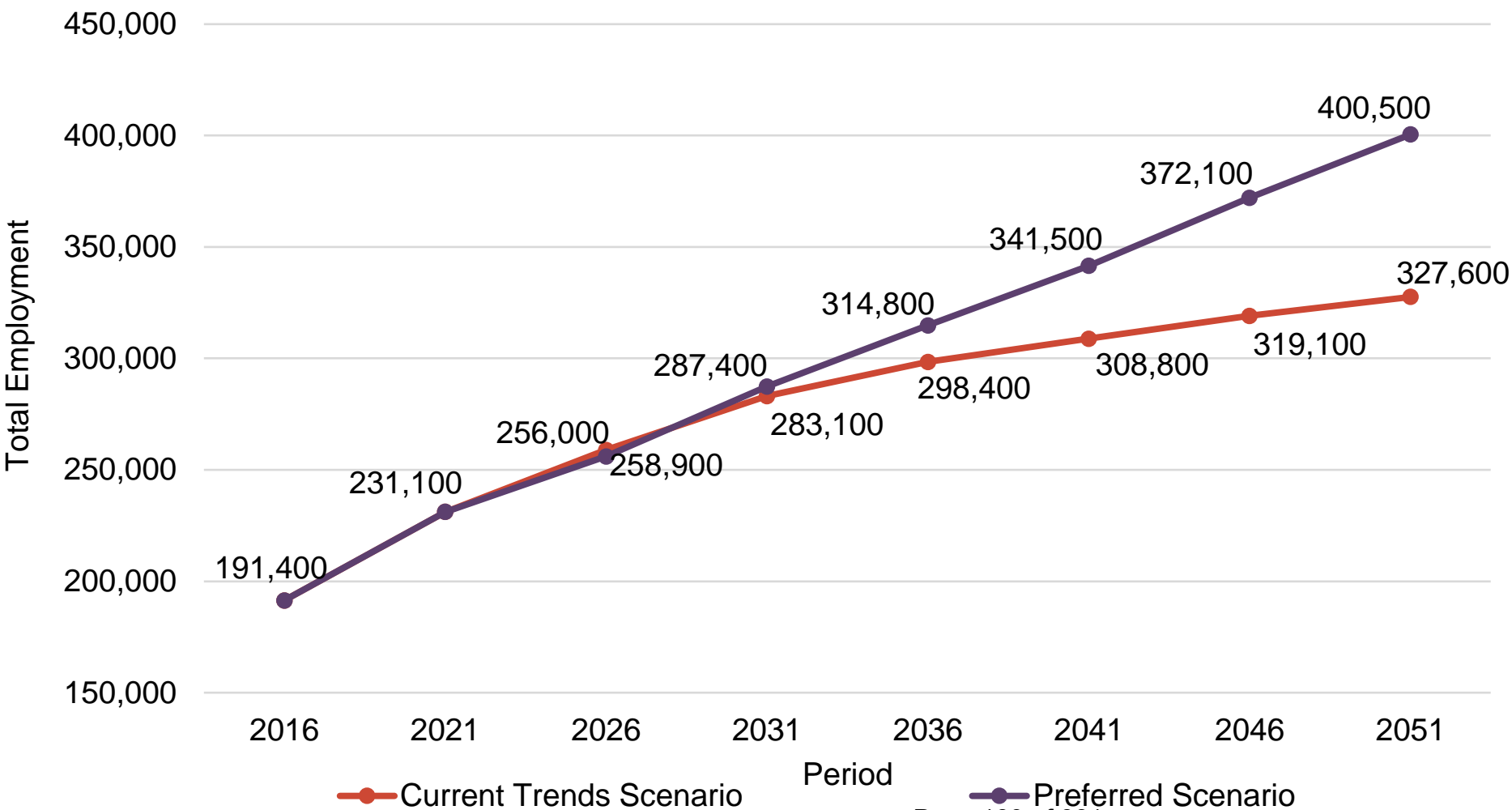


- Employment land absorption has historically been strong within the City of Brampton.
- Over the past 5-years, approximately 63 ha of lands has been absorbed annually with the City of Brampton, significantly more than the City of Mississauga.
- A key challenge for the City of Brampton is maximize its finite supply of employment by increasing employment density and intensification levels.
- Average employment density on lands absorbed within the last 5-years averaged 21 jobs/net ha.

Source: Watson & Associates Economists Ltd., 2020.

City of Brampton Employment Forecast

City of Brampton Employment Forecast, 2016 to 2051



Employment Growth,
2016 to 2051:

Preferred:
209,100
(2.1%
annually)

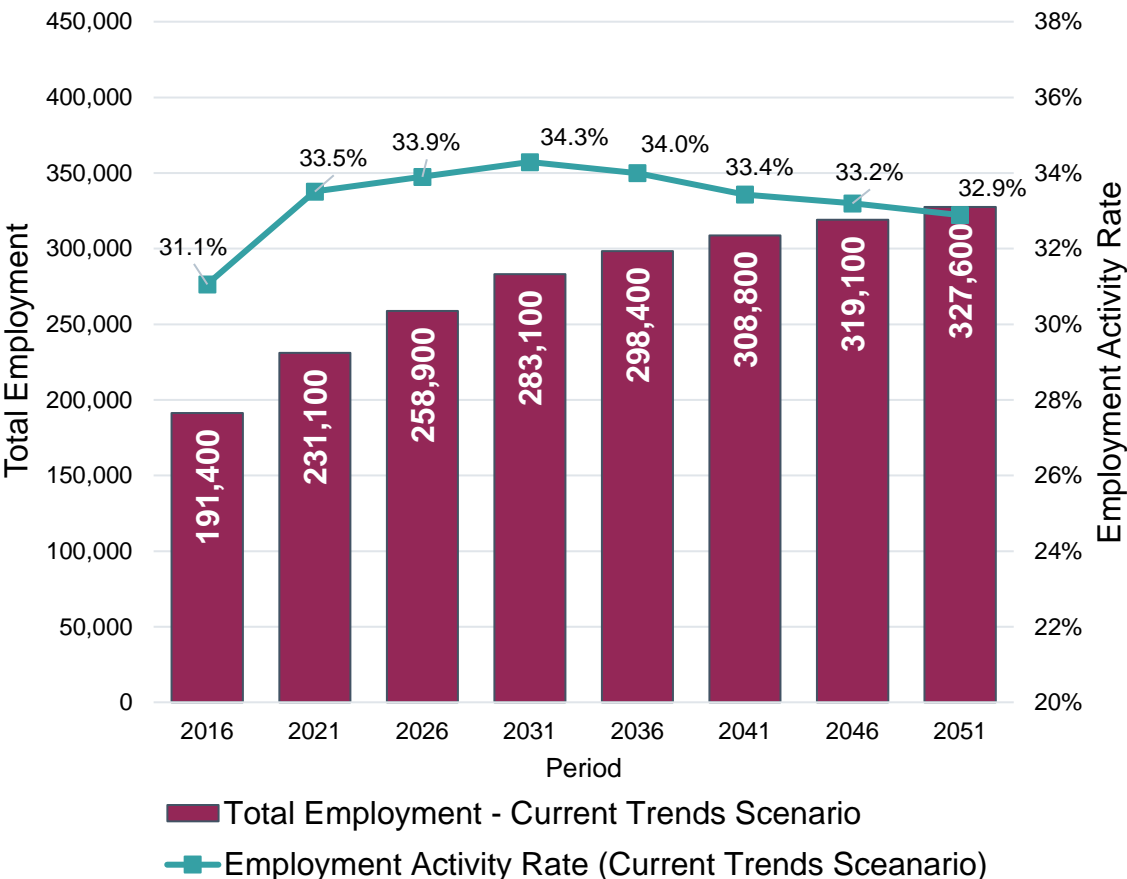
Current
Trends:
136,200
(1.5%
annually)

City of Brampton Employment Forecast

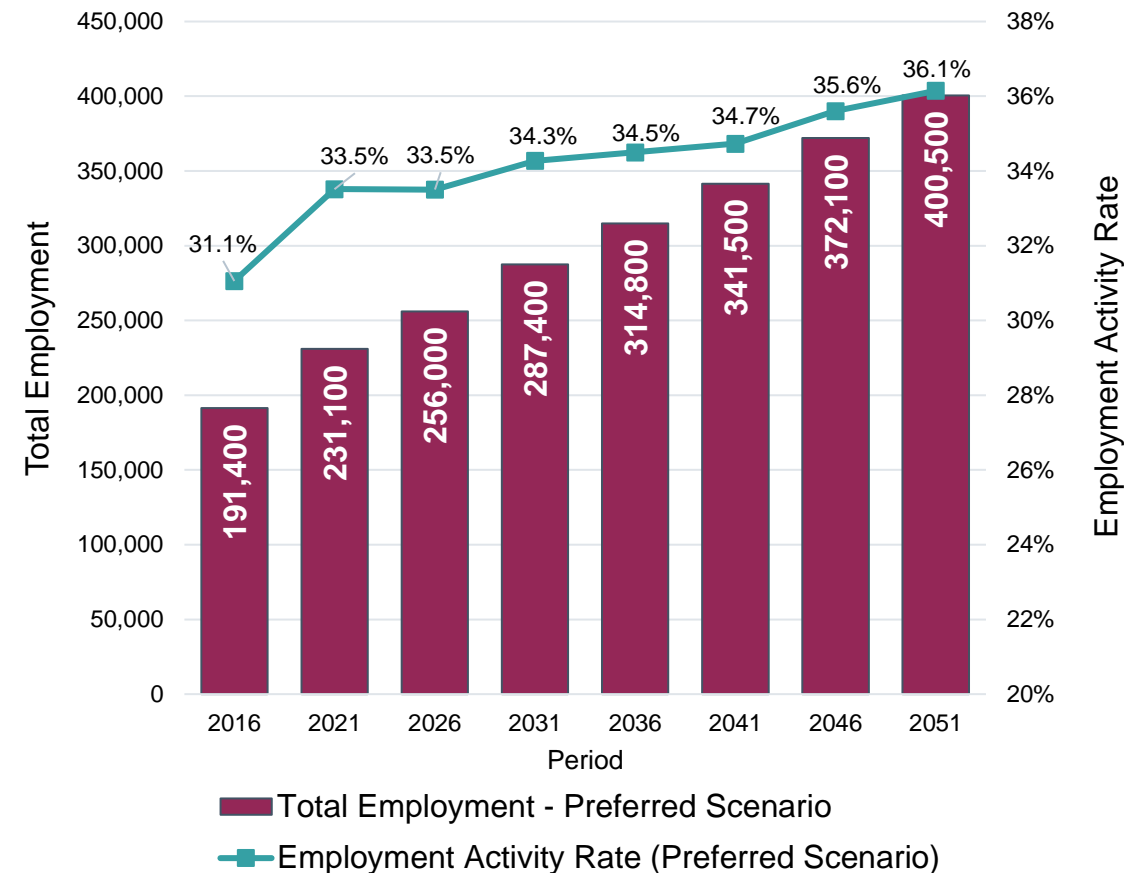
City of Brampton Employment Activity Rates, 2016 to 2051



Current Trends Scenario



Preferred Growth Scenario



Conclusions

Conclusions

Population and Housing Outlook



- With an average annual population growth rate of approximately 4.0% annually between 2001 and 2016, the City of Brampton has been one of the fastest growing municipalities in Canada.
- By 2051, the City of Brampton's population base is forecast to reach between 1 million (Current Trends) and 1.1 million (Preferred).
- This represents a population increase of 380,000 to 505,000 between 2016 and 2051, or an average annual population growth rate of approximately 1.4% to 1.7%.
- Relative to the Current Trends Scenario, the Preferred Scenario anticipates a higher level of net migration with a slightly younger age structure.

Conclusions

Housing Outlook – D.G.A.



- The draft results of this analysis indicate that the City can accommodate an additional 85,000 units and 402,000 people within the D.G.A. assuming a moderate increase in housing density informed by recent and anticipated housing market conditions.
- Under the Preferred Scenario, approximately 8,000 housing units have been allocated to the D.G.A., largely driven by higher D.G.A. densities achieved in Heritage Heights.

Conclusions

Housing Outlook – B.U.A.



- Under the Current Trends Scenario, a more modest housing intensification target of 38% has been assumed.
- Under the Preferred Scenario, a long-term housing intensification target of 43% has been identified from 2016 to 2051. Relative to the Current Trends Scenario, this translates into an additional 14,600 high-density households allocated to the B.U.A. over the planning horizon.

Conclusions

Employment Outlook



- While the City's employment base has grown steadily over the past 15 years at annual rate of approximately 2.8%, the rate of annual employment has been slower relative to population. As a result, the City's employment activity rate (ratio of jobs to population) has declined from approximately 37% in 2001 to 31% in 2016.
- By 2051, the City of Brampton's employment base is forecast to reach between 328,000 (Current Trends) and 400,500 (Preferred).
- This represents an employment increase of 136,000 to 209,000 between 2016 and 2051, or an average annual employment growth rate of approximately 1.5% to 2.1%.
- By 2051, the City's employment activity rate is forecast to increase to between 33% (Current Trends) and 36% (Preferred). Under the Current Trends Scenario the City's employment activity rate is anticipated to peak by 2031 at 34%.

Conclusions

Employment Outlook



- The Preferred Scenario assumes a greater amount of Major Office Employment (M.O.E.) compared to the Current Trends Scenario.
- In targeting the Preferred Scenario, the City will need to attract a wider-range of sectors in the M.O.E. category.
- Relative to the Current Trends Scenario, the Preferred Scenario assumes a higher yield of Employment Lands Employment (E.L.E.) through higher densities and increased intensification in Employment Areas.
- The Preferred and Current Trends Scenario both assume a similar ratio of Population Related Employment (P.R.E.) relative to population growth. As a result, more P.R.E. growth is forecast under the Preferred Scenario as a result of higher population growth assumed.

Next Steps

Next Steps



- Preparation of City of Brampton Draft Growth Analysis Study, February 2021.
- Preparation of City of Brampton Final Growth Analysis Study, February 2021.

Date: 2020-11-05

Subject: **Information Report - Brampton Plan Update**

Contact: Andrew McNeill, Manager, Official Plan and Growth Management,
Planning, Building and Economic Development Department
(905)874-3491, andrew.mcneill@brampton.ca

Report Number: Planning, Building and Economic Development-2020-410

Recommendation:

1. **THAT** the report titled, “Information Report – Brampton Plan Update” to the Planning and Development Committee Meeting of December 7, 2020, be received.

Overview:

- A Special Meeting of Council was held on January 22, 2020 and direction was provided to undertake a comprehensive review of the 2006 Official Plan.
- An extensive review and gaps analysis of relevant background studies and City projects has been completed.
- A policy conformity analysis of the current Official Plan has been completed and will inform policy updates to bring the new Brampton Plan into conformity with provincial and regional planning policy.
- A Community Engagement Strategy has been developed. Engagement was put on hold during the first wave of the COVID-19 pandemic. The strategy has since been updated to reflect current dynamics and is ready to re-launch.
- Detailed growth forecasting that will inform Brampton Plan has been completed. Results indicate that by 2051, Brampton is anticipated to have a population between 1 million and 1.1 million and employment between 328,000 and 400,500, generating an activity rate between 33% and 36%.

Background:

At the January 22, 2020 Special Meeting of Council, Resolution C025-2020 was carried as follows:

1. *That the staff report titled: Brampton 2040 Plan (Official Plan Review) – Work Program (R 1/2020) (File JBA OPR 19), be received; and*
2. *That the work program identified in the above noted report be endorsed as the basis for Brampton's Official Plan Review.*

Current Situation:

Brampton Plan Work Program

The work program has five phases that extend over two years to 2022, as outlined below and illustrated in Appendix 1.

Phase 1 – Background Review and Community and Stakeholder Engagement Strategy

- Consolidate background reports
- Prepare a technical memo
- Brampton 2040 Speaker Series
- Community and Stakeholder Engagement Strategy

Phase 2 – Testing the 2040 Vision and Developing Growth Scenarios

- Engagement Series #1 – Testing the Vision and Identifying Data Gaps
- Growth projection verification
- Land Needs Analysis
- Intensification Opportunities Assessment
- Stakeholder Engagement Sessions

Phase 3 – Policy Analysis and Community Structure

- Policy benchmarking and conformity analysis
- Secondary Plan review
- Community Structure review
- Engagement Series #2 – Community Structure Workshops

Phase 4 – Discussion Papers and Policy Recommendations

- Engagement Series #3 – To inform Discussion Papers and Present Draft Policy Directions Report
- Draft Discussion Papers for each core topic area
- Finalize Discussion Papers for online posting
- Draft Policy Directions Report
- Finalize Policy Directions Report

Phase 5 – Drafting the Brampton 2040 Plan

- Draft new OP Schedules
- Prepare Draft OP Chapters
- Engagement Series #4 – Final OP Policies
- Final Draft OP
- Public Meeting
- Final Official Plan Consultation – for Council adoption
- Submit to Region of Peel for approval

Impact of COVID-19 on the Work Plan

As a direct result of COVID-19, the project team has made adjustments to the sequencing of some work. The overall timeline for completion of Brampton Plan is not anticipated to be impacted by COVID-19; however, because of the restrictions around public gathering, the team advanced on technical work while temporarily delaying community engagement.

Work Completed and Work Underway

Brampton Plan Policy Conformity

The legislative and policy context at the regional and provincial levels has seen dramatic change since the last Official Plan Review. This context continues to evolve. Brampton Plan will need to conform to and be consistent with provincial and regional policy and legislation. Some of the key policy changes that will be reviewed and incorporated into Brampton Plan are as follows:

- Updates to the Growth Plan for the Greater Golden Horseshoe, 2020 (Growth Plan);
- Updates to the Provincial Policy Statement, 2020 (PPS);

- Updates to the Greenbelt Plan, 2017;
- Introduction of Bill 108, More Homes, More Choices Act, 2019;
- A recognition that the City is transitioning from suburban greenfield approaches to those of urban intensification;
- A shift in focus towards intensification around Major Transit Station Areas (MTSA's), Gateway Mobility Hubs and Intensification Corridors;
- The Regional OP Review is currently underway. The Region's OP must conform to Provincial Plans by July 1, 2022 and the City has one year following the Region's adoption of its OP to bring the City's OP into conformity with that of the Region.

The project team has undertaken a thorough review of the current Official Plan and have prepared a Policy Conformity Matrix that will inform discussion papers and policy development in later phases of the Brampton Plan process. A copy of the Conformity Matrix is attached as Appendix 2.

Document Review and Gaps Analysis

In the spring of 2020, the project team undertook a multi-day workshop with staff to debrief and review key City master plans, projects and strategies that have either been completed or that are underway, to determine their relevance to and alignment with the Vision 2040 plan and ultimately the development of Brampton Plan. Attached as Appendix 3 is the Document Review and Gaps Analysis Report. There were 42 key projects identified and reviewed as part of this work. Following the staff workshop, the project team prepared an analysis of all of the work, with an emphasis on the identification of any gaps requiring additional work. This will help the project team understand any additional scope required to complete the work plan.

Land Needs Analysis and Growth Forecasting

The project team has undertaken a detailed analysis of current growth trends and projected this work out to understand what we believe to be realistic growth trends for the City of Brampton to the year 2051. Attached, as Appendix 4 is the detailed Growth Scenario analysis. The analysis set out to understand two scenarios to inform a third "Conformity Scenario" with the Region:

1. Scenario 1 (Current Trends Scenario) – Reflects the long-term population, housing and employment growth outlook for the City of Brampton based on the continuation of real estate market, economic and demographic trends, which have been

experienced throughout the city over the past several decades. Under the Current Trends Scenario, forecast development is anticipated to be weighted towards traditional ground-oriented housing forms and land extensive industrial activities, largely within designated greenfield areas (DGA), reflective of historical development trends.

2. Scenario 2 (Policy Driven Regional Conformity Scenario) – Based on the final Region of Peel population, housing and employment growth allocation, as prepared through the Region's Growth Management Strategy (GMS) and Regional OP Review. Peel Region's current Policy Driven Scenario is referred to as Scenario 16 (revised) and has been updated to reflect Amendment 1 to the Growth Plan.
3. Scenario (Preferred Scenario – Brampton Vision 2040) – Reflects a preferred long-term population, housing and employment growth outlook for the City of Brampton in terms of its future growth rate, built form and location of residential and non-residential development. This scenario embraces economic, planning, financial and infrastructure policy objectives, which embrace the City of Brampton 2040 Vision.

Key Highlights:

Population

- With an average annual population growth rate of approximately 4.0% annually between 2001 and 2016, the City of Brampton has been one of the fastest growing municipalities in Canada.
- By 2051, the City of Brampton's population base is forecast to reach between 1 million (Current Trends) and 1.1 million (Preferred).
- This represents a population increase of 380,000 to 505,000 between 2016 and 2051, or an average annual population growth rate of approximately 1.4% to 1.7%.

Employment

- While the City's employment base has grown steadily over the past 15 years at an annual rate of approximately 2.8%, the rate of annual employment has been slower relative to population. As a result, the City's employment activity rate (ratio of jobs to population) has declined from approximately 37% in 2001 to 31% in 2016.
- By 2051, the City of Brampton's employment base is forecast to reach between 328,000 (Current Trends) and 400,500 (Preferred).

- This represents an employment increase of 136,000 to 209,000 between 2016 and 2051, or an average annual employment growth rate of approximately 1.5% to 2.1%.
- By 2051, the City's employment activity rate is forecast to increase to between 33% (Current Trends) and 36% (Preferred).
- The Preferred Scenario assumes a greater amount of Major Office Employment (M.O.E.) compared to the Current Trends Scenario. In targeting the Preferred Scenario, the City will need to attract a wider-range of sectors in the M.O.E. category.
- Relative to the Current Trends Scenario, the Preferred Scenario assumes a higher yield of Employment Lands Employment (E.L.E.) through higher densities and increased intensification in Employment Areas.

We are planning for a city of 1 million people by 2051. To accommodate this growth in population and associated growth in employment, there are four takeaways:

1. The majority of growth should be directed to the Built-Up Area (BUA) with priority intensification in areas supported by higher order transit, such as Uptown, Downtown, Queen Street and Hurontario Street;
2. Heritage Heights will be the recipient of the majority of growth in the Designated Greenfield Area (DGA) over the next three decades;
3. It is recommended that efforts be made to explore opportunities to increase the density of previously approved projects within the DGA – this applies to all land use categories, with an emphasis on residential, mixed-use and employment; and
4. Gentle intensification, compatible with existing neighbourhood character is anticipated in the BUA, outside of strategic growth areas.

The project team has been working closely with the Region of Peel to coordinate forecasting efforts. With respect to population, our Current Trends forecasts are slightly higher than what the Region has been considering, while the Preferred Scenario is significantly higher. The project team believes that the current trends forecasts are conservative in nature and as such are reasonable. We will continue to work with the Region and monitor growth to track progress in relation to population and employment allocations. Historically, Brampton has exceeded population allocations from the Region and with continued close collaboration, a small gap in forecast work that is 30 years out is not overly concerning.

Community Engagement

A detailed Community Engagement Strategy was prepared in March 2020. Community engagement efforts were temporarily placed on hold as a result of COVID-19. We are

now ready to re-launch community engagement efforts and the Community Engagement Strategy has been updated to take into account the implications of COVID-19.

Staff in collaboration with the consulting team have developed a revised Engagement Strategy to accommodate the new realities associated with COVID-19. The strategy outlines our commitment to engaging our community and stakeholders in an inclusive, welcoming, safe, and healthy environment, whether it be online or in person. Engagement phases and objectives of the engagement strategy are as follows:

- **Phase 1:** Informing/Kick-Off - To publicly re-introduce the Brampton Plan project to the community and confirm the Engagement Strategy, to set-up the project website brand and logo.
- **Phase 2:** Outreach - To conduct outreach and inform the community about the Brampton Plan project through a Communications Campaign and Speakers Series.
- **Phase 3:** Consultation and Collaboration on City Structure - To engage the community, staff and stakeholders in the development of the new City Structure upon which the Plan will be built.
- **Phase 4:** Discussing Core Policy Areas through the writing of Discussion Papers - To consult on more specific planning matters that will be analyzed in discussion papers.
- **Phase 5:** Review and Comment on the OP - To introduce and seek feedback on the final policies of the Brampton Plan and build community and stakeholder support on policies being drafted.

In efforts to implement Phase 1 and reintroduce the project to the public, staff will be working with Strategic Communications, to ensure all ongoing and past projects (since endorsement of the Brampton 2040 Vision) will be consistent with the established branding, and attempt to develop a narrative on how these efforts help the Corporation implement the Brampton 2040 Vision. Phase 1 will also include a 'Did You Know?!' campaign that will educate our residents on the Official Plan review process, answering questions about the purpose of an Official Plan, how it affects those who live, work, play and learn in the City in their everyday life, and ultimately improve 'planning' literacy within the City.

The Brampton Plan will deploy diverse, qualitative engagement bridging together online methods and more traditional engagement tactics. This period in time will also present opportunities to engage with and build intimate and safe spaces for underrepresented groups in our community, such as minority and faith-based groups, socio-economically disadvantaged, and transient populations. The timing to launch the Brampton Plan

engagement in 2021 will be responsive to the current directives around engagement as well as sensitivities to a launch, which is responsive to what is happening with the pandemic.

Brampton Plan Structure and Secondary Plan Consolidation

The project team has been reviewing the overall structure of the current Official Plan and is developing a new structure for Brampton Plan. The City of Brampton Official Plan relies on the use of Secondary Plans, Block Plans, and Tertiary Plans to provide more detailed policy direction for development across the city. Secondary Plans apply to specific areas throughout the city, whereas Block Plans apply to sub-areas of predominantly greenfield Secondary Plan areas to provide further coordination and direction for development. Tertiary Plans are even more detailed plans, used on a site-specific basis to provide further guidance on land use and development planning.

The current City of Brampton Official Plan includes 35 Secondary Plans, which are authorized under the *Planning Act*. They cover the entire geography of the city and provide more detailed, area-specific policies to guide development. The City of Brampton has already initiated a Secondary Plan consolidation exercise with the objective of reducing the number of Secondary Plans and this work will inform the Brampton Plan process.

One of the anticipated outcomes of the Brampton Plan process is for the City to shift away from a traditional and lengthy policy document to create a Plan that has a more focused set of priorities City-wide. Brampton Plan is anticipated to be structured to avoid duplication and conflicts with secondary-level planning for detailed land uses. It is anticipated that secondary-level planning will be used to confirm context-specific planning considerations, similar to the approach taken in other larger Canadian municipalities, including the City of Toronto and the City of Edmonton. Furthermore, land use designations in Brampton Plan are anticipated to focus on broad city-wide neighbourhood and employment land designations, allowing for more flexibility, thereby deferring more detailed study, and associated land use designations, to Secondary Plans. This presents an opportunity to greatly streamline the number of land use designations that currently apply city-wide.

In Brampton Plan, it is expected that Secondary Plans will continue to play an important role in determining how the city will evolve over the planning horizon. However, a more tactical approach is required to achieve the style of Official Plan the City is envisioning. It is anticipated that the City's existing Secondary Plans will either be retained and consolidated into Brampton Plan, or removed. Consideration for opportunities to consolidate the Secondary Plans is related to whether the Secondary Plan area has been built-out. This should be a first principle for considering which Secondary Plans can be consolidated under Brampton Plan, particularly in the City's greenfield areas. These

Secondary Plans will have already been largely implemented, and Brampton Plan can be used to provide direction for future development applications. While change will still occur within these 'former' Secondary Plan areas, it is anticipated that Brampton Plan will contain relevant policies to manage change and assess future development applications.

Where a Secondary Plan is being prepared, the intent of Brampton Plan will be to identify the Secondary Plan area at a high level, while relying on the individual Secondary Plan to identify specific land use designations and development policies. It is anticipated that Secondary Plans will be required for major growth areas and other strategic locations throughout the city, including the City Centres, Corridors, Town Centres and other specific Nodes. Some of these areas are yet to be determined and will be influenced by future work related to MTSA evaluation, as well as the further refinement of the City Structure.

The City of Brampton is subject to 27 Block Plans which apply to sub-areas of the various Secondary Plans and guide the completion of detailed environmental, servicing, transportation, urban design, and growth management matters. Block Plans are non-statutory documents. The role of Block Plans in Brampton today appears to be largely applicable to greenfield development lands. Given that the city is reaching the extent of its greenfield areas, the need for this level of planning may evolve as the city focuses on intensification and infill within existing built-up areas.

Tertiary Plans in Brampton apply to specific areas of the city to address site-specific matters in relation to the broader area. Tertiary Plans are statutory planning documents that focus on topics such as, but not limited to, land use, the natural heritage system if applicable, patterns of development, development standards, access, rights-of-way, compatibility and urban design. Through the Brampton Plan work, the project team may explore using different language to describe this level of detailed planning, such as "Precinct Plans".

New City Structure Framework

Brampton will be a city of 1 million people in the not too distant future. To accommodate this increase in population and employment requires a new overarching City Structure that provides guidance on where growth is to be directed. The new structure will take its cues from the structure generated during the Vision 2040 process. The project team will provide a new draft City Structure to Council early in 2021 that will be part of a fulsome community engagement process. The work outlined above pertaining to growth forecasts, Secondary Plans, Block Plans and Tertiary Plans is quite relevant to informing the new City Structure.

It is anticipated that the new City Structure will include a series of ‘networks’ that will highlight the various elements of land use planning (such as centres and corridors, etc.) and broad land use designations (such as neighbourhoods, employment lands, etc.). Brampton Plan will be highly visual, using diagrams, graphics and maps to “tell a story” about how Brampton will evolve over the planning horizon to 2051.

Streamlined Regulatory Process

In addition to undertaking a comprehensive Official Plan Review to implement the 2040 Vision, the City is also well underway with its comprehensive review of the Zoning By-Law. The goal is to create a clearer, simplified regulatory framework. In parallel to the development of Brampton Plan and a new Zoning By-Law, the City is also working on updates to Urban Design Guidelines. Working on all three in tandem will help ensure alignment, constancy and effective use of resources.

Corporate Implications:

Financial Implications:

There are no direct financial implications associated with this report.

Other Implications:

There are no other implications associated with this report.

Term of Council Priorities:

The Official Plan Review is noted as a Term of Council priority under the following:

<u>Council Priority:</u>	A City of Opportunities
<u>Strategic Priority:</u>	1.4 Prioritize Jobs Within Centres
<u>Project Number:</u>	1.4.3 Develop a New Official Plan that aligns all master plans with the Brampton 2040 Vision.

Conclusion:

Background analysis work conducted to inform Brampton Plan has positioned the project team well to progress with the next phases of work in the Brampton Plan process. Community engagement will re-launch early in 2021 and will complement the work plan to advance the new City Structure, detailed position papers and ultimately new policy directions that will form the foundation for Brampton Plan.

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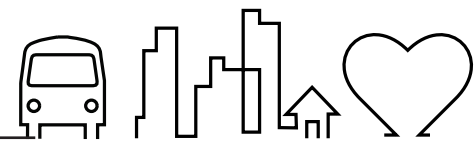
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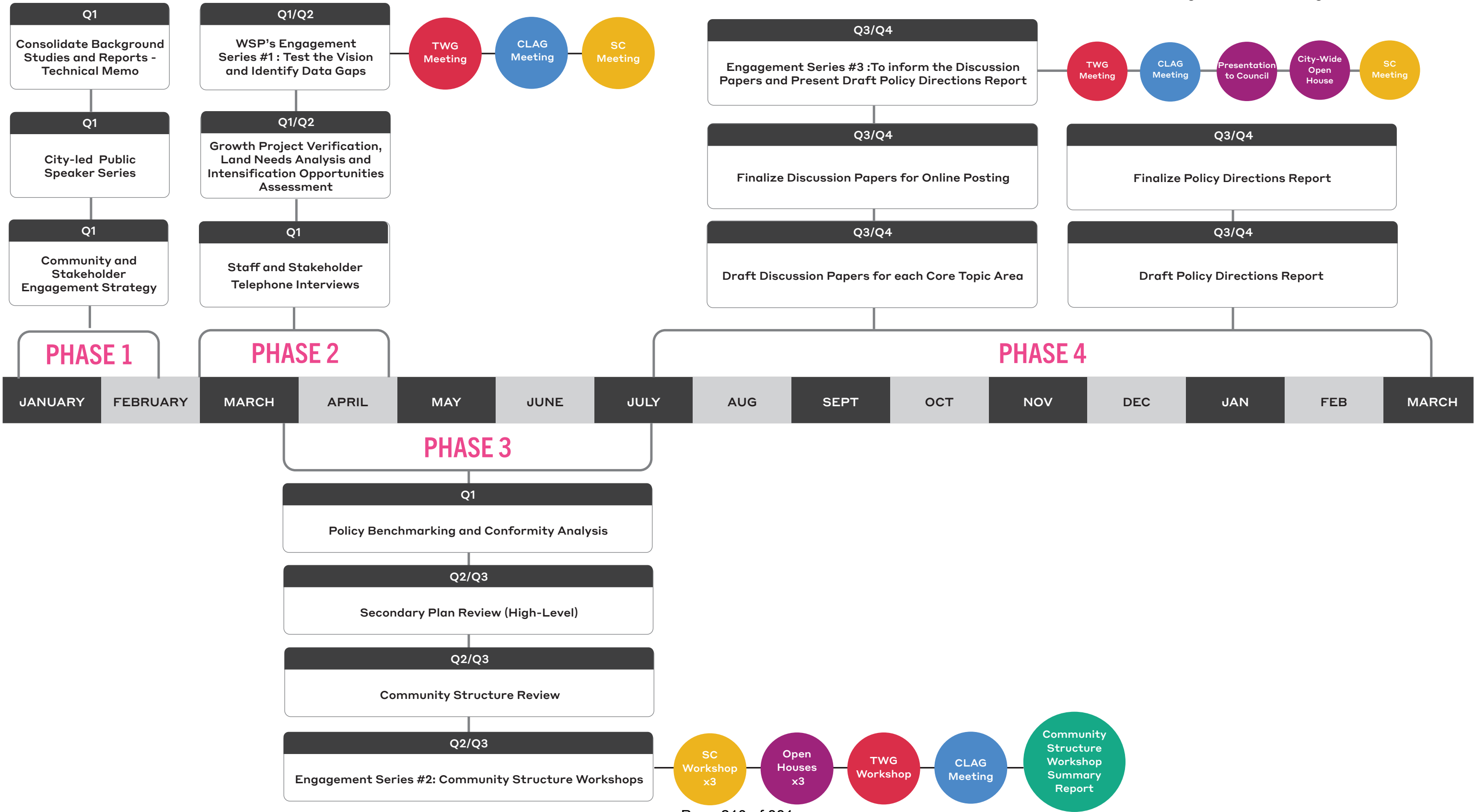
Attachments:

- Appendix 1 Brampton Plan Work Program
- Appendix 2 Policy Conformity Matrix
- Appendix 3 Document Review and Gaps Analysis Report
- Appendix 4 Growth Scenarios

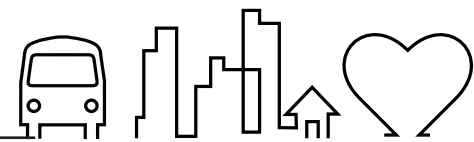
WORKPLAN



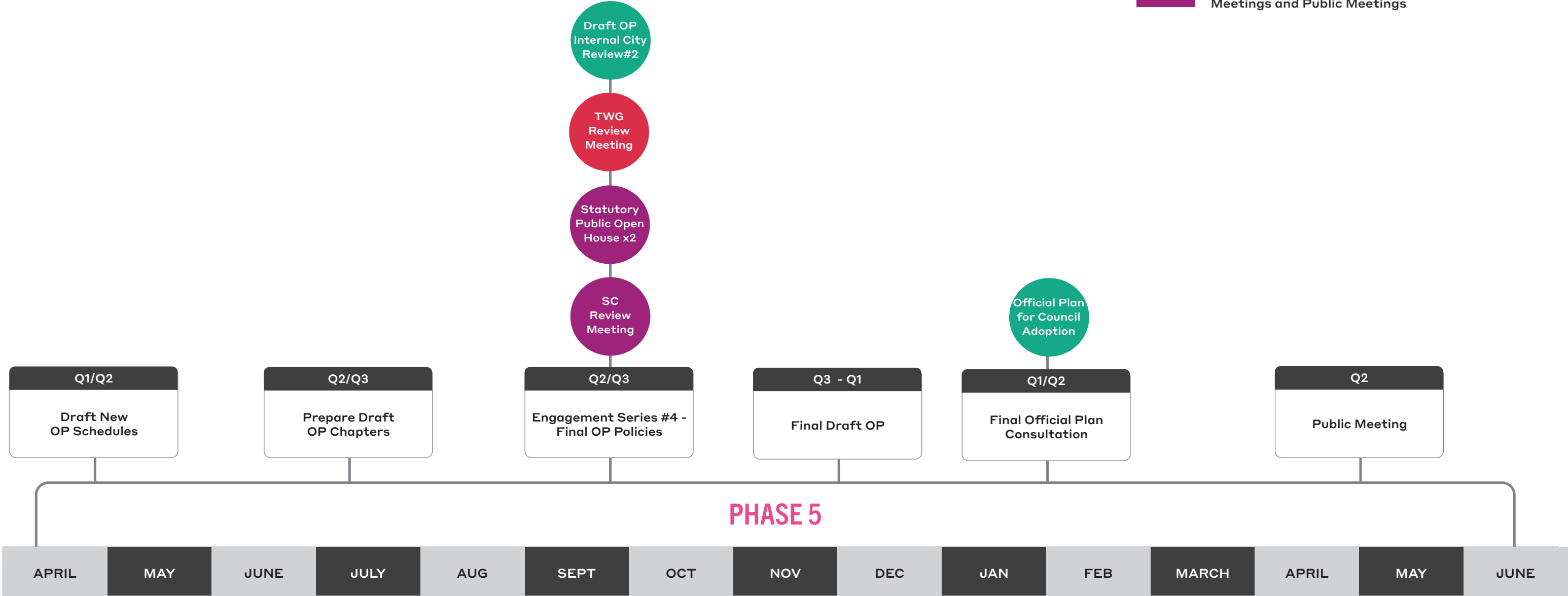
- Technical Working Group (TWG)
- Community Leaders Advisory Group (CLARG)
- Steering Committee (SC)
- Project Planning Tasks
- Meetings and Public Meetings



WORKPLAN



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BRAMPTON 2040 PLAN

POLICY CONFORMITY MATRIX



JUNE 2020

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1.0 PROVINCIAL LEGISLATION, PLANS, AND POLICIES

The purpose of this exercise is to identify the provincial and regional policy and legislative thrusts which will inform the development of policies in the 2040 Plan. The policies of the 2040 Plan will generally be re-written, however there is an opportunity to carry forward certain policies which conform to or implement the various provincial and regional policies. The development of new or updated policies will also be informed by the Background Review and Gaps Analysis Report which explored the full range of City of Brampton plans, studies, and strategies to be considered through the Official Plan Review.

1.1 PLANNING ACT

SECTION NO.	SECTION	LEGISLATION CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
16 (1)	Contents of an official plan	The legislation outlines the various contents of an official plan, including goals, objectives, and policies. This includes policies to ensure the adequate provision of <u>affordable housing</u> .	Section 4.2.5 – Affordable Housing The policies have been established to provide an appropriate amount of affordable housing.	In preparing the 2040 Plan, the goals, objectives, and policies will be revised accordingly. Affordable housing policies will be updated to align with City and Regional housing initiatives and targets.
16 (2)	Contents of an official plan	The legislation outlines optional items which can be included in an official plan, including descriptive measures and procedures for informing and obtaining the views of the public with respect to planning matters.	General	In preparing the 2040 Plan, the goals, objectives, and policies will be revised accordingly.
16 (3)	Additional residential unit policies	The legislation requires an official plan to contain policies for the use of <u>additional residential units</u> through: <ul style="list-style-type: none">▶ The use of two residential units in a detached house, semi-detached house, or rowhouse.▶ The use of a residential unit in a building or structure ancillary to a detached house, semi-detached house, or rowhouse.	Section 3.2.8.2 – Second Units The policies permit a maximum of one second unit per single detached, semi-detached, or townhouse dwelling unit in accordance with the requirements of the zoning by-law (without the need for a site-specific amendment to the zoning by-law. The Official Plan defers to the zoning by-law to establish regulations related to dwelling types, parking, yards, maximum floor areas, and landscaped open space/amenity area requirements.	It is recommended that the 2040 Plan define the term “additional residential unit” and permit two possible configurations: <ul style="list-style-type: none">▶ Two ARUs within the principal dwelling; or,▶ One ARU within the principal dwelling and one ARU in an ancillary building or structure. There is an opportunity for the Official Plan to require site plan control to address matters of compatibility.
16 (4)	Inclusionary zoning policies	The legislation requires an official plan to authorize the use of <u>inclusionary zoning</u> by authorizing the inclusion of affordable housing units within building containing other residential units and by providing affordable housing units to be maintained as such over time.	(New) The current OP does not have policies referencing Inclusionary Zoning	See also discussion regarding O. Reg 232/18 which pertains to inclusionary zoning for specific policy topics. It is recommended that the 2040 Plan introduce enabling policies related to inclusion zoning.
16 (5)	Inclusionary zoning policies	As a result of the Province's enactment of Bill 108, <u>Inclusionary Zoning</u> is now limited to Protected Major Transit Station Areas or areas where a Development Permit System has been ordered by the Minister.	(New) The current OP does not have policies referencing Inclusionary Zoning	Policies related to inclusionary zoning within the official plan would limit the application of inclusionary zoning to a protected MTSA or areas where a DPS has been ordered by the Minister.
16 (5.1)	Adoption of inclusion zoning policies	The legislation permits the adoption of <u>inclusionary zoning</u> policies through a new official plan or official plan amendment. The policies must	(New)	Policies related to inclusionary zoning within the official plan would limit the application of inclusionary zoning to a

SECTION NO.	SECTION	LEGISLATION CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
		refer to the protected MTSA's and includes policies that authorize the use of the Development Permit System.	The current OP does not have policies referencing Inclusionary Zoning	protected MTSA or areas where a DPS has been ordered by the Minister.
16 (6)	Goals and objectives	<u>Inclusionary zoning</u> policies are required to include goals and objectives, and a description of the measure and procedures to attain those goals and objectives.	(New) The current OP does not have policies referencing Inclusionary Zoning	Policies related to inclusionary zoning in the 2040 Plan would address this requirement.
16 (9)	Assessment report	The legislation requires that a municipality prepare an assessment report prior to adopting <u>inclusionary zoning</u> policies within the official plan.	(New) The current OP does not have policies referencing Inclusionary Zoning	The Region of Peel is undertaking the preparation of the assessment report to meet the requirements of implementing an inclusionary zoning program.
16 (14)	Climate change policies	The legislation requires that an official plan contain policies that identify goals, objectives, and actions to mitigate greenhouse gas emissions and provide for <u>climate change adaptation</u> , including resiliency.	Section 2.1 – Physical and Environmental Considerations The policy aims to foster a culture of conservation to address water and energy consideration to mitigate and adapt to climate change.	The Official Plan contains high-level references to climate change throughout its policies. The 2040 Plan will contain explicit policies to address climate, as well as apply a climate lens to other policy areas to address this requirement.
16 (16)	Protected major transit station areas (upper-tier municipalities)	The legislation requires an upper-tier official plan (i.e., Region of Peel) to delineate <u>MTSA's</u> . It also requires lower-tier official plans to include policies that identify the permitted land uses in the MTSA and the minimum densities that are authorized.	Section 3.2.4 – Major Transit Station Areas MTSA's are delineated in the Official Plan and policies related to density targets are included in this policy.	The Official Plan MTSA policies and mapping will be updated based on the Region's MTSA Study and ongoing Municipal Comprehensive Review.
26 (1)	Updating official plan	The legislation requires a municipality to ensure their official plans conform with provincial plans, has regard to matters of provincial interest, and is consistent with policy statements.	General	A core objective of the 2040 Plan is to bring the Official Plan into conformity with relevant provincial policy, the Region's Official Plan, and provincial plans.
28 (2)	Designation of community improvement project area	The legislation permits municipalities to <u>designate community improvement plan</u> areas where the official plan contains policies related to community improvement.	Section 5.13 – Community Improvement The Official Plan permits the City to adopt a by-law which designates a community improvement project area.	It is anticipated that these policies will be carried forward into the 2040 Plan with updates made, as required, to address any gaps.
35.2	By-laws to give effect to inclusionary zoning policies	The legislation permits a municipality to pass <u>inclusionary zoning</u> by-laws if the official plan contains policies related to inclusionary zoning.	(New) The current OP does not have policies referencing Inclusionary Zoning	Policies related to inclusionary zoning in the 2040 Plan would allow the City to pass inclusionary zoning.
41 (2)	Site plan control area	The legislation permits a municipality to pass a by-law to designate a site plan control area if the official plan identifies such area.	Section 5.7 – Site Plan Control	It is anticipated that these policies will be carried forward into the 2040 Plan with updates made, as required, to address any gaps.

SECTION NO.	SECTION	LEGISLATION CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
			The Official Plan designates the whole City of Brampton as a site plan control area and sets out policies related to site plan control.	
41 (9), (9.1)	Widening must be described in official plan	The legislation requires an official plan to show highways (road) which are to be widened, in order for land owners to be required to provide a widening, including land for public transit right-of-way.	Schedule B1 The Official Plan identifies the Major Arterial, Minor Arterial, and Collector Roads that require widening on Schedule B1.	The concurrent Transportation Master Plan update will inform any alterations to Schedule B1 and policies related to road widenings in the 2040 Plan.
42 (4)	Conveyance of land for park purposes, official plan requirement	To be repealed.	Section 4.7.2 – Public Parkland Section 5.21 – Parkland Dedication The Official Plan permits the use of parkland dedication, pursuant to the <i>Planning Act</i> , to acquire parkland in the City.	It is anticipated that parkland dedication policies will be updated or removed from the 2040 Plan to reflect the City's direction as it relates to collecting funds through the community benefits charge authority.
51.1 (1)	Land conveyed or dedicated for parkland	The legislation permits a municipality, through a plan of subdivision, to collect 2% (commercial/industrial) or 5% (all other cases) of land included in the plan of subdivision for a park or recreational space.	Section 4.7.2 – Public Parkland Section 5.21 – Parkland Dedication The Official Plan permits the use of parkland dedication, pursuant to the <i>Planning Act</i> , to acquire parkland in the City.	It is anticipated that parkland dedication policies will be updated in the 2040 Plan to reflect the City's direction as it relates to collecting funds through the community benefits charge authority. If the City of Brampton has a community benefits charge by-law in place, it cannot apply these basic parkland dedication provisions.
51.1 (2)	Parkland, other criteria	To be repealed.	Section 4.7.2 – Public Parkland Section 5.21 – Parkland Dedication The Official Plan permits the use of parkland dedication, pursuant to the <i>Planning Act</i> , to acquire parkland in the City.	It is anticipated that parkland dedication policies will be updated or removed from the 2040 Plan to reflect the City's direction as it relates to collecting funds through the community benefits charge authority.
51.1 (2.1)	Parks plan	To be repealed.	Section 4.7.2 – Public Parkland Section 5.21 – Parkland Dedication The Official Plan permits the use of parkland dedication, pursuant to the <i>Planning Act</i> , to acquire parkland in the City.	It is anticipated that parkland dedication policies will be updated or removed from the 2040 Plan to reflect the City's direction as it relates to collecting funds through the community benefits charge authority.

1.2 O. REG. 173/16 – COMMUNITY PLANNING PERMITS (PLANNING ACT)

SECTION NO.	SECTION	REGULATION CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION
3 (1)	Conditions re official plan	<p>The regulation requires that a municipality’s official plan address a number of matters prior to council adopting a community planning permit (CPP) by-law, including:</p> <ul style="list-style-type: none"> ▶ the area of the CPP; ▶ the scope and authority of the CPP; ▶ the goals, objectives, and policies of the CPP; and ▶ the types of criteria / conditions to be included in the CPP. 	<p>Section 5.33 – Development Permit System Areas</p> <p>The Official Plan permits the City to establish a Development Permit System for areas of the City where it is determined to achieve the objectives of the Official Plan.</p> <p>Section 5.20 – Central Area Revitalization</p> <p>The Official Plan permits the City to establish a development permit system in the Central Area.</p>	<p>The Official Plan contains policies which use the term “development permit system” which was changed through O. Reg. 173/16 to be “community planning permit system”.</p> <p>References to the development permit system will be renamed to community planning permit system in the 2040 Plan.</p>
3 (4)	Same	The regulations permit the official plan to set out information and materials that are required as part of a CPP application and to exempt any class of development or land use.	<p>Section 5.33 – Development Permit System Areas</p> <p>The Official Plan sets out the various submission requirements for an application under the development permit system.</p>	

1.3 O. REG. 299/19 – ADDITIONAL RESIDENTIAL UNITS

SECTION NO.	SECTION	REGULATION CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
2	Requirements and Standards	The regulation requires each additional residential unit to have one parking space when required for the primary residential unit, and permits the additional parking to be configured in tandem. The regulation defines the terms additional residential unit, primary residential unit, and tandem parking space.	<p>Section 3.2.8.2</p> <p>This section permits second units within single detached dwellings, semi-detached, and townhouse units. The policy defers to the zoning by-law with respect to parking requirements.</p>	<p><i>See also discussion regarding additional residential units in Planning Act section.</i></p> <p>The policies are generally appropriate as they relate to O. Reg. 299/19. The new Comprehensive Zoning By-law will reflect the parking requirements of additional residential units.</p>

1.4 O. REG. 232/18 – INCLUSIONARY ZONING (PLANNING ACT)

SECTION NO.	SECTION	REGULATION CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
2 (1)	Assessment report	The regulation requires a housing assessment report to be considered in the development of official plan policies.	Section 4.2.5 – Affordable Housing The policies set out the goals for the City with respect to affordable housing.	The 2040 Plan policies will be reviewed and updated in accordance with the housing assessment.
3 (1)	Official plan policies	The regulation requires official plan policies to set out the approach to authorizing inclusionary zoning and specifies the various policy areas to be considered.	Section 4.2.5 – Affordable Housing The policies set out the goals for the City with respect to affordable housing.	The policies of the 2040 should address the following policy requirements as set out in the regulation: <ul style="list-style-type: none"> ▶ Size of the development (minimum unit threshold) ▶ Locations and areas of inclusionary zoning ▶ Eligible household incomes ▶ Housing types and sizes of units ▶ Required amount of affordable housing ▶ Affordability period ▶ How measures and incentives are determined ▶ Price or rent of units ▶ Approach to determine sharing of net proceeds ▶ Offsite unit circumstances and conditions
3 (2)	Official plan policies	The regulations require official plan policies to set out the approach to monitor and ensure that the required <u>affordable housing</u> units are maintained for the required period of time.	Section 4.2.5 – Affordable Housing The current OP contains policies related to monitoring of affordable housing units.	The 2040 Plan will update/enhance policies related to the monitoring and continued maintenance of affordable housing units.
6	Restrictions on the use of s. 37 of the Act	The regulation prohibits a municipality from collecting section 37 benefits for the height and density increase associated with the affordable housing units required in an inclusionary zoning by-law.	Section 5.12 – Density Bonus By-law or Density Transfers The policies of the Official Plan permit increases in height and density in exchange for facilities, services, or other matters.	The bonusing requirements of the 2040 Plan will be reviewed and updated in light of the new Community Benefits Authority.



1.5 PROPOSED REGULATORY MATTERS PERTAINING TO COMMUNITY BENEFITS AUTHORITY UNDER THE PLANNING ACT, THE DEVELOPMENT CHARGES ACT, AND THE BUILDING CODE ACT

THEME	REGULATION CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
General	The new community benefits authority will replace the section 37 bonusing provisions under the <i>Planning Act</i> .	Section 5.12 – Density Bonus By-law or Density Transfers The policies of the Official Plan permit increases in height and density in exchange for facilities, services, or other matters.	Upon enactment of the community benefits authority, the policies of the Official Plan related to section 37 bonusing will be repealed in the 2040 Plan. Following the completion of the community benefits charge strategy, appropriate policies will be integrated accordingly. <i>The transition time to the new community benefits charge regime is one-year from the date the regulation comes into effect.</i>
Community Benefits Charge Strategy	Prior to passing a community benefits charge by-law, a municipality is required to undertake a community benefits charge (CBC) strategy which identifies the items which a municipality intends to fund through CBCs.	(New)	Appropriate policies related to the collection of CBCs will be incorporated into the 2040 Plan, following completion of the CBC strategy.
Application	The community benefits charges levied by municipalities would support the growth-related capital costs	(New)	The need for new community services associated with development will be considered through the 2040 Plan and will inform the undertaking of the CBC strategy.



1.6 PROVINCIAL POLICY STATEMENT, 2020

The 2020 Provincial Policy Statement (PPS) generally expands upon many of the principles already established for the Greater Golden Horseshoe in the 2019 Growth Plan and introduces several revisions, excisions, changes and new definitions, as outlined below.

POLICY THEME	POLICY CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
Interpretation	Part III (How to Read the Provincial Policy Statement) adds new language regarding how the PPS relates to plans, such as the Growth Plan. In summary, where the PPS and the Plan overlap and address similar issues, the more specific requirements of the Plan shall prevail. Conversely, where there is no overlap, the policies of the PPS must be satisfied.	General	Policy has been noted. When a conflict between the PPS and 2019 Growth Plan arises during the review of the Official Plan, the more specific requirements of the 2019 Growth Plan will prevail.
Housing & Land Supply	Section 1.1.1 e) promotes the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to optimize development patterns and transit investments. Section 1.1.3.3 requires a municipality to identify appropriate locations for transit-supportive development which accommodates a significant supply and range of housing options.	General	The policies of the 2040 Plan will be aligned to ensure that they are optimizing transit investment and provide a range of housing options.
Housing & Land Supply	Section 1.4.3 e) introduces new language regarding transit-supportive development “including potential air rights development” close to transit, corridors and stations.	(New)	The 2040 Plan will consider opportunities to provide an appropriate range of housing by facilitating transit-supportive development, including potential air rights development near transit corridors and stations.
Housing & Land Supply	Whereas the 2014 PPS required municipalities to ensure an adequate supply of land for a 20-year horizon, that has now been increased to 25 years, informed by provincial guidelines to support land budgeting (which have yet to be released).	General	The land budgeting exercise, undertaken through the Region of Peel’s MCR, will inform updates to the policies of the 2040 Plan.
Housing & Land Supply	Section 1.4.1 requires municipalities to maintain at least a 15-year supply of residential land.	Section 4.2.8 – Residential Land Supply The Official Plan requires the municipality to maintain a minimum 10-year supply of serviceable residential land.	The policies of the 2040 Plan will be updated to reflect the 15-year supply requirement. This will also be considered in developing the population and employment forecasts.
Housing & Land Supply	Section 1.4.3 supports municipalities in achieving market-based and affordable housing targets which align with applicable housing and homelessness plans.	Section 4.2.5 – Affordable Housing The Official Plan establishes policies to achieve a suitable proportion of new affordable housing in Brampton. Specifically, Policy 4.2.5.3 notes that the City may adopt a housing strategy.	The policies of the 2040 Plan will be updated to reflect the in-process housing strategy.
Employment	Section 1.2.6 outlines that major facilities and sensitive land uses should be separated and buffered. However, the proposed revision to Policy 1.2.6.2 would establish that where adequate avoidance is not possible, planning authorities may allow those sensitive uses if no reasonable alternative locations can be found, and adequate minimization and mitigation of potential impacts (in accordance with provincial guidelines) are implemented.	Section 4.4 – Employment The Official establishes policies to ensure that industries and sensitive land use are appropriately buffered.	The policies of the 2040 Plan as they relate to buffering between major facilities and sensitive land uses will be reviewed and updated in accordance with the PPS.

POLICY THEME	POLICY CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
Employment	Section 1.3.2.7 requires a municipality to maintain a 25-year supply of employment lands, rather than a 20-year supply under the previous iteration of the PPS.	General	The 2040 Plan will plan for a 25-year supply of employment lands.
Employment	Section 1.3.2.5 establishes that employment lands may be converted outside of an Official Plan review process (subject to conditions) so long as the area is not identified as a Provincially Significant Employment Zone (through the 2019 Growth Plan).	(New)	The 2040 Plan will address Provincially Significant Employment Zones in line with the Region of Peel MCR. Employment land conversion criteria in the 2040 Plan will be reviewed and updated accordingly.
Employment	Section 1.3.2.5 also introduces the term “regionally significant” employment areas and permits upper-tier municipalities and regional economic development corporations to identify “regionally significant” employment areas.	(New)	Should the Region of Peel Official Plan incorporate new “regionally significant” employment areas, these will be addressed in the 2040 Plan.
Servicing	Section 1.6.6, related to private communal services, states that where municipal sewage and water services are not available, private communal services are preferred for multi-unit/lot development. This would replace policy from the 2014 PPS that states municipalities “may allow the use of private communal” services, eliminating some flexibility in municipality’s ability to restrict development on the basis of private communal services.	Section 4.2.3 – Estate Residential The Official Plan requires certain lands within the Estate Residential designation to be accommodated by communal servicing.	Language in the 2040 Plan will be reviewed to ensure consistency with updated PPS language related to private communal servicing.
Environment	Section 1.6.6 emphasizes the need to prepare for the impacts of a changing climate and the financial feasibility of extending services.	General The Official Plan contains broad references to climate change in its existing environmental policies.	The 2040 Plan will be updated to align with various background studies (e.g., Community Energy and Emissions Reduction Plan), and provide comprehensive and consolidated environmental policies which directly address and speak to climate change.
Environment	Section 1.6.10 no longer requires planning authorities to consider the implications of development and waste generation, management and diversion	General	This policy will be considered through the development of the 2040 Plan.
Environment	Section 1.6.11.1 has been revised to encourage municipalities to provide opportunities for the development of energy supply, including district energy, renewable energy systems, and alternative energy systems.	(New)	There may be opportunities to explore opportunities to promote the development of energy supply through the 2040 Plan considering the Brampton Community Energy & Emissions Reduction Plan.
Agriculture	Section 2.5.2.2 permits the consideration of aggregate extraction within natural heritage features including Provincially Significant Wetlands, provided that the long-term rehabilitation can demonstrate no negative impacts.	General	Policies related to aggregate extraction will be review in the 2040 Plan to confirm conformity with this change.
Definitions	The 2020 PPS introduces numerous new and revised definitions.	Section 5.2 – Definitions The Official Plan contains several defined terms.	The definitions included in the 2040 Plan will be reviewed and updated accordingly to ensure consistency with the Provincial Policy Statement.



1.7 A PLACE TO GROW: A GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2019

Official Plan Amendment 43 (OPA 43) was endorsed by Council in 2010 and subsequently in 2013 to reflect modifications as a conformity amendment to the *Places to Grow Act* and the Growth Plan for the Greater Golden Horseshoe. In 2019, the Province released A Place to Grow: A Growth Plan for the Greater Golden Horseshoe, 2019.

POLICY THEME	POLICY CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
Employment Planning	Section 2.2.5.10 permits One-time employment area conversion window until the next Municipal Comprehensive Review for lands not identified within Provincially Significant Employment Zones and subject to criteria.	Section 4.4 – Employment The Official Plan establishes a range of conversion criteria for the various employment land use designations.	Employment land conversion criteria in the 2040 Plan will be reviewed and updated accordingly.
Employment Planning	Section 2.2.5.13 requires that municipalities will establish minimum density targets for all employment areas within settlement areas that reflect the current and anticipated type and scale of employment that characterizes the employment area to which the target applies and opportunities for the intensification of employment areas on sites that support active transportation and are served by existing or planned transit.	Section 4.4 – Employment	The minimum density targets for employment areas will be established, in coordination with the Region of Peel, in the 2040 Plan.
Employment Planning	Section 2.2.5.16 d includes the requirement that non-employment uses in an office park are limited and do not negatively impact the primary function of the area.	Section 4.4 – Employment The Official Plan permits a range of non-employment uses within the various employment land use designations.	The permitted non-employment uses within the various employment land use designations will be reviewed to ensure they do not negatively impact the primary function of the area.
Agricultural System & Natural Heritage System	Section 4.2.2.1 notes that updated mapping of the Natural Heritage System (NHS) has been prepared. Section 4.2.2.2 requires upper-tier municipalities to incorporate this mapping into their official plans through a MCR, and for all official plans to apply appropriate policies for their long-term protection. Mapping for the Natural Heritage System for the Growth Plan does not apply unless implemented in an applicable official plan. Until that time, the Natural Heritage System for the Growth Plan policies only apply to natural heritage systems identified in upper-tier official plans that are outside settlement areas and were approved and in effect as of July 1, 2017.	Section 4.6.6 – Natural Heritage System The Official delineates the NHS on Schedule D and outlines policies in Section 4.6.6.	The mapping of the NHS will be revised in conjunction with the Region’s MCR in the 2040 Plan.
Agricultural System & Natural Heritage System	Section 4.2.6.1 similarly notes that updated mapping of the Agricultural System has been prepared.	Section 4.16.1 – Agriculture No lands are designated as Agriculture on Schedule A of the Official Plan; however, agricultural activities are permitted to continue.	Mapping will be revised in conjunction with the Region’s MCR in the 2040 Plan.
Settlement Area Boundary	Settlement Area Boundaries may be adjusted by municipalities without an MCR	General	The 2040 Plan will incorporate policies to address this change, in conjunction with the Region’s MCR.
Major Transit Station Areas	The 2019 Growth Plan seeks to align transit with growth by directing growth to major transit station areas and other strategic growth areas, supported by an integrated transportation network with effective transit and active transportation systems that reduce reliance on automobile travel.	General	The 2040 Plan is being prepared alongside the Transportation Master Plan update and following the 2019 Active Transportation Master Plan. Policies

POLICY THEME	POLICY CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
			throughout the 2040 Plan will be review and updated to align with these, and other, plans.
Major Transit Station Areas	Section 2.2.4.5 permits a municipality to delineate a MTSA in advance of completing the municipal comprehensive review, subject to criteria.	(New)	In accordance with the Region of Peel's MTSA Study and ongoing, the boundaries and density targets of MTSAs in the 2040 Plan will be updated.
Major Transit Station Areas	Upper-tier municipalities may delineate the boundaries of an MTSA and identify minimum density targets for them ahead of an MCR, provided <i>Planning Act</i> requirements regarding official plan policies for MTSA's are met. The areas affected by MTSA these policies will be expanded from a 500 to 800 metre radius from the Transit Station.	Section 3.2.4 – Major Transit Station Areas The Official Plan establishes both minimum and maximum density targets.	In accordance with the Region of Peel's MTSA Study and ongoing, the boundaries and density targets of MTSAs in the 2040 Plan will be updated.
Intensification Targets	Section 2.2.2.3 a) requires the identification of strategic growth areas in support of achieving minimum intensification targets for residential development. Section 2.2.2.3 e) prioritizes the need for adequate community and cultural infrastructure to support growing communities within strategic growth areas.	(New)	The City's Urban Structure will be updated to introduce Strategic Growth Areas (SGAs), which are nodes and corridors that have been identified as the focus for transit-supportive and mixed-use intensification.
Designated Greenfield Density Targets	Section 2.2.7.2 removes the requirement that all designated greenfield areas (DGAs) meet a minimum of 80 residents and jobs combined per hectare. The targets have been replaced with those that scale with degree of urbanization of a municipality:	Section 3.2.2 – Built Boundary & Designated Greenfield Area The Official Plan sets out density targets for the DGA in policy 3.2.2.2.	The City's DGA density target will be reviewed through the 2040 Plan in coordination with the Region's MCR.

1.8 GREENBELT PLAN, 2017

THEME/POLICY AREA	PLAN CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
Urban River Valleys	The Greenbelt Plan (Section 6) has formally identified river valley corridors connecting the Greenbelt to Lake Ontario within a new Urban River Valley designation. Permitted uses in this designation are regulated by the Regional and local official plans. New policies for the Urban River Valley designation are included in the Greenbelt Plan.	Schedule A – Land Use Designations Section 4.6.14 – Greenbelt The main branches of the Humber River, West Humber River, Credit River, and Etobicoke Creek in Brampton are designated Open Space and identifies them as External Connections. The Official Plan defers to the policies of the Greenbelt Plan with respect to External Connections.	The designation of the Urban River Valley areas in the Greenbelt Plan will be incorporated in the 2040 Plan, in line with the Region’s policy and mapping updates determined through the MCR.
Agricultural System / Natural Heritage System	The Greenbelt Plan (2017) now uses the term “on-farm diversified uses”, in lieu of “secondary uses” when referring to permitted uses within the Agricultural System.	Policy 4.6.6.11 – Natural Heritage System Policy 4.6.14.2i) – Greenbelt The Official Plan uses the term “secondary uses” within agricultural areas.	References to the term “secondary uses” will be replaced with references to and appropriate definition “on-farm diversified uses” in the 2040 Plan.
Natural Heritage System	Policies regarding connectivity and the maximum permitted disturbed area within the Natural Heritage System have been revised (Section 3.2.2).	Section 4.6.14 – Greenbelt The Official Plan does not contain specific policies with respect to connectivity and maximum disturbed areas.	There may be an opportunity to include new policies which speak maintaining connectivity and minimizing disturbances within the 2040 Plan.
Water Resource Systems	Section 3.2.3.1 contains updated language which supports a systems approach to the protection, improvement and restoration of water, including a new requirement to consider the inter-relationships between key hydrologic features and areas.	(New)	The 2040 Plan will be updated to conform to this policy, in conjunction with the Region’s MCR.
Water Resource Systems	Section 3.2.3.3 requires that water resource systems be identified through watershed planning and incorporated into official plans to provide long-term protection of key hydrologic features & areas and their functions.	(New)	The 2040 Plan will be updated to conform to this policy.
Water Resource Systems	A new policy (Section 3.2.3.4) requires that decisions of growth and planning for municipal infrastructure (e.g., water, wastewater, and stormwater) to be informed by watershed planning in accordance with the Growth Plan.	General	Several functional servicing plans are being undertaken concurrently with the 2040 Plan which will consider this Greenbelt Plan policy and inform updates to the 2040 Plan.
Natural Heritage System	A new policy (Section 3.2.5.6) now clarifies that development or site alteration is not subject to a natural heritage or hydrological evaluation within 120 metres of a key natural or hydrologic feature if the only feature is a habitat of endangered or threatened species.	Section 4.6.14.3 – Greenbelt The Official Plan requires an Environmental Impact Study within 120 metres of a key natural heritage and hydrologic feature.	There is an opportunity to revise this policy in the 2040 Plan to exclude the need for an EIS when the only feature is a habitat of endangered or threatened species. Protection of these features would continue through the <i>Endangered Species Act</i> .

THEME/POLICY AREA	PLAN CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
Natural Heritage System	Clarification has been added regarding how key natural heritage and hydrologic features apply in relation to new development, including agricultural uses, new buildings and structures, and agriculture-related/on-farm diversified uses. New development and site alteration that requires a <i>Planning Act</i> approval will not be permitted in key natural heritage and key hydrologic features.	Section 4.6.6 – Natural Heritage System The Official Plan will need to include policies that clarify the circumstances where a natural heritage evaluation or hydrologic evaluation is not required	The 2040 Plan will include policies that clarify the circumstances where a natural heritage evaluation or hydrologic evaluation is not required. This will include where new buildings or structures associated with agricultural, agriculture-related or on-farm diversified uses if a minimum 30-metre vegetation protection zone is provided.
Cultural Heritage Resources	A new definition for ‘cultural heritage resources’ has been established, in addition to minor revisions to the existing policies requiring municipalities to work with stakeholders (including First Nations and Métis communities) when developing policies for cultural heritage resources.	Section 4.9 – Cultural Heritage The Official Plan contains several policies related to the identification and protection of cultural heritage resources.	The cultural heritage policies of the Official Plan will be reviewed in the 2040 Plan to ensure conformity with the Greenbelt Plan, including the requirement to work with First Nations and Métis communities. A definition for ‘cultural heritage resources’ will be introduced in the 2040 Plan.
Existing Uses	Wording has been included to encourage the retention of existing lots of record and at the same time, discourage changes to non-agricultural uses where appropriate. Further, a policy has been added which permits second dwelling units within single detached dwelling units or within existing accessory structures, outside of the Natural Heritage System.	Section 4.6.14.2ii) – Greenbelt Plan The Official Plan permits single detached dwellings which existed on lots of record prior to December 16, 2004.	There is an opportunity revise this policy in the 2040 Plan to encourage the retention of lots for agricultural uses and discourage non-agricultural uses, while continuing to permit single detached dwellings on existing lots of record. Given that the Greenbelt Lands in Northwest Brampton are identified as Natural Heritage System, the policy related to second dwelling units may not apply.



1.9 **APPROVED SOURCE PROTECTION PLANS**

The City of Brampton is covered by the Source Protection Plan for the Credit Valley-Toronto Region-Central Lake Ontario (CTC) Source Protection Region. There are no Wellhead Protection Areas identified within the City of Brampton.

THEME/POLICY AREA	PLAN CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
Administration	The Source Protection Plan requires Official Plans to be amended to conform with the Source Protection Plan at the time of the next review.	General	Through its ongoing MCR, the Region of Peel is updating policies related to water resources, including implementing the applicable Source Protection Plans.



1.10 2041 REGION TRANSPORTATION PLAN (METROLINX)

THEME/POLICY AREA	PLAN CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
Frequent Rapid Transit Networks	Metrolinx 2041 Regional Transportation Plan (RTP) guides the continuing transformation of the transportation system in the GTHA. It recommends the implementation of a Frequent Rapid Transit Network, which identifies 75 new or in development rapid transit projects for the GTHA.	Section 4.5.4 – Public Transit The current OP does not have references related to Rapid Transit Networks. However, there is ongoing work at the Region and the City to establish policy framework and design guidelines around Rapid Transit Network and MTSAs.	The 2040 Plan will incorporate policies related to Frequent Rapid Transit Networks to ensure goals and objectives of the 2041 RTP are integrated and consistent. Changes/update to Schedule C may also be required.
Parking Management	The 2041 RTP presents an opportunity to make parking management a regional priority, and to support development of parking standards, guidelines and supply forecasts that municipalities can use in planning and regulating off-street parking.	Section 4.5.5 - Parking Management The current OP contains policies related to parking management, which attempt to achieve careful planning of the locations and quantity of parking to reduce the cost of parking and support the use of transit and transportation demand management measures.	Maintain relevant policies and update language and emerging concepts and trends, as needed (i.e. autonomous vehicles, public education, etc.).
Mobility Hubs	Mobility Hubs were introduced in The Big Move and remain an important planning concept. They are Major Transit Station Areas at key intersection points on the Frequent Rapid Transit Network. Mobility Hubs are intended to create important transit network connections, integrate various modes of transportation and accommodate an intensive concentration of places to live, work, shop or play. They are particularly significant because of their combination of existing or planned frequent rapid transit service with an elevated development potential	Section 4.5 – Transportation Mobility hubs are referenced throughout the current Official Plan.	Maintain relevant policies and update language and references as needed in order to ensure the goals and objectives of the 2041 RTP are integrated. Changes/update to Schedule C may also be required
Regional Cycling Network	One of the goals of the 2041 RTP is to integrate land use and transportation. To that effect, the Plan introduces the Regional Cycling Network as a tool to help commuter cyclists to make longer trips, overcome barriers and connect more easily to rapid transit stations.	Section 4.5.6 – Pathways The current Official Plan contains a few references to cycling trails and their importance as alternative commuter corridors. However, the, concept of Regional Cycling Network is not mentioned in the Official Plan.	Include concept of Regional Cycling Network within the 2040 Plan and update/add policies to highlight and integrate the importance of connectivity to transit stations, Urban Growth Centres and other regional/local destinations.
Vision Zero and Pedestrian Safety	Metrolinx 2041 RTP lists incorporating a Vision Zero framework in order to reduce transportation related fatalities.	Section 4.5 – Transportation Pedestrian safety is mentioned in only a few instances and there are no references to Vision Zero.	The 2040 Plan will include a pedestrian safety framework by incorporating policies related to Vision Zero and its components. Peel Region has also developed a Vision Zero Strategy, which will be incorporated into the OPR process.
Regional Goods Movement Network	One of the objectives of the Metrolinx 2041 RTP is to define and support a regional goods movement system. Map 8 of the RTP illustrates the Goods Movement Network in the GTHA.	Section 4.5.7 – Trucking and Goods Movement The current Official Plan highlights the importance of Goods Movement for the City. However, the policies and mapping	The 2040 Plan will incorporate policies and mapping related to the importance of Goods Movement and the recent refinement of the Regional Goods Movement Networking within the City.



THEME/POLICY AREA	PLAN CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
		need to be updated to reflect Metrolinx and Peel Region updates in this regard	
Autonomous Mobility	The 2041 RTP emphasizes adaptive strategies that enable adjustments as the impacts of disruptive technologies are felt, including potential impacts of autonomous vehicles.	Section 4.5 – Transportation Autonomous vehicles and the emergence of this technology is not addressed within the current Official Plan.	The 2040 Plan will incorporate policies related to autonomous vehicles and other emerging technologies. The Plan will include polices that plan and prepare for the deployment of connected and autonomous vehicles, including consideration of policy and regulatory tools that may be required to meet transportation goals.
Low-Carbon Mobility Options	The 2041 RTP aims at developing a sustainable regional transportation system, which is designed to reduce reliance on fossil fuels and minimize air and noise pollution, while maximizing the use of technological innovations and sustainable materials to increase durability and efficiency, and reduce waste.	Section 4.5 – Transportation The current Official Plan does not have policies that prepare for a future with low-carbon mobility options (i.e. electric vehicles and alternative fossil fuels are not mentioned)	The 2040 Plan will include policies to support electric vehicle infrastructure and use throughout the City's public and private transportation systems. The Plan will also incorporate polices related to investments in the transition to low-carbon public and private vehicle fleets, including transit vehicles and trucks.



1.11 PARKWAY BELT WEST PLAN

SECTION NO.	SECTION	PLAN CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION/RECOMMENDATION
5.1.2	Amendment and Repeal of Provincial Land Use Regulations	The Parkway Belt West Plan requires official plans and zoning by-laws to conform to and implement the Parkway Belt West Plan.	Section 4.13 – Parkway Belt West The Official Plan addresses the requirements of the Parkway Belt West Plan, which are found at the southern edge of the City.	Maintain relevant policies.
5.1.6	Land Severances	The Plan requires an official plan to strictly limit land severances on lands covered by the Plan.	Section 4.13 – Parkway Belt West The Official Plan does not explicitly address this requirement.	The 2040 Plan will add policies to address this gap.

2.0 REGION OF PEEL PLANS, POLICIES, AND STRATEGIES

The Region of Peel’s Municipal Comprehensive Review (MCR) began in 2013 under the name “Peel 2041”. The MCR is anticipated to be completed and adopted by Regional Council in the last quarter of 2021 with Provincial Policy Conformity by July 1, 2022.

The Brampton OP is required to conform with the policies of the Peel ROP in effect at the time of adoption. Since the Brampton OPR process will overlap with the Peel 2041 process, it will be necessary to monitor the progress of the ROP Review and ensure that the Brampton OPR is based on the latest information available from the Region.

2.1 PEEL 2041 OFFICIAL PLAN REVIEW – AGE FRIENDLY PLANNING AND HEALTH AND BUILT ENVIRONMENT (ROPA 27)

Regional Official Plan Amendment 27 was adopted by Council in the first quarter of 2017, completed policy updates for focus areas – Age-friendly Planning and Health and the Built Environment.

THEME/POLICY AREA	CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION /RECOMMENDATION
Universal Accessible Design	ROPA 27 introduced policies related to creating a safe, barrier-free, universally accessible and inclusive built environment throughout the Region.	Section 4.9 – Institutional and Public Uses The current OP contains policies related to universal accessible design, mostly aimed at institutional and public uses. The OP also contains policies requiring development applications to consider matters related to accessibility for persons with disabilities	Maintain relevant policies and update language and emerging concepts and trends, as needed, based on ROPA 27 policies.
Healthy Development Framework	ROPA 27 introduced policies requiring municipalities to support and integrate elements of the Healthy Development Framework in local municipal policies, plans, standards, etc.	(New) The current OP does not have policies referencing the Healthy Development Framework. Also, policies related to healthy communities generally refer to environmental health, not, public/human health	The 2041 OP will incorporate policies related to the Healthy Development Framework in order to achieve a healthier community, and reduce the risk of diabetes, heart disease and other chronic diseases and their added health care costs.
Healthy, Walkable Communities	ROPA 27 contains policies related to creating healthy, walkable communities with access to amenities, green spaces, programs and services. The main objective is to increase physical activity through walking and cycling; while improving health outcomes and social connectivity.	Section 4.5.6 – Pathways The current Official Plan contains a few references to cycling, and walking and their importance as alternative modes of transportation. However, these policies fall short of highlighting the link between physical activity and health benefits.	Maintain relevant policies and update language and references in order to ensure the goals and objectives of ROPA 27 are integrated.



2.2 PEEL 2041 OFFICIAL PLAN REVIEW – TRANSPORTATION (DRAFT POLICIES)

The Region of Peel prepared a Draft ROPA containing updated transportation policies in 2017. However, these policies are currently being reviewed and updated by the Region due to changing Provincial framework.

THEME/POLICY AREA	POLICY CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION / RECOMMENDATION
Land Use and Transportation Integration	Draft policies encourage higher density employment development within urban growth centres and along transit corridors to support shorter trips and maximize sustainable transportation choices. They also highlight the importance of multi-modal transportation access to support employment growth.	Section 4.5 – Transportation The current Official Plan contains a few references related to the need to integrate land use and transportation planning decisions.	The 2040 Plan will enhance and clearly illustrate importance of policies related to the integration of land use and transportation to ensure conformity.
Transit Connectivity	Draft policies aim to increase connectivity between urban growth centres and key employment areas with fast, frequent, and rapid transit. Draft policies support high quality rapid transit network with mobility hubs and major transit station areas connecting the Region's Urban Growth Centres, major employment areas, and emerging high-density communities. Station areas and mobility hubs that are targeted for employment growth could be prioritized.	Section 4.5.4 – Public Transit The current OP does not have references related to Rapid Transit Networks. However, there is ongoing work at the Region and the City to establish policy framework and design guidelines around Rapid Transit Network and MTSAs.	The 2040 Plan will incorporate policies related to Frequent Rapid Transit Networks to ensure conformity with the Peel 2041 Plan. Changes/update to Schedule C may also be required.
Active Transportation	Draft policies aim to create a connected, safe, and comfortable network of walking and cycling facilities to support active commuting to employment. Programming focused on behaviour changes is also identified in the draft policies in order to influence travel decisions to and from work.	Section 4.5.6 – Pathways The current Official Plan contains a few references to cycling trails and their importance as alternative commuter corridors. However, the, concept of Regional Cycling Network is not mentioned in the Official Plan.	Include concept of Regional Cycling Network within the 2040 Plan and update/add policies to highlight and integrate the importance of connectivity to transit stations, Urban Growth Centres and other regional/local destinations.
Complete Streets	A complete streets approach in and around employment areas and the development of a connected network of high quality cycling facilities. Draft policies highlight the importance to manage road congestion through strategic road capacity improvements in combination with measures to optimize road network operations. Maximizing the number of people that can be moved along a road corridor is one of the pillars of the draft policies.	Section 4.5 – Transportation The current Official Plan contains limited references to complete streets.	The 2040 Plan will incorporate policies related to complete streets to ensure conformity.
Goods Movement	Draft policies aim to continue to provide for and maintain an efficient and connected goods movement network focused on major employment areas. Alternatives to single occupancy vehicle travel to maintain road capacity for the efficient and safe movement of goods and services, and to support employment lands, employment growth, and the overall economy.	Section 4.5.7 – Trucking and Goods Movement The current Official Plan highlights the importance of Goods Movement for the City. However, the policies and mapping need Peel Region updates in this regard.	The 2040 Plan will incorporate policies and mapping related to the importance of Goods Movement and the recent refinement of the Regional Goods Movement Networking within the City to ensure conformity.



2.3 PEEL 2041 OFFICIAL PLAN REVIEW – AGRICULTURAL AND RURAL SYSTEMS (PROPOSED POLICY DIRECTIONS)

Region of Peel staff received direction from Regional Council (December 2019) to initiate informal public consultation on Regional Official Plan draft policies for the environment themed focus areas that will update climate change, water resources, wildland fire hazards, agriculture system, rural system, Greenbelt Plan, Oak Ridges Moraine Conservation Plan and Niagara Escarpment Plan policies and related mapping.

THEME/POLICY AREA	POLICY CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION / RECOMMENDATION
On-Farm Diversified Uses & Urban Agriculture	Through its MCR, the Region is planning to update definitions and permissions for agricultural, agriculture-related and on-farm diversified uses to support the farming sector, and well as to enhance support for urban agriculture and access to healthy and local food.	Section 4.16 – Agriculture The current OP contains a few policies to support urban agriculture and a range of agricultural uses. However, there seems to be a need to update terminology and policies.	The 2040 Plan will incorporate/enhance policies related to on-farm diversified uses and urban agriculture to ensure conformity.
Agricultural Impact Assessment	Through its MCR, the Region is planning to include agricultural impact assessment requirements to minimize and mitigate impacts to agricultural operations and lands when non-agricultural uses are proposed adjacent to agricultural areas.	(New) The current OP does not have policies referencing Agricultural Impact Assessments.	The 2040 Plan will include agricultural impact assessment requirements to ensure conformity.
Minimum Distance Separation	Through its MCR, the Region is planning to update references and clarify policy requirements for minimum distance separation setbacks for livestock facilities.	Section 4.16 – Agriculture The current OP contains a few references related to MDS setbacks for livestock facilities.	The 2040 Plan will include updated MDS policies and terminology to ensure conformity.
Mapping	Through its MCR, the Region will update the Prime Agricultural Area mapping and provide direction for the mapping of rural lands in local municipal official plans.	Schedule A - Agriculture	The 2040 Plan will include updates the Prime Agricultural Area mapping.



2.4 PEEL 2041 OFFICIAL PLAN REVIEW – CLIMATE CHANGE (PROPOSED POLICY DIRECTIONS)

Region of Peel staff received direction from Regional Council (December 2019) to initiate informal public consultation on Regional Official Plan draft policies for the environment themed focus areas that will update climate change, water resources, wildland fire hazards, agriculture system, rural system, Greenbelt Plan, Oak Ridges Moraine Conservation Plan and Niagara Escarpment Plan policies and related mapping.

THEME/POLICY AREA	POLICY CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION / RECOMMENDATION
Climate Change Section	<p>Through its MCR, the Region is planning to:</p> <ul style="list-style-type: none">▶ Add a new climate change section that provides direction for collaborative climate change planning to reduce greenhouse gas emissions, reduce vulnerability, and increase resilience to adapt to a changing climate;▶ Incorporate climate change policies throughout the Regional Official Plan in the theme areas of growth management, transportation, energy, waste, urban heat island, water resources, natural hazards, natural heritage and agriculture; and▶ Providing direction for local municipalities to develop model policies and guidance to implement sustainability requirements through local official plan policies and tools.	General	Climate change policies are embedded throughout the current official plan. However, the 2040 Plan will address and incorporate updated climate change policies referenced in the updated Regional Official Plan, where possible.



2.5 PEEL 2041 OFFICIAL PLAN REVIEW – PROVINCIAL GREENBELT PLANS IMPLEMENTATION (PROPOSED POLICY DIRECTIONS)

Region of Peel staff received direction from Regional Council (December 2019) to initiate informal public consultation on Regional Official Plan draft policies for the environment themed focus areas that will update climate change, water resources, wildland fire hazards, agriculture system, rural system, Greenbelt Plan, Oak Ridges Moraine Conservation Plan and Niagara Escarpment Plan policies and related mapping.

Through its MCR, the Region of Peel Official Plan will conform to and implement the policy directions and updated mapping of the Greenbelt Plan. As discussed in Section 1.8 of this document, there are a number of changes in the Greenbelt which will be addressed in the 2040 Plan.

THEME/POLICY AREA	POLICY CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION / RECOMMENDATION
Natural Heritage System & Urban River Valley	Proposed changes to former Schedule D3 of the Region of Peel Official Plan introduce revised mapping from the Greenbelt Plan as it relates to the Natural Heritage System and Urban River Valley designation within the City of Brampton.	Schedule A – General Land Use Designations Schedule 1 – City Concept The Official Plan delineates the “Greenbelt Legend” area on Schedule A and Schedule 1. Schedule D – Natural Heritage Features and Areas The Official Plan delineates the Provincial Greenbelt / Protected Countryside designation on Schedule D.	The schedules of the 2040 Plan will be updated to reflect the revised mapping being prepared through the Region’s MCR, including the introduction of the Urban River Valley designation.

2.6 PEEL 2041 OFFICIAL PLAN REVIEW – WATER RESOURCES (PROPOSED POLICY DIRECTIONS)

Region of Peel staff received direction from Regional Council (December 2019) to initiate informal public consultation on Regional Official Plan draft policies for the environment themed focus areas that will update climate change, water resources, wildland fire hazards, agriculture system, rural system, Greenbelt Plan, Oak Ridges Moraine Conservation Plan and Niagara Escarpment Plan policies and related mapping.

THEME/POLICY AREA	POLICY CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION /RECOMMENDATION
Watershed and sub-watershed planning	Through its MCR, the Region is planning to update policies for watershed and sub-watershed planning.	Section 4.6.3 – Storm Water Management Section 4.6.4 – Groundwater Resources Other Sections In general, policies, terminology and definitions should be updated and modernized.	The 2040 Plan will address and incorporate updated watershed and sub-watershed policies referenced in the updated Regional Official Plan to ensure conformity.
Stormwater planning and management	Through its MCR, the Region is planning to add policies related to stormwater planning and management.	Section 4.6.3 – Storm Water Management In general, policies, terminology and definitions should be updated and modernized.	The 2040 Plan will address and incorporate updated stormwater planning and management policies referenced in the updated Regional Official Plan to ensure conformity.
Source Water Protection	Through its MCR, the Region is planning to include new policies to protect drinking water sources in accordance with the Clean Water Act and approved Drinking Water Source Protection Plans.	(New) The current OP does not have policies referencing Source Water Protection.	The 2040 Plan will address and incorporate updated stormwater planning and management policies referenced in the updated Regional Official Plan to ensure conformity.
Mapping	Through its MCR, the Region will update mapping and provide direction for the mapping in local municipal official plans on the following areas: <ul style="list-style-type: none"> ▶ Identify water resource system features and areas on a new schedule (wetlands, watercourses and waterbodies); ▶ Identify drinking water source protection plan area boundaries on a new schedule to identify where applicable source protection plan policies apply; ▶ Identify vulnerable source protection areas on a new schedule including new and revised mapping of wellhead protection areas, issue contributing areas, intake protection zones, ▶ highly vulnerable aquifers and significant groundwater recharge areas in accordance with the Clean Water Act and approved Drinking Water Source Protection Plans; ▶ Identify the Lake Simcoe Protection Act Watershed Boundary on a new schedule; and ▶ Revise Figure 2 Selected Areas of Provincial Interest to identify the Greenbelt Area boundary, Greenbelt Plan Protected Countryside, Niagara Escarpment Plan Area boundary, Oak Ridges Moraine Plan Area boundary, new Urban River Valley designations and the Lake Simcoe Protection Act Watershed Boundary. 	Schedule A – General Land Use Designations Schedule D – Natural Heritage Features and Areas Appendix C – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation Mapping	The schedules of the 2040 Plan will be updated to reflect the revised mapping being prepared through the Region’s MCR.



2.7 PEEL 2041 OFFICIAL PLAN REVIEW – WILDLAND FIRE (PROPOSED POLICY DIRECTIONS)

Region of Peel staff received direction from Regional Council (December 2019) to initiate informal public consultation on Regional Official Plan draft policies for the environment themed focus areas that will update climate change, water resources, wildland fire hazards, agriculture system, rural system, Greenbelt Plan, Oak Ridges Moraine Conservation Plan and Niagara Escarpment Plan policies and related mapping.

THEME/POLICY AREA	POLICY CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION / RECOMMENDATION
Natural and Human Made Hazards	The Region of Peel Official Plan does not explicitly recognize wildland fires as hazards. Through its MCR, the Region intends to incorporate policies and definitions related to wildland fire to implement the direction set out in the PPS.	(New) The current Official Plan does not currently contain any policies related to fires / wildland fires as a natural hazard or otherwise.	Based on the outcomes of the Region’s MCR, there may be an opportunity to address these policies in Section 4.6.15.5.
Natural and Human Made Hazards	The policies of the ROP may encourage and support local municipalities, including the City of Brampton, to adopt Official Plan policies that discourage development in areas where hazardous forest types for wildland fire are present.	(New) The current Official Plan does not currently contain any policies related to fires / wildland fires as a natural hazard or otherwise.	Based on the outcomes of the Region’s MCR, there may be an opportunity to address these policies in Section 4.6.15.5.



2.8 NORTH WEST BRAMPTON POLICY AREA REVIEW

Commencing in 2016, the Region of Peel undertook the North West Brampton Policy Area (NWBPA) Review to determine if it was in the public interest to remove the shale resource protection from the North West Brampton Development Area, in whole or in part. Based on the results of the Review, the Region developed Regional Official Plan Amendment (ROPA) 32 in 2019 to amend the policies and mapping related to shale resource protection application in North West Brampton within the Regional Official Plan.

SECTION NO.	POLICY CHARACTERIZATION	CURRENT OFFICIAL PLAN CONTEXT (CHARACTERIZATION)	RELEVANCE / DISCUSSION
Basis	<p>ROPA 32 retains the policies that permit shale extraction without an amendment to the City of Brampton Official Plan on all lands west of Mississauga Road in the NWBDA and in the Greenbelt Plan Area.</p> <p>Policies permitting shale extraction to proceed without an amendment to the Brampton Official Plan would continue to be subject to policies included in the Brampton Official Plan governing the rezoning of the lands for mineral extraction in the City’s zoning by-law.</p>	<p>Section 4.15.4 – North West Brampton Urban Development Area</p> <p>This policy refers to the protection of shale resources within the Development Area and notes that the Region of Peel will undertake a review of the NWBPA.</p>	<p>The policies of Section 4.15.4 will be reviewed and updated through the 2040 Plan to reflect the completion of the NWBPA Review. ROPA 32 permits the continuance of existing policies which permits shale extraction with the need for amendment.</p>
Schedule A	<p>Schedule A of ROPA 32 amends Schedule C of the Region’s Official Plan to update the mapping of the High Potential Mineral Aggregate Resource Area.</p>	<p>Schedule F – Infrastructure, Utilities, and Resources</p> <p>This schedule identifies the NWBPA and refers to the relevant policies of the Official Plan.</p>	<p>There may be opportunity to refine the mapping of the NWBPA to reflect the updated mapping prepared through ROPA 32. The section reference shown on Schedule F will be updated to align with the 2040 Plan.</p>

MEMO

TO: City of Brampton

PROJECT NO: 19M-01827-00

PROJECT: City of Brampton 2040 Official Plan Review (“2040 Plan”)

SUBJECT: **Document Review and Gaps Analysis Report**

DATE: May 14, 2020

1. INTRODUCTION

The Consultant Team led by WSP Canada Group Limited in partnership with Watson and Associates Economists Ltd., PRIME Strategy and Planning, and SHS Consulting have been retained by the City of Brampton (the City) to complete a new Official Plan, which is a long-term policy document that guides growth while conserving the environment and protecting important City resources over the next 25 years. This Document Review and Gaps Analysis Report is the first major deliverable as part of **Phase 1: Background Review and Community and Stakeholder Engagement Strategy** outlined in the Project Plan.

This report includes a consolidation of recent planning studies, a summary of the City's 2040 Vision and a synopsis of the City's current policy context. The purpose of this report is to determine whether additional studies and data are required to inform the new Official Plan. This report is organized into six sections and includes a comprehensive summary of Background Studies that will guide future work to develop the new Official Plan. The six sections are:

- **Section 1.0 – Introduction** includes the project team and introduction to the structure and purpose of the Document Review and Gaps Analysis Report as part of Phase 1 of the New Official Plan workplan.
- **Section 2.0 – Purpose** introduces the foundations and background context for undertaking a new Official Plan.
- **Section 3.0 – Policy Context** outlines recent Provincial, Regional, and Local legislative implication the project team and City will consider through the Official Plan Review Process.
- **Section 4.0 – Background Review** presents the various background studies and master plans reviewed and analyzed by the Consultant Team to inform the new Official Plan.
- **Section 5.0 – Gaps Analysis** summarizes gaps identified through the Background Review of studies and master plans and identifies where studies are consistent with the

City's 2040 Vision or where additional work is necessary to support the development of Official Plan policy.

- **Section 6.0 – Next Steps** discusses the next steps and action items which are required to proceed with the project.

2. PURPOSE

On December 10, 2012, City staff received direction from Planning, Design and Development Committee to initiate a review of the 2006 Official Plan (OP). On October 7, 2013, staff received direction from Planning, Design and Development Committee to initiate a scoped review of the 2006 OP following public engagement sessions where the need to undertake a review was confirmed. The scoped review focused on a wide variety of studies and housekeeping items such as updates to application submission requirements. In summary, the 2012 scoped review focused on the following core policy areas:

- Retail
- Housing
- Employment
- Environment
- Transportation
- Growth
- City-Building/Cultural Heritage

In 2017, the OP Review was put on hold pending the outcome of the 'Living the Mosaic - Brampton 2040 Vision' process (2040 Vision). Commencing in Fall 2017, the 2040 Vision process broadly engaged residents and stakeholders across the community to foster public discussion about the future of Brampton. Following extensive public engagement in the fall of 2017, the City's Vision was endorsed by City Council in June 2018.

The 2040 Vision is intended to reimagine and re-invent Brampton to 2040, and to capitalize on its strategic location in the Greater Toronto Area with existing transportation access, an integrated green network, and international linkages. The Vision includes a representation of the diversity of Brampton and outlines seven key focus areas that will be considered during the planning and accommodation of future population and employment growth.

The future structure of the community is outlined in the 2040 Vision at a high-level, including the focused areas for growth and intensification, key transit and transportation nodes and corridors, major transit station areas as well as key natural heritage, parks and open spaces.

The 2040 Vision contemplates the following land use planning components for future communities:

- **A green park framework**, which includes a continuous network of green space and ecological systems, and integrated sustainability solutions;

- **A network of diversified centres**, which are activity hubs across the City;
- This includes a core area comprised of **Downtown Brampton** and new **Uptown**;
- A new 'Figure-8 Loop' rapid transit network which links the core;
- **Five Town Centres** in each sector of the City which are lower-scaled and walkable;
- New **Ancillary Centres** to support existing industrial and logistics hubs;
- The **Brampton Arts Street** to act as an art hub for the City;
- Complete **neighbourhoods** which surround the cores, with local neighbourhood centres and civic facilities, including:
 - Revitalized existing neighbourhoods;
 - A refreshed **Bramalea**;
 - A vibrant, mixed-use **Queen's Boulevard**; and,
 - **New neighbourhoods** clustered around the Town Centres.
- A **robust local and regional rapid transit network** which connects across the hierarchy of neighbourhoods;
- A **regional transit system**, with improved streetscaping and place making work;
- A **local street system** founded on the principles of Complete Streets and active mobility; and,
- A **tree canopy** that contributes to building the City's urban forest.

Seven overarching vision statements were developed which realize the environmental, socio-economic, transportation, and cultural goals of Brampton. These vision statements will influence the City's structuring elements in the 2040 Plan, with each statement containing direct elements of Brampton in 2040, such as the "Brampton Eco-Park" and new "Uptown Brampton" core, and broader goals, such as establishing partnerships, targeting 'one-planet' living, and creating local jobs. The seven vision statements contained in the 2040 Vision are:

- **Vision 1:** In 2040, Brampton will be a mosaic of sustainable urban places, sitting within an interconnected green park network, with its people as environmental stewards – targeting 'one-planet' living.
- **Vision 2:** In 2040, Brampton will be a mosaic of vibrant centres with quality jobs, a rich range of activities, and integrated living.
- **Vision 3:** In 2040, Brampton will be a mosaic of characterful and complete neighbourhoods.

- **Vision 4:** In 2040, Brampton will be a mosaic of safe, integrated transportation choices and new modes, contributing to civic sustainability, and emphasizing walking, cycling, and transit.
- **Vision 5:** In 2040, Brampton will be a rich mosaic of cultures and lifestyles, coexisting with social responsibility, respect, enjoyment, and justice.
- **Vision 6:** In 2040, Brampton will be a mosaic of healthy citizens enjoying physical and mental wellness, fitness, and sports.
- **Vision 7:** In 2040, Brampton will support a mosaic of artistic expression and production.

Vision 2040 will provide guidance for new Official Plan policy and sets overarching objectives for community and stakeholder engagement.

2.1. Project Plan

The Brampton 2040 Official Plan Review Process will be completed across five phases. An overview of the project timeline, including the purpose of the different phases, is presented in **Figure 1** and listed below. Each phase of this project is associated with major deliverables and tailored consultation and engagement tactics. This Document Review and Gaps Analysis Report is the major deliverable presented in Phase 1.

The project timeline in **Figure 1** was presented to and received by Brampton City Council on **January 22, 2020**.

- **Phase 1** – Background Review and Community Engagement Strategy | To introduce the project to the community and undertake a review of relevant background information. A Community Engagement Strategy will be prepared as a tool to guide engagement throughout the project.
- **Phase 2** – Test the Vision and Develop Growth Scenarios | To assess and identify growth scenarios to contribute to the development of population and employment forecasts and engage the community on targeted Official Plan Thematic areas.
- **Phase 3** – Policy Analysis and Community Structure | To review the existing Official Plan policy and confirm conformity with Provincial policy and plans. An updated community structure will be proposed and community and stakeholder meetings will be held to obtain feedback on the community structure.
- **Phase 4** – Discussion Papers and Policy Recommendations | To prepare discussion papers to organize City priorities regarding emerging planning issues and report back on community feedback. A Policy Directions Report will also be prepared to assess new and emerging planning policy and research on directions for the policies and schedules of the Official Plan.

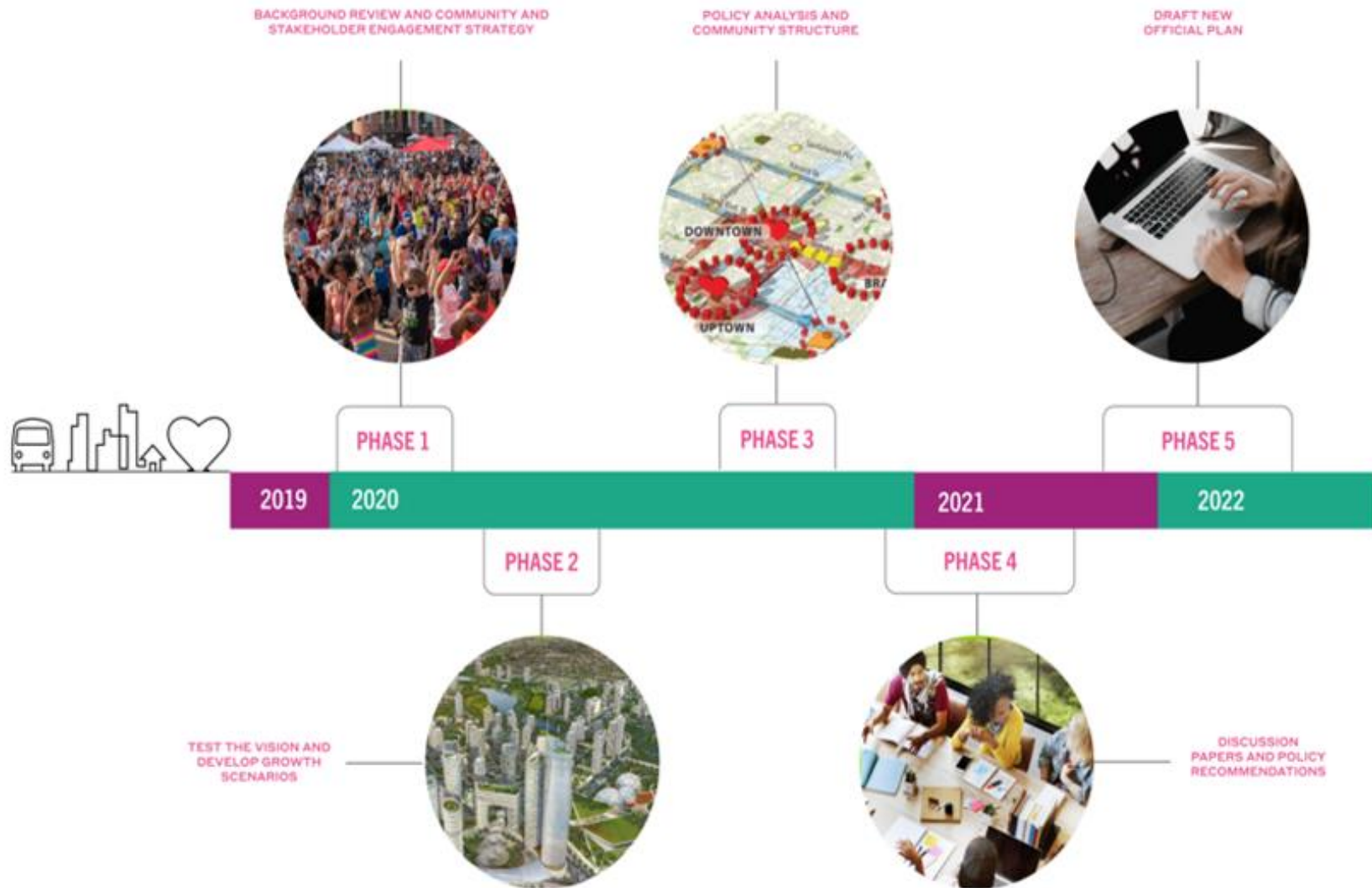
- **Phase 5** – Draft New Official Plan | To undertake the technical writing, reviewing, testing, and implementing updates to the Official Plan based on work completed to-date.

As part of **Phase 3 of the Project Plan**, a cursory review of the Secondary Plans will be completed to determine recommendations for the ongoing consolidation exercise taking place at the City. This cursory review in Phase 3 may identify key trends which are unfolding across the various Secondary Plan areas, such as the varying development directions or patterns occurring in the Plan areas. Ongoing discussion with the City is required to determine scope of this review.

The current Brampton Official Plan includes 35 Secondary Plans that cover the entire geography of the City and provide more detailed, area-specific policies to guide development. On September 12, 2018, Council adopted five City-initiated Official Plan Amendments that implement five new secondary plan areas, which replace former Secondary Plan Areas 1, 2, 3, 4, 5, 6, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 25 and 28. The City of Brampton is still undertaking Phase 1 of this Secondary Plan consolidation exercise with the objective of reducing the number of secondary plans.

Within the scope of this OP project, a high-level review of Secondary Plans will be undertaken. For example, the new consolidated Secondary Plans refer to specific policies in the current Official Plan, and the implications of updating those policies will need to be understood. This will include a summary of potential options on how to address Secondary Plan consolidation in **Technical Memo #3** as part of this project and is therefore not covered in detail in this report. Additional analysis and detailed consolidation of Secondary Plans is not part of this new Official Plan Project.

TIMELINE



2.1.1. PROGRESS TO DATE

As part of the project initiation and to inform the development of this Document Review and Gaps Analysis Report, the City requested that the WSP Consultant Team attend and provide information for the following meetings with the public and City Staff:

- Internal in-person kick-off Meeting and Presentation of Project Plan and Engagement Strategy on November 22, 2019 with members of the City of Brampton's Planning Division;
- Participation in a full-day best practices meeting with Planning Staff at the City of London on December 10, 2019;
- Full day in-person meetings on December 12, 2019 with City Staff on various planning studies underway and completed;
- A full-day in-person project briefing meeting with interdepartmental City staff on January 9, 2020;
- A half-day in-person project briefing meeting with interdepartmental staff on January 22, 2020; and
- A special Meeting with Council, (s.26(3)(b) Planning Act), open to the public, to discuss the revisions that may be required to the Official Plan and present the 5-Phase Project Plan to City Council on January 22, 2020. “

In addition to the various working meetings the consultant team attended a City led 4-part speaker series at the Rose Theater to re-introduce the 2040 Vision, launch the introduction of the New Official Plan (2040 Plan) and spark discussion around common planning themes, such as but not limited to: healthy communities, affordable housing, civic engagement, growth, age-friendly cities and climate change.

3. POLICY CONTEXT

The planning framework in Ontario requires that municipalities, when making decisions that affect planning matters, shall be consistent with the Provincial Policy Statement (PPS) and conform to Provincial and Regional Plans under the Planning Act.



Figure 1. Brampton 2040 Plan Speakers Series

The City of Brampton's new Official Plan will have to conform to Provincial Statutes (A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019); Planning Act, Greenbelt Act, etc.) and will be a task explored throughout Phase 2 and 3 of the Project. While the 2040 Plan will also have to be consistent with the ongoing legislative changes that have been introduced by the Province, outlined below, there is an opportunity for the City to demonstrate innovation and policy leadership beyond that which is prescribed.

3.1. Provincial Context

There have been many recent changes to the Provincial policy and legislative framework which will inform and have direct implications for this Official Plan Review. As part of the tasks undertaken in Phase 2 and 3 of Project, the following provincial legislation and plans will be reviewed to guide the new Official Plan:

- **Provincial Policy Statement (2020)** - On February 28, 2020, the Provincial Policy Statement, 2020 (PPS, 2020) was released, replacing the Provincial Policy Statement, 2014 and comes into effect on May 1, 2020.
- **Growth Plan (2019)** - effective May 16, 2019, A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) herein referred to as the 2019 Growth Plan, replaces the 2017 Growth Plan for the Greater Golden Horseshoe. The 2019 Growth Plan is part of the Provincial Government's More Homes, More Choice: Housing Supply Action Plan, which aims to address the needs of the region's growing population, its diversity, its people and its local priorities.
- **More Homes, More Choices Act, 2019 (Bill 108)** - On June 6, 2019, the More Homes, More Choice Act, 2019 (Bill 108) received Royal Assent. which aims to address the needs of the region's growing population, its diversity, people, and local priorities.
- Schedule 12 of the Act establishes a new authority under the Planning Act for municipalities to charge for community benefits for land being developed or redeveloped. The community benefits charge authority has not been proclaimed by the Provincial Legislature, and is not in effect at this time.
- Community benefits are envisioned to fund municipal infrastructure for community services, including parks, affordable housing, and child care facilities. On February 28, 2020, the Province of Ontario released proposed changes for comment and introduced the concept of a Community Benefits Authority. The changes include a replacement of the existing density bonusing provisions (Section 37), discounting development charges for soft services, and in some cases, parkland dedication (Sections 42 and 51.1).
- Should the City of Brampton wish to implement a community benefits charge by-law under the community benefits authority, the City will be required to complete a community benefits charge strategy.

- The introduction of the community benefits authority will have implications on the existing density bonusing (Section 5.12), Parkland Dedication (Section 5.21), and Development Charges By-law (Section 5.23) policies in the existing Brampton Official Plan.

Phase 2 and 3 of this Project will include a detailed discussion of and conformity analysis for Provincial policies and plans.

3.2. Regional Context – Peel 2041 Focus Areas

The Region of Peel’s Municipal Comprehensive Review (MCR) began in 2013 under the name “Peel 2041”. The MCR is anticipated to be completed and adopted by Regional Council in the last quarter of 2021 with Provincial Policy Conformity by July 1, 2022. In a presentation adopted by Regional Council, the following focus areas were presented for consideration in the MCR:

- Growth management
- Transportation
- Housing
- Climate Change
- Water Resources
- Greenbelt Plans Conformity
- Greenlands Systems Planning
- Aggregates Resources
- Agriculture
- Settlement Boundary Expansion
- Major transit station areas

Regional Official Plan Amendment 27 was adopted by Council in the first quarter of 2017, completed policy updates for focus areas – **Age-friendly Planning** and **Health and the Built Environment**.

The Workplan for the MCR is aligned with Local Official Plan Review. The workplan presented by the Region to the City of Brampton included the following priorities:

- Environment Related Review – 2019 Completed
- Growth Related Review – Completed by 2020 with additional public consultation in early 2021
- Current Regional MCR and other items – completed by end of 2021

As part of the Region’s Workplan, the City of Brampton is positioned to Consult with the public in 2020 and report to Council with Discussion papers at the end of 2020, with a Draft Official Plan in December 2021.

The Brampton OP is required to conform with the policies of the Peel ROP in effect at the time of adoption. Since the Brampton OPR process will overlap with the Peel 2041 process, it will be necessary to monitor the progress of the ROP Review and ensure that the Brampton OPR is based on the latest information available from the Region.

The Region of Peel will be consulted with by the Project team to better understand the data and current background information available to the City of Brampton, including obtaining meaningful background data and policy direction in Phase 2 and 3 of the Project Plan.

3.3. City of Brampton Official Plan (2015 Office Consolidation)

Brampton's current Official Plan was adopted by City Council in October 2006 and approved by the Ontario Municipal Board (OMB) in October 2008. It was then modified in September 2015 through an Office Consolidation. Parts of the 2006 Official Plan are still under appeal and are highlighted in the Office Consolidation.

The purpose of the Official Plan is to give clear direction as to how physical development and land-use decisions should take place in Brampton to meet the current and future needs of its residents. It is also intended to reflect their collective aims and aspirations, as to the character of the landscape and the quality of life to be preserved and fostered within Brampton. The Plan also provides policy guidance to assist business interests in their decision to invest and grow in the City of Brampton. Finally, the Plan clarifies and assists in the delivery of municipal services and responsibilities.

The Official Plan is required to conform with all applicable Provincial Plans and the Region of Peel Official Plan. As those plans have been updated in the intervening years, the policies of the Brampton Official Plan have become out of date and in some cases, may conflict with higher order planning policies.

The 2006 Official Plan (September 2015 Office Consolidation) policies are organized into the following three sections:

Part 1 – The General Plan

The Purpose of Part 1 is to introduce the purpose of the Official Plan, interpretation of and organization of the Official Plan document. Sections 1 – 3 describes the City's overarching Strategic Objectives, Vision and Framework including the overarching City Concept, Growth Centre and Corridor Master Plan (i.e. Schedule 1, 1A and 2).

Section 4 of the Official Plan includes the General and Area Specific Policies and corresponding Land Use Designations presented in Schedule A. Land Use policies in the current Official Plan are organized into the following sub-sections or policy areas:

- Section 4.1 Central Area
- Section 4.2 Residential
- Section 4.3 Commercial
- Section 4.4 Employment Lands

- Section 4.5 Transportation
- Section 4.6 Natural Heritage and Environmental Management
- Section 4.7 Recreational Open Space
- Section 4.8 Infrastructure and Utilities
- Section 4.9 Institutional and Public Uses
- Section 4.10 Cultural Heritage
- Section 4.11 Urban Design
- Section 4.12 Financial and Phasing
- Section 4.13 Parkway Belt West
- Section 4.14 Special Study Areas and Corridor Protection Areas and Special Land Use Policy Areas
- Section 4.15 North West Brampton Urban Development Area
- Section 4.16 Agriculture

This Document Review and Gaps Analysis Report is structured based on the background information received by the City of Brampton and consolidates information into technical subject areas that are in line with Section 4 of the current Official Plan.

Section 5 of the Official Plan covers policies relating to the operational aspects of an Official Plan, including but not limited to interpretation and definitions, decision-making procedures for site plan, zoning and secondary and tertiary plans, other applicable legislation and matters pertaining to development, public consultation and financial tools such as density incentive programs.

Part 2 & 3 – Secondary Plans and Block Plans

Part 2 of the Official Plan includes a description of and applicable policies of the City's 54 Secondary Plan Areas (Schedule G) and Community Block Plans containing the policies for implementing secondary plans (Schedule H).

In closing the appendices of the Official Plan present information pertaining to density measures, Regional Greenlands System and the Regulation Mapping for wetlands, hazard areas, watercourses and shorelines as prescribed under Ontario Regulations through the Conservation Authorities Act.

4. BACKGROUND REVIEW

Table 1 lists the background studies and master plans provided to the Consultant Team in January of 2020. A review and analysis of each study was completed to determine:

- The status of the study or master plan;
- Whether the study or master plan requires updated data and information applicable to regional and provincial legislation;
- Whether the study or master plan is not consistent with the 2040 Vision;
- Extraction of the relevant higher-level policy recommendations; and,
- Whether additional work is required from the author or whether a new study is required.

Table 1. Background Studies Provided to the Consultant Team organized by Discipline

	Status	Background Study
Land Use Planning and Urban Design Studies / Strategic Planning		
1	In-Process	<u>Comprehensive Zoning By-law</u> The City is undertaking a comprehensive zoning by-law review to modernize its Zoning By-law (270-2004) to reflect current planning practice and implement the policies of the City's Official Plan.
2	January 2019	<u>Toronto Gore Density Housing Review</u> The Gore Density Review includes policy implications for estate residential areas, density requirements and criteria for development and severances in this area of the City. The Official Plan contains general criteria for development and severances within designated estate residential areas of the City.
3	In-Process	<u>Heritage Heights Secondary Plan</u> The City is working to prepare a Secondary Plan for Areas 52 (Huttonville North) and 53 (Mount Pleasant West) known as the Heritage Heights Community. The Study Area is one of the last remaining greenfield areas in the City, and involves assessing a number of issues including the GTA West Corridor, new GO Transit facilities/station, and health care facility.

	Status	Background Study
4	Complete (2003)	<u>Development Design Guidelines</u> <p>The City's Development Design Guidelines (2003) provide a minimum design standard that is expected from all developers in planning, designing, and constructing new communities or projects. They establish urban design principles and guidelines for key elements such as major block plans, site planning, built form, and architectural control.</p>
5	Complete (2019)	<u>2018-2022 Term of Council Priorities</u> <p>Stemming from the 2040 Vision, the 2018-2022 City of Brampton Council established their Term of Council Priorities to help implement this Vision. The five strategic directions envision Brampton as: a City of Opportunities, a Mosaic, a Green City, a Healthy & Safe City, and a Well-Run City. Each strategic direction is accompanied by a set of priorities to guide the direction of the community.</p>
6	In-Process	<u>Riverwalk Urban Design Master Plan</u> <p>The Riverwalk project presents an opportunity to revitalize Brampton's downtown. Its main purpose is to engineer a long-term solution which eliminates the flood risk in Downtown Brampton, which in turn unlocks the potential for urban growth and development. In addition to a series of technical feasibility studies, urban design guidelines and a Master Plan will be prepared to guide future development in the study area.</p>
7	In-Process	<u>RioCan Shoppers World Redevelopment Master Plan</u> <p>The Shoppers World Redevelopment Master Plan is planned to be a comprehensive new community located at the intersection Main St. S. and Hurontario St. This new private development would add 380,000 sq. m. of floor space, including 88,000 sq. m non-residential and 295,000 sq. m. of residential floor space.</p>
8	In-Process	<u>Precinct Planning</u> <p>A series of precinct planning studies are currently being completed for the Queen Street East, Downtown, Uptown, and Bram GO areas in Brampton. These plans aim to establish design principles and a framework for development or redevelopment.</p>

	Status	Background Study
9	In-Process	<p><u>Community Hub Studies</u></p> <p>A community hub is a space that brings together health, social, cultural, recreational and other resources in one location for easier access from residents. The City's Parks and Recreation Master Plan recommends strategically optimizing the City's older and smaller community centres to minimize functional limitations and meet community needs. A key priority is supporting community hubs to increase flexible spaces and diversify education and program opportunities.</p>
10	In-Process	<p><u>Queen Street East Community Planning Permit System</u></p> <p>In conjunction with the Queen Street East Precinct Plan, a Community Planning Permit System (CPPS) is being proposed for the Study Area which streamlines the planning approval process to help realize the vision. This tool combines zoning, minor variances, and site plan control into one application. It is anticipated that a CPPS will be implemented in other intensification areas across Brampton.</p>
11	In-Process	<p><u>Secondary Plan Consolidation</u></p> <p>The City of Brampton is undertaking a Secondary Plan consolidation exercise with the objective of reducing the number of secondary plans. On September 12, 2018, Council adopted five City-initiated Official Plan Amendments that implemented five new secondary plan areas, which replace former Secondary Plan Areas 1, 2, 3, 4, 5, 6, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 25 and 28. The first phase of this exercise was intended to include three additional secondary plan consolidations pertaining to Secondary Plan Areas 2A, 13, 14, 22, 23, 24, 32, 37, 43, and 44.</p>
12	In-Process	<p><u>Bram East Secondary Plan</u></p> <p>The City is undertaking a review and update of the existing Bram East Secondary Plan to ensure conformity with Provincial policy, approved Official Plan Amendments, and updating the policy framework for employment land uses. Consideration will be given to the draft boundaries and implications from the Region of Peel Major Transit Station Area (MTSA) Study.</p>
Transportation Planning Studies		

	Status	Background Study
13	In-Process	<p><u>Region of Peel Major Transit Station Areas</u></p> <p>The Regional MTSAs study will establish policies to support the development of complete communities in Peel by planning for higher density mixed use growth in areas with existing or planned transit (i.e. GO Regional Express Rail Stations, Light Rail Transit, Bus Rapid Transit).</p>
14	September 2015	<p><u>City of Brampton Transportation Master Plan, 2015</u></p> <p>The purpose of the TMP is to provide a blueprint for strategic planning and decision-making to achieve a balanced transportation network that addresses the City's growth and development needs over the long term.</p>
15	In-Process	<p><u>City of Brampton Transportation Master Plan Review</u></p> <p>The TMP is currently being updated to reflect the City's evolving needs and challenges, and policies and objectives for an integrated network to be consistent with forecasted growth, legislative changes, best practices, and updated policy direction from all levels of government.</p>
16	2019	<p><u>City of Brampton Active Transportation Master Plan</u></p> <p>The ATMP includes 22 detailed recommendations to be incorporated into future updates of the Transportation Master Plan and/or City of Brampton Official Plan. The recommendations include policies for the consideration of active transportation in the land use planning and development approval process, including appropriate bicycle parking facilities, among other operational and program-oriented recommendations.</p>
17	In-process	<p><u>Brampton Complete Street Guidelines</u></p> <p>This study looks at a process to develop a complete streets approach for Brampton, considering policies, interim approaches, design parameters, and opportunities to update the city's design and engineering standards.</p>
18	2016	<p><u>Brampton Gateway Mobility Hubs and Intensification Corridors Background Study</u></p> <p>The Study includes 7 detailed policy recommendations to be incorporated into the City of Brampton Official Plan. The recommended policy and design enhancements relates to updating the Vision, incorporating a new</p>

	Status	Background Study
		intensification hierarchy, refining the urban structure, introducing Strategic Growth Areas and regulating other areas.
19	2019	<p><u>Bramalea Mobility Hub Land Use Study</u></p> <p>This Study helps shape the future policy framework for the Bramalea GO station and surrounding area, designated as a Mobility Hub in the Growth Plan and Brampton's Official Plan to accommodate significant growth.</p>
20	In-process (awaiting funding approvals)	<p><u>Brampton Transit Züm BRT/Priority Bus Network Expansion</u></p> <p>As recommended in TMP 2015, a transit network that consists of three key components: Rapid Transit corridors, Züm corridors, and Transport Priority corridors, will be critical in achieving the city's transportation objectives.</p>
21	In-process	<p><u>Hurontario-Main LRT Extension Study</u></p> <p>The Study focuses on the Light Rail Transit (LRT) extension connecting the Gateway Transit Terminal, at Steeles and Hurontario, to the Brampton GO Station and Brampton Transit terminal. It will follow a three-step methodology: overall evaluation, long list evaluation, and a short list evaluation that uses Metrolinx's Preliminary Design Business Case Framework to select a preferred rapid transit option along the Hurontario-Main corridor.</p>
22	In-process	<p><u>Queen Street – Hwy 7 BRT Planning Study and Initial Business Case</u></p> <p>The City is currently working with Metrolinx, Brampton Transit, Peel Region and York Region to develop a framework for advancing rapid transit along the Queen Street-Highway 7 corridor. The purpose of the Study is to recommend a preferred approach for upgrading the existing Züm services on Queen Street to a full rapid transit standard, along with extending the Viva Rapidway from York Region.</p>
23	2019	<p><u>Queen Street Corridor MTSA Study</u></p> <p>The Queen Street Corridor Major Transit Station Area (MTSA) Study was completed in December 2019. 16 MTSA's are located along the corridor, with 8 identified to be assembled in to 6 key Focus Areas. The purpose of this Study is to develop a framework to transform Queen Street into a distinctive place within the city and regional context.</p>

	Status	Background Study
24	TBD	<u>Centre for Innovation (CFI) Transit Hub (Downtown Mobility Hub) Study</u>
		Natural Heritage
25	2015	<u>Natural Heritage and Environmental Management Strategy</u> <p>The NHEMS is a starting- point in defining a Brampton Natural Heritage System. It includes the development of a science-based Natural Heritage System for the City of Brampton, development of a mission, goals, objectives, targets, and actions to enhance the health and resilience of Brampton's natural and built landscapes, and a detailed Implementation Action Plan for the City.</p>
26	2020	<u>Brampton One Million Trees Program</u> <p>Outlines plan to plant one million trees by 2040. The plan aims to build upon existing programs, establish incentives, utilize technology, develop collaborations, and monitor and report on progress.</p>
		Housing
27	In-Process	<u>Housing Brampton – Affordable Housing Strategy</u> <p>The Affordable Housing Strategy seeks to develop a policy response to the varying housing needs of residents in Brampton and improve housing choices for all. This project is currently underway and a first draft including policy recommendations/proposals is expected in the second quarter of 2020.</p>
28	2020	<u>Housing Brampton – Draft Staff Report – Draft Residential Rental Conversion Policy, Development of an Application Review Pilot Program, and Innovation Benchmarking (including appendices A to E)</u> <p>This Draft Staff Report and appendices will be presented to the Brampton City Council Planning and Development Committee on March 23, 2020. The purpose of this report is to provide an overview of the status of the development of the Housing Brampton: Affordable Housing Strategy and includes the results of a benchmarking exercise conducted by City staff, actions for consideration into the Strategy, a proposed rental conversion Official Plan policy and a proposed framework for an affordable housing</p>

	Status	Background Study
		application review pilot program. In addition, the Report seeks direction to move forward with an Inclusionary Zoning program.
29	2018	<u>Housing Needs Assessment</u> <p>The housing needs assessment provides a snapshot of the current housing context in Brampton as well as an overview of the need for affordable housing in the City. The study is an early deliverable of the City's Housing Strategy.</p>
30	2018	<u>Seniors' Housing Study</u> <p>The Seniors' Housing Study identifies potential sites in the built-up area of Brampton and areas in the City suitable for seniors' housing and provides several recommendations that could improve the availability of seniors' housing in Brampton. The study is an early deliverable of the City's Housing Strategy</p>
31	2019	<u>Housing Brampton – Student Housing Policy Review: Staff Report</u> <p>The Student Housing Policy Review examines the impact of post-secondary institutions on the demand, supply and type of the available housing options in the community by reviewing the existing policies in Brampton regarding housing options frequently used by students such as basement suites/second units and multi-unit dwellings. It is an early deliverable of the City's Housing Strategy</p>
Social and Cultural Heritage		
32	2019	<u>Age-Friendly Strategy and Action Plan</u> <p>The Plan has been developed based on best practices in age-friendly planning, a range of background research, and extensive input from community members throughout the Plan development and public engagement process. This information and knowledge forms the basis for the specific recommendations and actions to be taken to achieve Brampton's age-friendly vision and goals.</p>
33	2018	<u>Culture Master Plan</u> <p>The goal of this plan is to provide the City with a clear direction regarding its arts and cultural resources: how to leverage them, how to support them and</p>

	Status	Background Study
		how to develop them to support larger quality of life and economic development goals – and to contribute to the eventual realization of the Brampton Vision 2040 plan.
		Sustainability
34	2014	<u>Brampton Grow Green Environmental Master Plan</u> Brampton Grow Green is the city's first Environmental Master Plan (EMP). It is an environmental sustainability plan that establishes strategic directions, actions and targets that will improve the environmental qualities of Brampton's built and natural landscapes. Staff are in the process of updating the Grow Green Plan to reflect the 2040 Vision and other planning strategies.
35	In-Process	<u>Community Energy and Emissions Reduction Plan</u> This Plan aims to integrate efforts of the municipality, local utilities and community stakeholders and create a roadmap that will improve energy efficiency, reduce greenhouse gas emissions, ensure energy security, create economic advantage, and increase resilience to climate change.
36	2013	<u>Sustainable Community Development Guidelines</u> The Guidelines will assist the City to evaluate documents and technical reports provided in support of development applications, such as Community Design Guidelines and Urban Design Briefs, that describe the sustainable aspects of proposed developments, and how sustainable initiatives will be achieved.
37	2015 / 2018	<u>Sustainability Assessment Tool</u> Working together with neighbouring municipalities, a set of Sustainability Metrics and Thresholds were developed to evaluate and score the environmental sustainability performance of new Block Plans, Plans of Subdivision, and Site Plans through the Sustainability Assessment Tool. City Staff are currently in the process of updating the sustainability metrics.
		Growth Management & Economic Development
38	2018	<u>Brampton Economic Development Master Plan</u>

	Status	Background Study
		In 2016, Brampton City Council approved the development of a plan to guide the City of Brampton's economic development activities for the next 25 years. This forward-looking plan is fully integrated with the City's 2016–2018 Strategic Plan and is informed by the Brampton 2040 Vision: Living the Mosaic and the Culture Master Plan. The development and involvement of the steering committee was rooted in the desire for a collaborative process leading to the evolution of the master plan.
39	2005	<u>Retail Policy Review Study</u> The study assesses Brampton Official Plan retail policies, examines the existing market context and expected demand over the study period to 2031, and recommends modifications to policies to ensure they respond effectively to current and emerging commercial trends and projected future growth.
40	2005	<u>Office Strategy Discussion Paper</u> A re-evaluation of the current office strategy in the Official Plan to reflect more realistic business development opportunities is considered necessary. This will enable the Official Plan to designate areas for office use that are better matched to the locational requirements of Greater Toronto Area office users.
Parks and Open Space Planning		
41	2017	<u>Parks and Recreation Master Plan</u> The plan provides a blueprint to guide the City's planning and provision of parks, recreation facilities and the programs that take place within them. The PRMP contains 114 recommendations for the delivery of parks and recreation facilities and services to be implemented by 2031. This will enable the Official Plan to designate areas for new and consolidated parks facilities better suited to the needs of the growing population.
42	2019	<u>Eco Park Strategy</u> This document outlines the proposal for the Brampton Eco Park, a catalytic action of the 2040 Vision. The Strategy outlines seven principles to be applied towards the goal of expanding and amalgamating identified Eco Park Hubs, the city's current and future natural heritage system, parks, green spaces, green infrastructure streetscapes, utility corridors, yards and other suitable

	Status	Background Study
		spaces into a network forming one grand Eco Park. This will enable the Official Plan to designate areas for inclusion in the Eco Park network.

5. GAPS ANALYSIS

The following sections include a summary of gaps identified through a review of background studies and master plans. For each discipline we have identified whether studies are current with Vision 2040, whether the data on which the study was based is sufficient for planning to 2041, and key recommendations for ensuring the Official Plan Review is based on up to date information and policy direction.

5.1. Land Use & Strategic Planning

5.1.1. COMPREHENSIVE ZONING BY-LAW REVIEW

The City of Brampton commenced a comprehensive review of its Zoning By-law in 2017. Originally scheduled for completion at the end of 2019, the Zoning By-law Review was intended to implement the existing Brampton Official Plan. In 2018, a series of 9 Technical Papers were prepared which examine a wide range of specific zoning issues in detail, including mixed-use and intensification areas, commercial areas, employment areas, amenity areas and density bonusing, secondary plan conformity, and parking and loading standards. Many of these technical papers make broad policy observations or recommendations to consider in the Official Plan to provide a policy basis to address gaps in the existing Zoning By-law.

Recommended Revisions/Updates

At this time, the Zoning By-law Review and Official Plan Review projects are being aligned with one another. This will provide an opportunity for the new Zoning By-law to implement the policy directions of the Official Plan.

5.1.2. TORONTO GORE DENSITY REVIEW (2019)

The City is undertaking the Toronto Gore Density Policy Review to assess the merit of potentially introducing urban densities on the remaining undeveloped lands in the Study Area and review policies which protect the character of the established residential community. To-date, a Draft Supply and Demand & Recommendations Report has been prepared. This Report provides a policy overview, a summary of the analysis that has been completed, and includes preliminary policy options for the Toronto Gore estate residential area.

Firstly, for established estate residential areas, the Study contains no recommendations to amend the current Official Plan Policy that requires a minimum lot size of 0.8 ha for the Established Estate Residential Area. With respect to the undeveloped lands within the Study Area, the Study presents two scenarios. The first scenario involves re-designating all undeveloped lands from Estate Residential to Upscale Executive Housing in the Official Plan, as well as updating the maximum density and minimum frontage requirements. The second scenario involves re-designating a portion of the undeveloped lands to Upscale Executive Housing in the Official Plan, while the balance of the lands would be re-designated to Low and Medium Density Residential.

It is expected that a Final Report and Implementing Official Plan Amendment will be presented to City Council.

Recommended Revisions/Updates

There are no recommended revisions or updates proposed at this time; however, once the Final Report and implementing Official Plan Amendment are prepared, the policy directions and changes will be considered in the new Official Plan.

5.1.3. HERITAGE HEIGHTS SECONDARY PLAN

The City is working to prepare a Secondary Plan for Areas 52 (Huttonville North) and 53 (Mount Pleasant West) known as the Heritage Heights Community. The Study Area is one of the last remaining greenfield areas in the City, and involves assessing a number of issues including the GTA West Corridor, new GO Transit facilities/station, and health care facility. Following the completion of the 2040 Vision, this project was re-initiated. The 2040 Vision identifies Heritage Heights as a location for a new town centre which would be a complete, full-service, mixed-use space, as well as being a proposed location for a third healthcare facility in Brampton.

Recommended Revisions/Updates

Given that this project will be completed concurrently with the Official Plan Review, it is not anticipated that any changes to the Secondary Plan will be required. Technical Memo #3 prepared as part of the Official Plan Review will discuss secondary plans. There is an opportunity to consider the proposed urban structure and policy directions of the secondary plan through this Official Plan Review.

5.1.4. DEVELOPMENT DESIGN GUIDELINES

The City's Development Design Guidelines provide a minimum design standard that is expected from all developers in planning, designing, and constructing new communities or projects. They establish urban design principles and guidelines for key elements such as major block plans, site planning, built form, and architectural control.

Recommended Revisions/Updates

Development design guidelines are intended to help realize the design vision for the City of Brampton, and do not contain specific directions to consider in the Official Plan Review. Following the completion of the new Official Plan, the City may wish to update their Development Design Guidelines to align with the Official Plan and 2040 Vision.

5.1.5. 2018-2022 TERM OF COUNCIL PRIORITIES

The 2018-2022 City of Brampton Council established their “Term of Council Priorities” to help implement the 2040 Vision through activities, decisions, and budgets. The five strategic directions are accompanied by a set of priorities to guide the direction of the community. The directions express that Brampton is a:

- A City of Opportunities;
- Priorities: Creating Complete Communities, Unlocking Downtown and Uptown, Supporting Community Hubs, Prioritizing Jobs within Centres, Attract Investment and Employment
- A Mosaic;
- Priorities: Embed Diversity and Equity, Innovative Engagement, Support Inclusive Cultural Expressions, Inclusive and Flexible Community Spaces
- A Green City;
- Priorities: Equalize All Forms of Transportation, implement a Green Framework, Sustainable Growth, Lead Environmental Innovation
- A Healthy & Safe City; and,
- Priorities: Community Partnerships, Streets for People, Local Health Support, Healthy Citizens
- A Well-Run City.
- Priorities: Public Participation, Modern Workforce, Collaboration and Advocacy, Stewardship of Assets and Services, Service Excellence.

These strategic directions and priorities will be broadly considered through this Official Plan Review as they direct the initiation and completion of other concurrent projects and studies which will inform the new Official Plan.

Recommended Revisions/Updates

No revisions or updates are recommended as these Council priorities directly align with and work to implement the 2040 Vision. It is anticipated that this Official Plan Review will be completed within this term of Council.

5.1.6. RIVERWALK URBAN DESIGN MASTER PLAN

The Riverwalk project presents an opportunity to revitalize Brampton's downtown. Its main purpose is to engineer a long-term solution which eliminates the flood risk in Downtown Brampton, which in turn unlocks the potential for urban growth and development. In addition to a series of technical feasibility studies, urban design guidelines and a Master Plan will be prepared to guide future development in the study area. It is anticipated that this project will not have implications on the planning horizon within the Official Plan.

Recommended Revisions/Updates

Given that this project will be completed concurrently with the Official Plan, it is anticipated that any policy directions which arise from future reports as part of the Master Plan will be considered. However, due to the timing of additional supporting work, like the Environmental Assessment, this will need to be incorporated into the Official Plan at a later date once approved.

5.1.7. RIOCAN SHOPPERS WORLD REDEVELOPMENT MASTER PLAN

The Shoppers World Redevelopment Master Plan is planned to be a comprehensive new community located at the intersection Main St. S. and Hurontario St. It will feature approximately 5,000 residential units and 88,000 sq. m. of non-residential building space. Given that this area is contemplated for intensification, it should be considered in the revised urban structure in the new Official Plan.

Recommended Revisions/Updates

There are no recommended revisions or updates with respect to the development project. The subject site's location at Main St. and Hurontario St. aligns with a number of other City initiatives and projects including the Hurontario LRT and station area planning, and aligns with the 2040 Vision.

5.1.8. PRECINCT PLANNING

The City's Official Plan provides direction that the City can adopt a range of planning tools to establish principles and guidance for development. One of these tools is a District Design Plan, otherwise known as a Precinct Plan. A series of Precinct Planning studies are currently being completed for the Queen Street East, Downtown, Uptown, and Bram GO areas in Brampton. These plans aim to establish design principles and a framework for development or redevelopment.

A Preliminary Queen Street East Precinct Plan has been prepared for the Queen Street East corridor. This Plan contemplates over 17,000 residential units and over 1,000,000 sq. m. of non-

residential floor area. The Precinct Plan is required to ensure that redevelopment occurs in a manner in a way that is consistent with the 2040 Vision and Term of Council Priorities.

Recommended Revisions/Updates

There are no recommended revisions or updates that need to be considered as part of the ongoing project as these precinct plans are intended to align with and implement the 2040 Vision. The Queen Street East Precinct Plan, and any subsequent plans, will be reviewed for its impact on the City's community structure and population and employment growth forecasts and a determination on how local planning studies may be guided moving forward.

5.1.9. COMMUNITY HUB STUDIES

A community hub is a space that brings together health, social, cultural, recreational and other resources in one location for easier access from residents. The City's Parks and Recreation Master Plan recommends strategically optimizing the City's older and smaller community centres to minimize functional limitations and meet community needs. A key priority is supporting community hubs to increase flexible spaces and diversify education and program opportunities.

The Parks and Recreation Master Plan (2017) identifies opportunities to consider the community hub model. The Plan recommends a new seniors' centre in the east end of Brampton using this model, which serves also as an intergenerational community facility.

Recommended Revisions/Updates

The new Official Plan will be required to define, reference, and consider the community hub model when drafting updated policies and new community structure.

5.1.10. QUEEN STREET EAST COMMUNITY PLANNING PERMIT SYSTEM

In conjunction with the Queen Street East Precinct Plan, a Community Planning Permit System (CPPS) is being proposed for the Study Area which streamlines the planning approval process to help realize the vision. This tool combines zoning, minor variances, and site plan control into one application. It is anticipated that a CPPS will be implemented in other intensification areas across Brampton. The area proposed to be included in the Community Planning Permit System is referred to as 'Queen's Boulevard' in the 2040 Vision. A Preliminary District Plan, or Precinct Plan, has been prepared for the Queen Street East corridor to outline initial principles and a framework for redevelopment and transformation, as previously discussed.

Section 5.33 of the City of Brampton Official Plan indicates that CPPS By-law Areas can be implemented to facilitate desired high-quality development and redevelopment, protect areas, and streamline the approval process

Recommended Revisions/Updates

The Official Plan will need to continue to establish a policy framework which permits the establishment of a Community Planning Permit System. There are no recommendations for revisions or updates to the CPPS as it is directly intended to help achieve the 2040 Vision.

5.1.11. SECONDARY PLAN CONSOLIDATION

The current Brampton Official Plan includes 35 Secondary Plans that cover the entire geography of the City and provide more detailed, area-specific policies to guide development. The City of Brampton is undertaking a Secondary Plan consolidation exercise with the objective of reducing the number of secondary plans. On September 12, 2018, Council adopted five City-initiated Official Plan Amendments, as part of Phase 1, that implement five new secondary plan areas, which replace former Secondary Plan Areas 1, 2, 3, 4, 5, 6, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 25 and 28. The first phase of this exercise was intended to include three additional secondary plan consolidations pertaining to Secondary Plan Areas 2A, 13, 14, 22, 23, 24, 32, 37, 43, and 44.

Recommended Revisions/Updates

As noted previously, Phase 2 of this Official Plan Review will include a cursory review of the Secondary Plans to determine recommendations for the ongoing consolidation exercise being conducted by the City. City staff have noted that further discussion will be required with respect to the three-remaining secondary plan consolidations.

5.1.12. BRAM EAST SECONDARY PLAN

The City is undertaking a review and update of the existing Bram East Secondary Plan to ensure conformity with Provincial policy, approved Official Plan Amendments, and update the policy framework for employment land uses. The Secondary Plan review needs to consider the context of the established residential community while also providing clarity, direction and a framework for the development of an office node area along the Highway 50 and Queen Street corridors. It will also consider the Region of Peel Major Transit Station Area Study, including the draft boundaries and policy implications.

Recommended Revisions/Updates

This ongoing study will result in an update to the Secondary Plan, and in turn an Official Plan Amendment. Any policy updates will be considered through this Official Plan Review.

5.2. Transportation

5.2.1. REGION OF PEEL MAJOR TRANSIT STATION AREA STUDY

The Region of Peel Major Transit Station Area (MTSA) Study is currently under development and is intended to delineate and prioritize MTSA's across Peel Region. The study is being undertaken as the Growth Plan 2019 introduced new direction for upper-tier municipalities to work collaboratively with lower-tier municipalities to align transit investment and land use planning by directing transit-supportive densities to MTSA's along priority transit corridors.

The Study will establish policies to support the development of complete communities in Peel by planning for higher density mixed use growth in areas with existing or planned transit, including GO Regional Express Rail, Light Rail Transit, Bus Rapid Transit. It will provide direction on the density of development within each MTSA and guide the development of Peel Region Official Plan policies. More importantly, its purpose is to support local municipal policy development processes and other planning initiatives that encourage transit-supportive development.

To date, 102 MTSA's have been identified, where 36 of them are located within the City of Brampton. The City of Brampton has worked with the Region to delineate the preliminary MTSA boundaries and provided feedback on the timing of planned and potential intensification around the preliminary MTSA's.

As the Regional MTSA's Study will guide the development of Regional Official Plan policies (to be completed in 2022), it is necessary for the project team to meet with the Region of Peel and the City of Brampton to ensure that the Brampton OPR is based on the latest information available from the Region. The project team will review the draft Phase 1A Policy Directions and Recommendation Report and incorporate the policy directions and recommendations in the MTSA study.

This study is consistent with the 2040 Vision which includes transit as a key component in various actions throughout the Vision. This study supports the 2040 Vision by identifying MTSA's that are intended to be developed as high density, mixed-use, transit-supportive neighbourhoods that provide access to local amenities, jobs, housing, and recreation opportunities, and establishing policies to support their development.

Recommended Revisions/Updates

No additional scope of work is required as it is consistent with the 2040 Vision, which includes transit as a key component of achieving the Vision.

5.2.2. CITY OF BRAMPTON TRANSPORTATION MASTER PLAN, 2015

The City of Brampton's 2015 Transportation Master Plan (TMP) was updated in September 2015. The TMP is Brampton's blueprint for strategic transportation planning to address the

mobility needs and guide planning and investment in the City's transportation network, including roads, transit, and active transportation in Brampton until 2040. The TMP's vision is to build towards a balanced transportation network, which embraces compact communities, sustainable development, protection of the natural environment, economic vitality, and healthy communities while providing safe, affordable, and efficient transportation for people and goods.

The TMP included recommendations to support all mobility uses, including Active Transportation, goods movement, transit and Transportation Demand Management (TDM). One of the key recommended strategic directions was to place emphasis on shifting travel from single occupancy vehicles, toward active modes, transit and car-pooling.

The 2015 TMP was completed prior to the 2040 Vision, therefore there are gap will need to be addressed the TMP Update. For example, 2040 Vision identifies new transportation priorities as first walking, then cycling, transit, goods movement, and then shared vehicles and private vehicles. However, the 2015 TMP selected transportation priorities through a public engagement session that were different from the 2040 Vision (e.g., transit was identified with the highest priority above all, including improvement on active transportation infrastructure and expansion of sustainable modes).

Recommended Revisions/Updates

No additional scope of work is required. The TMP is updated every 5 years and a TMPU 2020 is currently underway.

5.2.3. CITY OF BRAMPTON TRANSPORTATION MASTER PLAN UPDATE, 2020

The Transportation Master Plan (TMP) is updated every 5 years and is currently being updated to implement 2040 Vision and to reflect the City's evolving needs and challenges, and policies and objectives for an integrated network to be consistent with forecasted growth, legislative changes, best practices, and updated policy direction from all levels of government. The TMP Update (TMPU) is expected to be completed in 2020.

The TMPU 2020 will continue to address the mobility needs and guide planning and investment in the City's transportation network, with a focus on active transportation, transit and streetscaping and the Downtown/central area, Town Centres, Strategic Nodes and Corridors. Alternative future scenarios will be explored to understand their implications and to identify project prioritization, potential impacts on network and funding mechanism, etc. A user-based approach will be adopted as the decision-making framework. Plans, projects and processes will be re-evaluated using four lenses:

1. **Complete Streets Lens** to enhance place-making, multi-modal equity and safety.

2. **City-Building/ Integration of Transportation and Land use planning Lens** to plan for compact, higher density, mix of uses, and Connect urban centres, nodes, major transit station areas with sustainable transportation networks
3. **System Optimization Lens** to accommodate auto traffic using existing network without increasing capacity and accommodate overall transportation demand by improving facilities for more sustainable modes
4. **Asset Management Lens** to optimize the use of existing infrastructure

The TMPU 2020 will align with the proposed visions in the 2040 Vision, to directly support **Vision 4: Transportation and Connectivity**, including Actions #4-1 through #4-8 by addressing principles such as sustainable future, complete streets and active mobility. It will also support other visions such as identifying Queen Street Corridor as Brampton's grand urban boulevard outlined **Action #3-4: Queen's Boulevard** and address its associated transportation needs. In addition, the TMPU will also consider the Metrolinx 2041 Regional Transportation Plan (2018).

The project team will work with the TMP team to review the recommendations and transportation policies for inclusion in the 2040 Plan to ensure new strategic directions, as well as transportation mode priorities, are captured and reflected. It will be important that the transportation goals and objectives in the TMPU and 2040 Plan are integrated and consistent, and that the TMPU recommendations are strongly connected to the 2040 Plan's overarching vision, forecasted growth, and land use planning objectives.

Recommended Revisions/Updates:

No additional scope of work is required. The TMPU will run concurrently with the 2040 Plan project.

5.2.4. CITY OF BRAMPTON ACTIVE TRANSPORTATION MASTER PLAN

The City of Brampton's Active Transportation Master Plan (ATMP) was completed in July 2019. The purpose of the ATMP is to define existing opportunities, consider and evaluate solutions, and identify a recommended active transportation system that provides comfortable and attractive pedestrian and bicycle facilities, in addition to supporting policies and programs. The vision for the ATMP is:

- Through developing an integrated, attractive, and accessible system of sidewalks, cycling facilities and trails, Brampton will be a liveable city where all members of the community can safely and conveniently access places, goods and services and connect to transit using active modes of transportation.

Improving active transportation is a mandate of the Brampton OP. The current Brampton OP has land-use policies that promote active transportation access, inclusion of bicycle parking and

road planning objectives that encourage active transportation infrastructure, as well as develop pedestrian and bicycle connections to major transit hubs.

The ATMP outlined 22 detailed Active Transportation supportive policies that should be considered during the City's OPR. The recommendations include policies for the consideration of active transportation in the land use planning and development approval process, including appropriate bicycle trip end facilities like parking, among other operational and educational program-oriented recommendations.

The ATMP aligns with the City's 2040 Vision and supports the vision by providing the active transportation network plans, policies and programs. The ATMP aligns with Action #4-1: Active Transportation Charter by providing recommendations that encourage walking and cycling and improve the active transportation network. It also aligns with Action #4-3: Complete Streets by supporting design standards and designing for complete streets for people of all ages, abilities, and modes of travel to shape a people-friendly and environmentally compatible Brampton.

Recommended Revisions/Updates

No additional scope of work is required as the ATMP provides active transportation network plans, policies, and programs which align with Action #4-1: Active Transportation Charter and Action #4-3: Complete Streets of the 2040 Vision.

5.2.5. BRAMPTON COMPLETE STREET GUIDELINES

The Brampton Complete Streets Guidelines commenced in April 2018 and is expected to be completed in April 2020. This study looks at a process to develop a complete streets approach for Brampton – considering policies, interim approaches, design parameters, and opportunities to update the city's design and engineering standards. All current and future street projects shall adhere to the following principles to achieve the City's Complete Street vision:

- Create Safe and Accessible Streets
- Promote Healthy and Active Living
- Improve Transportation Choice and Balance Priorities
- Develop Connected Networks
- Respect Existing and Planned Context
- Create Vibrant and Beautiful Places
- Enhance Economic Vitality

Examples of recommended changes to design and engineering standards include reduced target speed, reduced travel lane width, targeted corner radii for control and design vehicles.

The Brampton Complete Street Guidelines aligns with the Vision 2040 Strategy. Action #4-3: Complete Streets, by developing and updating the City's design standards and to create streets that provide safe, equitable and convenient travel for people of all ages and abilities and accommodate all users.

Recommended Revisions/Updates

No additional scope of work is required as the Complete Street Guidelines align with the directions of the 2040 Vision.

5.2.6. BRAMPTON GATEWAY MOBILITY HUBS AND INTENSIFICATION CORRIDORS BACKGROUND STUDY

The Brampton Gateway Mobility Hubs and Intensification Corridors Background Study was completed in December 2016. The Background Study is a part of the OPR and designed to examine and update the location, form and function of the City's current system of Major Transit Station Areas (MTSA), Gateway Mobility Hubs and the hierarchy of connecting Intensification Corridors.

The purpose of the Background Study is to assess the evolving role and function of the Gateway Mobility Hubs, such as Bramalea GO and Mount Pleasant GO Mobility Hubs, Intensification Corridors and MTSA's designated in the Brampton OP, identify opportunities and constraints and assess their overall feasibility within the City system. The Study also provides an overview of the emerging planning and development trends in the Western GTA and their impact on the City, as well as forecasted growth.

Following the completion of the Background Study, a memorandum was prepared in August 2017 to detail an OP policy and design framework and recommended policy directions. The memorandum includes seven (7) policy recommendations to be considered during the OPR. Some of the key policy directions include:

- 1 Articulate a clear and compelling vision for growth and mixed-use, transit-supportive development, facilitating higher-density employment, and how this vision is important for the achievement of the City's economic, environmental and social sustainability;
- 2 Incorporate a new refined and clear intensification hierarchy;
- 3 Delete Bram East and Bram West MTSA's as there is little or no current potential for TOD at these areas;
- 4 Introduce Strategic Growth Areas (SGAs) – Nodes & corridors that have been identified as the focus for transit supportive, mixed-use intensification; and
- 5 Regulating areas not designated as SGAs within the Urban Structure (public investment in transit, public realm, active transportation etc.).

A Bramalea GO Proof of Concept was completed as a subsequent work.

While the Background Study was completed prior to the 2040, the vision is aligned with this Background Study.

Recommended Revisions/Updates

No additional scope of work is required as the Background Study aligns with the directions of the 2040 Vision.

5.2.7. BRAMALEA MOBILITY HUB LAND USE STUDY

The Bramalea GO station and surrounding area is designated as a Mobility Hub in the Metrolinx 2014 Regional Transportation Plan (RTP) and Brampton's Official Plan to accommodate significant growth. This Land Use Study was completed in January 2019 and was prepared in response to the Interim Control By-law 224-2017 (ICBL) covering the Bramalea Mobility Hub Area, passed in October 2017 by the City of Brampton Planning Committee. The purpose of the Study is to help shape the future policy framework for the study area.

The Land Use Study recommended the current Secondary Plan boundary to be expanded to include a larger area within the Mobility Hub. A renewed policy and development framework within the enlarged secondary plan boundary should be developed to support and capitalize on existing and planned transit services at the Bramalea GO station, after the completion of Peel Region's MTSA Study. The Land Use Study also recommended the City to undertake a Mobility Hub Study following the completion of a renewed secondary plan. This may require an amendment to the Official Plan.

The Study aligns with the 2040 Vision Strategy, which designates the subject lands as Bramalea GO Town Centre, one of Brampton's six projected future town centres. The area is planned to be a local-oriented work/live business magnet with an active streetscape network. Furthermore, the Study Area will be an Employment Hub near other services, such as daycares and community centre, supporting the live-work objectives of the Vision 2040.

Recommended Revisions/Updates

A Master Plan for Mobility Hubs should be completed to further define the land uses and appropriate densities following the completion of the Region of Peel MTSA study.

5.2.8. BRAMPTON TRANSIT ZÜM BRT/PRIORITY BUS NETWORK EXPANSION

Züm is Brampton Transit's Bus Rapid Transit (BRT) service that has limited stops, uses advanced technology and provides real-time next bus information. There are currently five transit routes in service comprising Züm Queen Street, Züm Main Street, Züm Steeles Avenue,

Züm Bovaird Drive and Züm Queen Street West. The Züm network expansion proposes changes to the following corridors:

- Airport Road Extension
- Chinguacousy-Mavis
- Bramalea Road
- Main Street North
- Castlemore Extension
- Sandalwood
- Kennedy (collaboration with MiWay needed)
- Mississauga Road (collaboration with MiWay needed)
- Dixie Road (collaboration with MiWay needed)
- Steeles East Extension (collaboration with TTC needed)

The proposed expansion is currently awaiting funding approvals. Discussion with other agencies, including Metrolinx, MiWay and TTC, will be required.

This expansion project is aligned with Vision 2040, particular **Action #4-3: Integrated Transit Network** as it improves the connection between local and regional transit system as well as transit experience and comfort.

Recommended Revisions/Updates

No additional scope of work is required. It is anticipated that the identified corridors will be reflected or revised in the TMPU.

5.2.9. HURONTARIO-MAIN LRT EXTENSION STUDY

The Hurontario-Main LRT Extension Study is currently under development and is expected to be completed in 2021. It builds on the vision set out in the Hurontario-Main LRT Environmental Project Report in 2014 and the problem statement stated in the Hurontario LRT Benefits Case Analysis (2016) and is consistent with the vision and goals in Metrolinx's 2041 RTP. The Hurontario-Main LRT Extension Visions are:

- 1 Provide higher order transit along Main Street from Steeles Avenue to the Brampton GO Station and fill a notable gap in the regional rapid transit network.
- 2 Connect directly to the Kitchener GO Rail line, existing Züm service, and future high order transit service on Queen Street.

- 3 Connect the Downtown Brampton Anchor Mobility Hub and Urban Growth Centre to the Hurontario-Steeles Gateway Mobility Hub. Support growth and development proposed for Uptown Brampton and Shoppers World Brampton.
- 4 Contribute to the development of Brampton's Downtown and Uptown areas as complete communities and support the vision set out in Brampton's Downtown Reimagined project.

The LRT Extension project's goals are: Strong Connection, Complete Travel Experiences, and Sustainable and Healthy Communities. The Study will follow a three-step approach: overall evaluation, long list evaluation and a short list evaluation. Metrolinx's Preliminary Design Business Case Framework will be used to evaluate the short list of options and select the preferred option.

The Brampton LRT Extension Study aligns with the Vision 2040 Strategy as the Study supports building a complete regional rapid transit network to provide travel choices as alternatives to vehicles and reclaiming road space for other activities. Its vision also supports connecting Mobility Hubs, other transit services, such as GO Transit.

Recommended Revisions/Updates

No additional scope of work is required for this Study as it aligns with the rapid transit vision and objectives contemplated in the 2040 Vision.

5.2.10. QUEEN STREET - HWY 7 BRT PLANNING STUDY AND INITIAL BUSINESS CASE

The City is currently working with Metrolinx, Brampton Transit, Peel Region and York Region to develop a framework for advancing rapid transit along the Queen Street-Highway 7 corridor. The purpose of the Study is to recommend a preferred approach for upgrading the existing Züm services on Queen Street to a full rapid transit standard, along with extending the Viva Rapidway from York Region. The study will review various BRT infrastructure options, identify opportunities for improved service integration between York Region Transit and Brampton Transit services, preferred BRT stop locations, as well as benefits and financial costs of the project. The study is expected to be completed in 2021.

Queen Street will be transformed into a pedestrian-friendly environment that moves people more efficiently and safely. A Complete Streets approach will be used to consider the needs of all users and uses, as well as to create a proportional and equitable street. Dedicated lanes will be implemented for faster, more reliable, and more frequent Züm BRT services. The stations along the Queen Street Bus Rapid Transit Corridor will be Major Transit Station Areas (MTSAs) (see Section 5.2.11 for more details).

Queen Street East is a designated rapid transit corridor in the Brampton OP and TMP 2015, a transit spine in the Brampton Vision 2040 document and a top transit priority as identified by Council. It is also identified as part of the Frequent Rapid Transit Network (FRTN) that will help connect urban centres, employment nodes and regional destinations within the GTHA with reliable rapid transit services in the Metrolinx 2041 Regional Transportation Plan. The desired outcome for Queen Street will be directed by policy established by these documents, as well as the Growth Plan and the ongoing Brampton Complete Streets Study.

This Study aligns with 2040 Vision as it sets the stage for the implementation of the vision of Queen Street. By 2040, Queen Street is envisioned to:

- Become a rapid transit spine;
- Support a higher density and scale; and
- Be a destination for living, working, and playing.

Recommended Revisions/Updates

No additional scope of work is required as the Study aligns with the vision for Queen Street as a higher density rapid transit spine, which will in part be implemented through the new Official Plan.

5.2.11. QUEEN STREET CORRIDOR MTSA STUDY

The Queen Street Corridor Major Transit Station Area (MTSA) Study was completed in December 2019. The study area runs along Queen Street East from Downtown Brampton in the west to Highway 50 in the east. 16 MTSA's are located along the corridor, with 8 identified to be assembled in to 6 key Focus Areas:

- 1 Downtown Brampton
- 2 Queen Street Central Area
- 3 Downtown Bramalea
- 4 Gateway Boulevard
- 5 Humber West Parkway
- 6 Gore Road

The remaining 8 are referred as "Outlying MTSA's". The purpose of this Study is to develop a framework to transform Queen Street into a distinctive place within the city and regional context. This includes an enhanced public realm network with improved physical and visual connections within each Focus Area and Outlying MTSA's, improved connections, safe, comfortable, and complete streets that supports all users and uses.

The Vision 2040 Strategy was used as a guiding document throughout this study. MTSA's form significant anchors within the City and will be designed and developed into complete mixed-use communities that includes a range of housing and recreational options to attract talent, employment, in line with Brampton 2040 Vision and Term of Council Priorities. The MTSA's will prioritise open space and pedestrian linkages allowing seamless movement of pedestrians, cyclists, motorists, and transits and facilitate a healthy, safe and green city.

Recommended Revisions/Updates

No additional scope of work is required; however, the planning around MTSA's continues to be a relevant and defining feature of the City's future Community Structure. As such, this will be examined in greater detail when developing appropriate land use policies and review of the City's urban intensification areas in consultation with the work being undertaken by the Region. As this and other MTSA areas of the City continues to be relevant direction to develop Official Plan policies will be required.

5.2.12. CENTRE-FOR-INNOVATION (CFI) - TRANSIT HUB STUDY

The Centre for Innovation will be an iconic gateway building offering a new central library providing opportunities for digital creation and programming, performance and audio recording, assistive technologies for various abilities, and culture days. The CFI will be a landmark for train passengers entering or departing the city from the Downtown Brampton GO station.

As suggested in the Vision 2040 Strategy, Action #2-2: Downtown Brampton, where the GO station is identified as a major transit hub for the whole City. Through a Transit Hub Study, the City will explore the expansion of the existing Downtown Transit Terminal that is currently operating at full capacity, in conjunction with the CFI. To unlock Downtown and support the transit needs of Brampton residents, the Study will determine the best configuration and location of the future transit hub.

The CFI and Downtown Transit Hub are initiatives that build on the Vision 2040 Strategy. They focus on the City's efforts to create complete communities, unlock economic potential and reinforce Brampton's unique position on the Innovation Corridor.

Recommended Revisions/Updates

No additional scope of work is required as this Study is currently underway and will build upon the 2040 Vision. As this Study progresses, the Official Plan Review can consider policy implications.

5.3. Natural Heritage

5.3.1. NATURAL HERITAGE AND ENVIRONMENT MANAGEMENT STRATEGY (2015)

The Natural Heritage and Environment Management Strategy (NHEMS) was created with the intent of assisting the City in meeting the requirements of policies, such as the Ontario's Provincial Policy Statement, and defining a comprehensive management framework to direct the official plan update. The NHEMS was addressed as part of the 2006 Official Plan Review: Natural Heritage Discussion Paper produced by North-South Environmental (April 2018), however, this review did not incorporate the Vision 2040.

The NHEMS was prepared in two distinct phases and is presented as a compendium of three documents: The Conservation Authority Natural Heritage System for the City of Brampton – Final Report – 2014 (CA-NHS), the NHEMS Background Report (2015) and the NHEMS Implementation Action Plan (2015). Phase 1 of the process involved the development of a science-based Natural Heritage System for the City of Brampton that represents a refinement of TRCA's and CVC's watershed-based natural heritage systems (presented in the CA-NHS - 2014). The intent of the natural heritage system developed in Phase 1 was to inform an update to Official Plan Schedule D by identifying gaps and opportunities to improve the ecosystem function. Phase 2 of the NHEMS developed a mission, goals, objectives, targets, and actions to enhance the health and resilience of Brampton's natural and built landscapes, and identified policy gaps to be addressed in the Brampton Official Plan update. These are detailed in the NHEMS Implementation Action Plan (2015).

The NHEMS is a starting- point in defining a Brampton Natural Heritage System, and is generally in alignment with Vision 2040, as it uses an inclusive approach to planning for protection of the Natural Heritage features as a system. The 2006 Official Plan designates the City's natural areas and features as "Core Areas". The OP Review Natural Heritage Discussion Paper recommends revisions to Schedule D of the 2006 Official Plan, based on the assessment and mapping outlined in the CA-NHS. The recommendation from the discussion paper is that Schedule D be revised to include two maps: Schedule D1, which shows linkage and enhancement areas, and separates municipal parks from parkettes; and Schedule D2, which separates core natural heritage features into appropriate designations (e.g. woodlands, provincially significant wetlands, special policy areas, etc.,). Under the 2006 OP, all the natural heritage features are designated as "Open Space" (Schedule A) under the 2006 OP (Schedule A). While Vision 2040 aims to have natural areas as part of an inclusive "Eco-park" that combines all municipal parklands, naturalized areas of local significance, and natural heritage features, within the Eco-park system, it will still be essential to map and define each area

separately, to insure policy implications for each type of designation are appropriately based on sensitivity to disturbance, and to ensure compliance with the Provincial Policy Statement (2014).

Recommended Revisions/Updates

The NHEMS is a comprehensive and robust set of documents and it the opinion of WSP that reassessment is not required as part of this update. However, since the NHEMS and OP Review Natural Heritage Discussion Paper were finalized, the Province released 2019 Growth Plan. The 2019 Growth Plan includes mapping of a provincial Natural Heritage System that aims protect the region's natural heritage and biodiversity. Key Natural Heritage and Hydrological features are afforded specific buffers to development. The Growth Plan was issued under the authority of section 7 of the Places to Grow Act, 2005 and was approved through an Order in Council under that Act to come into effect on May 16, 2019. The Growth Plan specifies that all decisions made on or after May 16, 2019 in respect of the exercise of any authority that affects a planning matter will conform with this Plan, subject to any legislative or regulatory provisions providing otherwise. Minor updates to the NHEMS mapping and policy recommendations sections should be considered to address for compliance with the Growth Plan (2019). An additional scope of work is recommended to ensure that this Official Plan Review appropriately incorporates the Growth Plan requirements.

5.3.2. BRAMPTON ONE MILLION TREES PROGRAM

The One Million Trees Program intends to plant one million trees by 2040. The program aims to build upon existing programs, establish incentives, utilize technology, develop collaborations, and monitor and report on progress.

This Program directly relates to Action #1-3: Brampton Trees Project of the 2040 Vision which aims to plant one million trees in the public and semi-public realm of Brampton, specifically along streets and roads, to enhance the green canopy. On February 19, 2020, Brampton City Council endorsed the planting of 50,000 new trees across the City each year as part of this program to help achieve the goal set out in the 2040 Vision.

Bill 68, Modernizing Ontario's Municipal Legislation Act, which was proclaimed in 2018 by the Province, introduced a series of changes to the Municipal Act, including the requirement for municipalities to establish policies for the protection and enhancement of the tree canopy and natural vegetation within the municipality.

As part of the Official Plan Review, this Program will inform the development of tree canopy and greenspace policies to ensure that the Official Plan supports achieving the goal of one million trees, including provisions for greenspace, parkland, and tree canopy coverage.

Recommended Revisions/Updates

There are no recommended revisions to this Program as it directly aligns with Action #1-3: Brampton Trees Project of the 2040 Vision. There is an opportunity for the Official Plan to align with and support achieving this program's objective and enhance the City's tree canopy. Consideration should be given to direct planting initiatives to areas earmarked in the NHS as restoration or enhancement areas which would generally strengthen the NHS in Brampton.

5.4. Housing

5.4.1. DRAFT STAFF REPORT AND APPENDICES (A TO E) – DRAFT RESIDENTIAL RENTAL CONVERSION POLICY, DEVELOPMENT OF AN APPLICATION REVIEW PILOT PROGRAM, AND INNOVATION BENCHMARKING¹

This Draft Staff Report and Appendices will be presented to the Brampton City Council Planning and Development Committee during the spring of 2020. The purpose of this report is to provide an overview of the status of the development of Housing Brampton: Affordable Housing Strategy as well as present the draft actions considered for inclusion in the Strategy. The report will also present the findings from the housing innovation benchmarking exercise completed as part of the Strategy. In addition, the report will seek Council direction to proceed with a statutory public meeting to advance draft rental conversion policies, the advancement of an inclusionary zoning program and a proposed framework for an affordable housing application review pilot program.

The housing actions that are currently considered for inclusion in the Affordable Housing Strategy are listed in Appendix A of the report and are organized in the following categories²:

- 1 Actions to support an increase in the affordable housing supply (9 actions)
- 2 Actions to support housing diversity (6 actions)
- 3 Actions to support communication and advocacy for affordable housing (6 actions)
- 4 Actions to monitor and measure the progress of the City of Brampton towards its housing goals and targets (4 actions).

All actions have been reviewed and support increasing, as well as diversifying the supply of affordable housing in the City of Brampton.

¹ Please note: The report reviewed is a draft report and may change before submission to Council.

² These are draft actions and have not been listed here as they might be subject to change while the City further develops the Strategy.

The findings of the benchmarking exercise are listed in Appendix B and examine housing policies and initiatives in several major cities in North America exploring the following topics:

- Multi-generational housing options
- Tiny homes
- Temporary modular housing
- Land trusts
- Family-friendly units
- Homeshare programs
- Alternative options for accessory units (e.g. granny flats and laneway housing)

The findings support opportunities for gentle density within existing low-density neighbourhoods and the implementation of regional housing targets. The report recommends the results to be incorporated into a **residential policy review** as part of the Official Plan Review.

The proposed Official Plan amendment to introduce a rental conversion policy is listed in Appendix E to the report and seeks to prohibit conversions of purpose-built rental units to condominium tenure when the City's vacancy rate is below 3% based on Canada Mortgage and Housing Annual Rental Housing Survey (the vacancy rate in 2019 was 1.2%). The report seeks direction to proceed with a statutory public meeting. In addition, it is recommended to develop a rental protection by-law to complement the conversion policy and prevent demolition of existing rental units.

With regards to Inclusionary Zoning, the Report describes it as a leading tool available to municipalities to help create more affordable housing through the development process. One of the requirements to implement an Inclusionary Zoning by-law is to conduct an impact assessment. The report indicates Peel Region is conducting this assessment and recommends collaborating with regional efforts to meet this requirement.

Lastly, the Report proposes a framework for an affordable housing application review program where a housing facilitator from the City's Planning Department provides concierge service for affordable housing projects. A future staff report will be presented to Council providing further details about the program's framework, process improvements and eligibility criteria.

The report also recommends that a housing market study be undertaken to support a more robust review of all residential policies as part of the Official Plan review.

This report and all its appendices align with the City's 2040 Vision, Living the Mosaic, as it supports Vision 3 regarding diversification of the housing stock and development of complete communities through a range of housing options.

The report also aligns with Vision 5, Action 5.2 of Vision 2040 by supporting a Brampton-Made Comprehensive Housing Strategy.

Recommended Revisions/Updates

Based on this review, no need to amend or update this study has been identified. It is noted that the Report recommends developing a housing market study as part of the Official Plan Review. This study could incorporate the suggested updates to the Housing Brampton: Housing Needs Assessment discussed below.

5.4.2. HOUSING BRAMPTON – HOUSING NEEDS ASSESSMENT

The Brampton Housing Needs Assessment was completed in June 2018. The purpose of the study is to provide a snapshot of the current housing context in Brampton, as well as an overview of the need for affordable housing in the City. The study is the first deliverable of Phase 1 of a larger initiative called Housing Brampton, which seeks to develop Brampton's first Affordable Housing Strategy.

The Needs Assessment includes the development of a definition of housing affordability in Brampton and provides a description of the current housing context, the need for affordable housing, an overview of the housing supply by provider (private market, non-profit providers etc.) and an evaluation of the affordable housing targets as set by the Region of Peel.

Lastly, the Needs Assessment provides an overview of the challenges of creating affordable housing in Brampton, as well as several recommendations the City should consider as it develops the Affordable Housing Strategy. These recommendations include the following:

- 1 Develop tailored solutions for improving the City's core housing needs, such as youth homelessness, and housing affordability for low income, as well as middle income families.
- 2 Diversify the City's housing stock by supporting a full spectrum of housing forms and unit types through innovation and collaboration.
- 3 Enact zoning regulations that ensure support for the development of a full mix of housing types and densities, with consideration of pre-zoning preferred sites.
- 4 Look for efficiencies in the development approval process including streamlining or fast-tracking of priority projects, where appropriate (i.e. affordable housing, infill development)
- 5 Develop conversion and rental protection policies that maintain and increase the supply of rental units and explore how demolition permits could support rental protection objectives.

- 6 Explore financial tools and incentives that encourage the development of affordable housing, including development charges grants, density bonusing, and cash-in-lieu provisions which recognize affordable housing as a community benefit.
- 7 Advocate for funding support from provincial and federal governments.
- 8 Develop a communication and education strategy to increase awareness around housing needs and choices, and facilitate ongoing dialogue with the Region of Peel as the Service Manager for housing.

This study in general is in alignment with Vision 2040, as it is part of Action 5.2 of Vision 2040: Adopt a Brampton Made Comprehensive Housing Strategy. In addition, the recommendations support complete communities and a further diversification of the housing stock as promoted in Vision 3: Neighbourhoods of Vision 2040.

Recommended Revisions/Updates

There are many areas where the report could be updated and expanded to better capture the nature of the need for affordable housing in the City of Brampton. These updates and additions include the following:

- 1 Data in the report is based on the years 2016-2017. It is recommended to update or estimate the data in the report to 2019/2020 where possible to ensure the need for housing is based on the latest available data.
- 2 The report includes a demographic analysis by age, but this analysis is based on individuals and not on households. It is recommended to expand the analysis with an analysis of households by age, as households better align with the need for dwellings compared to individuals.
- 3 The report includes a limited assessment of trends in household tenure, size and household type (e.g. lone parents, single households, households with a member with a disability). This could be updated to include a more fulsome analysis of these three-key metrics that are important indicators to determine the nature of the current and future need for housing.
- 4 The report includes an analysis of household income trends. However, this analysis does not include an overview of income trends by household income deciles. It is recommended to update the report by including such an analysis to ensure the need for low- and moderate- income households in Brampton is captured accurately.
- 5 The report includes an analysis of the housing supply in Brampton, but this analysis is not organized along the CMHC housing continuum. For example, the analysis does not include an overview of transitional housing and supportive housing and a limited overview of trends in the entire housing stock. This makes it hard to assess how the

current stock addresses the need along the housing continuum and where there could be improvements.

- 6 The report includes a list of current challenges to create affordable housing in Brampton, but these challenges do not take recent changes in the Planning Act introduced through Bill 108: More Homes More Choice Act into account. It is recommended to update this section to reflect the most recent policy framework in Ontario.
- 7 While the report includes an overview of the general need for affordable housing, it does not break this need down by the housing and/or income continuum. It is recommended to update the existing report to include such gap statements, which will lead to a more comprehensive overview of the housing need in Brampton for low- and moderate-income households.

Based on these suggestions and feedback received from Brampton City Staff, it is recommended to expand the scope of work of the Official Plan Review related to housing to streamline the development of the Housing Strategy and Housing Background Report building on the existing work as part of the Housing Strategy development process already conducted by the City of Brampton.

5.4.3. HOUSING BRAMPTON – SENIORS’ HOUSING STUDY

The Seniors’ Housing Study was endorsed by Brampton City Council in 2016 and completed in December 2018. The purpose of the study is to identify potential sites and areas in the City suitable for seniors’ housing and provide several recommendations that could improve the availability of seniors’ housing in Brampton.

The study is the second deliverable from Phase 1 of a larger initiative called Housing Brampton, which seeks to develop Brampton’s first Affordable Housing Strategy.

The Seniors’ Housing Study describes the Policy Framework that governs seniors’ housing and gives an overview of the socio-economic profile of seniors and the available housing options to them in Brampton. In addition, the study includes a benchmarking exercise of what constitutes a suitable site for seniors’ housing based on a best practice study in Vaughan, Toronto, Mississauga and Hamilton. Furthermore, consultation was conducted with several key stakeholders such as faith-based and community organizations representing seniors, the Region of Peel, the City of Brampton, CMHC and providers of seniors’ housing in Brampton.

Based on this work, the study identifies 15 sites that would be suitable for seniors housing and provides several recommendations for the City to take into consideration as it develops the affordable housing strategy. These recommendations are:

- 1 Additional affordable housing for seniors is needed to respond to challenges with affordability for seniors’ housing.

- 2 Culturally-sensitive seniors housing is needed given the City's growing level of diversity.
- 3 Development applications for seniors' developments should be assessed against the site selection criteria contained within this study, with consideration for socio-economic or market studies as a requisite submission report for seniors housing development applications;
- 4 The City should continue to support the creation of local partnerships which address the housing needs of local seniors, particularly partnerships that support the not-for-profit and faith community;
- 5 The City's official plan policies should be strengthened to support the direction of Provincial Policy to provide a range of housing options for residents, as well as consideration for pre-zoning the potential sites identified through the study; and
- 6 Incentives and tools to promote the development of seniors housing sites should be explored as part of the development of the City's Affordable Housing Strategy.

This study aligns with the City's 2040 Vision, Living the Mosaic, as it supports the development of complete communities through encouraging a range of housing options promoted in Vision 3: Neighbourhoods and is part of Action 5.2 of Vision 2040 to Adopt a Brampton-Made Comprehensive Housing Strategy.

Recommended Revisions/Updates

Based on this review, no need to amend or update this study has been identified. While the study is generally based on data from 2016 and 2017, the updates suggested above to the Housing Needs Assessment could include the assessment of the need for seniors' housing in Brampton and complement the findings of this study.

5.4.4. HOUSING BRAMPTON – STUDENT HOUSING POLICY REVIEW: STAFF REPORT

The Student Housing Policy Review – Staff Report was completed and presented to the Brampton City Council Planning and Development Committee on June 17, 2019. The purpose of the review is to assess the impact of post-secondary institutions on the demand, supply and type of the available housing options in the community.

The study is the third deliverable from Phase 1 of a larger initiative called Housing Brampton, which seeks to develop Brampton's first Affordable Housing Strategy. The review includes a description of the current approach with regards to registration requirements for second units and multi-unit dwellings, a review of protection policies for rental housing and the by-law enforcement practices regarding common by-law infractions associated with student housing

such as: unauthorized parking, improper garbage disposal, lack of maintenance and public nuisance.

The review also includes the results of a benchmarking exercise conducted as part of the study outlining the policies related to student and rental housing in the Cities of Waterloo, Oshawa, Guelph, Mississauga and Hamilton.

Lastly, the report outlines the options available to the City of Brampton to better regulate the sector. These options include maintaining the status quo, as well as the option to implement a licencing by-law and the policy context to which any licensing by-law should adhere.

The review provides the following recommendations:

- 1 To continue utilizing existing programs and enforcement measures to deal with rental housing issues affecting the City in favour of establishing a new Licensing program.
- 2 To further the student housing work through the City's Affordable Housing Strategy, Housing Brampton, along with Rental Protection Policies to provide the community a variety of housing options, including affordable units on a city-wide basis.
- 3 To continue participation of Enforcement, Zoning & Building Services in public outreach sessions to educate various stakeholder groups of current by-laws, enforcement measures, illegal uses and City programs.
- 4 To strengthen the City's partnerships with post-secondary institutions (i.e. Sheridan College and Algoma University) to aid students in finding safe, adequate and affordable housing.

This review aligns with the City's 2040 Vision, Living the Mosaic, as it supports the development of complete communities and supporting a range of housing options as promoted in Vision 3: Neighbourhoods. In addition, this study aligns with Action 5.2 of Vision 2040 by examining the current situation and issues of rental housing while offering solutions to improve the current condition of rental and student housing as well as potential options to improve the stock and the condition of rental housing.

Recommended Revisions/Updates

Based on this review, no further amendments or updates are required to this Study as it addresses the actions of the 2040 Vision and will provide guidance in developing housing policies in the Official Plan.

5.5. Cultural Heritage and Socio-Economic Studies

5.5.1. AGE-FRIENDLY STRATEGY AND ACTION PLAN, JUNE 2019

The City of Brampton Age-Friendly Strategy and Action Plan, was developed based on the World Health Organization's (WHO's) Guide for Age-Friendly Community Planning, 2007 to achieve the WHO's Age-Friendly Communities designation. The Strategy and Plan was prepared with extensive community engagement, as the City continues to grow with a vibrant and diverse population.

The Strategy and Action Plan aligns with the City's 2040 Vision and supports Vision 4: Transportation and Connectivity, and Vision 5: Social Matters and Housing. The Age-Friendly Strategy and Action Plan was adopted by Council in June 2019.

The Vision Statement for an Age-Friendly Brampton was: Brampton will be an age-friendly community that meets the needs of all ages and abilities. Eight (8) goals were established to implement this Vision Statement:

- 1 Include residents of all ages, abilities and cultural backgrounds in City initiatives and events.
- 2 Promote the creation of affordable and accessible housing, along with a range of housing types and tenures.
- 3 Effectively communicate information using a variety of methods.
- 4 Assess and improve routes, connections and transit stops as the City grows.
- 5 Youth will be recognized and supported in the community through opportunities for social interaction, civic engagement, volunteering and employment.
- 6 Inter-generational opportunities will be created in the community, such as programs or events for youth and seniors to share knowledge.
- 7 Develop vibrant Community/Social Hubs with a variety of activities, events, volunteer and employment opportunities for social participation by all ages.
- 8 Design complete and compact neighbourhoods, parks, and streets that create opportunities for social interaction and interconnectivity of neighbourhoods to a variety of uses.

Recommended Revisions/Updates

The Strategy and Action Plan included numerous recommendations that should be considered during the City's Official Plan review. The following recommendations refer to the Action Items in the Strategy and Action Plan:

- Action Item 1.3 recommended that the Community Design Guidelines be updated to ensure that the location and quantity of seating areas and shade structures be considered in parks and open space plans, and streetscape plans.
- Action Item 1.5 recommended that a new Community Improvement Plan Project Area be developed or expand the existing City's Central Area Community Improvement Plan, 2010 as tools to support businesses to retrofit buildings to provide accessibility features, such as public washrooms.
- Action Item 2.1 referred to the need for improving Brampton's local transit system routes and frequency of service.
- Action Item 2.6, recommended an increase in the number of transit stops within 300 metres (5 minutes) walking distance of residential areas.
- Action Item 2.8 recognized that the City was undertaking a Complete Streets Study.

The Age-Friendly Strategy and Action Plan had a strong focus on Housing, as it is an important dimension in age-friendly community planning.

- Action Item 3.2 required the provision of more diverse housing options and sizes throughout the City, which could be established in the Official Plan through policies for inclusionary zoning. In addition, the City could establish policies in the Official Plan to develop a new CIP that would include incentives for affordable housing developments. Furthermore, the recommendations of the "Housing Brampton: Seniors Housing Study - City Wide, 2018" should be implemented, and policies should be included to develop complete communities in the City's Urban Design Guidelines.
- Action Item 3.3 is to increase the supply of affordable housing, which could be enabled by achieving the affordable housing targets as set out in the Official Plan through incentives and other tools to enable the supply to be increased.
- Action Item 3.4 encourages housing to be located near amenities and to avoid social isolation and loss of independence. Official Plan policies that enable complete communities by permitting a mix of uses that support live-work-play.
- Action Item 3.6 deals with the City's Official Plan and the development of Age-Friendly policies. Specifically, a new Age-Friendly Section and objectives in the City's Official Plan to:
 - Introduce the concept of age-friendly communities and that the City must apply an age-friendly lens in planning for its future in conformity with ROPA 27, specifically policies: 6.2.2.9; 6.3.2.1; 6.3.2.3; 6.3.2.4, which refer to providing policy direction for area municipalities, such as Brampton.
 - Recognize demographic changes will result in new priorities and challenges in the areas of affordable housing, accessible transportation, public spaces and infrastructure, recreation, and community health.

- Emphasize that the City recognizes the importance of adapting its infrastructure and service delivery to meet these challenges, and will support the development of age-friendly communities that promote active aging and a high quality of life among residents at all stages of life.

Furthermore, policies should be developed in the Official Plan to meet the objectives listed in a new Age-Friendly section in the OP related to, but not limited to housing, transit, active transportation, Healthy Development Framework, ethnicity, seniors, design guidelines, parks, pre-consultation and community engagement.

- Action Item 3.7 supports the achievement of the 2040 Vision objectives that relate to age-friendly communities, such as the development of community hubs, and a social planning department.
- Action Item 5.4 refers to early engagement by the community in the planning and preparation of City-led studies, including land development projects. The City should amend the OP policies to ensure that pre-application consultation meetings include the requirement for representatives from the Youth Council/Committee, Seniors Council, Age-Friendly Advisor Committee, and community associations.

5.5.2. CULTURE MASTER PLAN (2018)

The Culture Master Plan was undertaken in 2017 / 2018 to provide the City with clear direction regarding how to leverage, support and develop its arts and cultural resources to achieve broader quality of life and economic development goals.

This work was based on extensive research and a thorough public consultation process including stakeholder workshops, pop-up engagements, online surveys, and youth-centric outreach. In addition to research and consultation, the plan supports the vision and recommendations put forth in Living the Mosaic: Brampton 2040 Vision.

The Culture Master Plan sets Brampton on a strategic path to becoming a creative, expressive and connected urban city. The document is foundational for municipal cultural planning and service delivery in Brampton, enabling the City to take advantage of the opportunities for quality of life and economic development that a robust arts and culture sector can bring.

The Culture Master Plan identifies strategies and actions throughout, and next steps for implementation that may be integrated into the existing arts and culture Official Plan policies. This study is consistent with and was undertaken to support the Vision 2040 strategy.

Recommended Revisions/Updates

This Culture Master Plan will not be updated as part of this process and may be used to inform the Official Plan Review of arts and culture related policies. An additional scope of work is not required to ensure the Official Plan Review addresses these issues appropriately.

5.5.3. CULTURAL HERITAGE POLICY REVIEW PHASE 1 REPORT (2016 / 2017)

The City of Brampton Cultural Heritage Policy Review Phase 1 Report was completed in 2016 / 2017 to review cultural heritage policies set out in the City of Brampton's Official Plan. The report describes the existing policy framework for cultural heritage conservation in the Province of Ontario, provides an analysis of the City's existing Official Plan policies for conserving cultural heritage resources and benchmarks policies developed in other municipal jurisdictions. The study presents key policy direction recommendations as the basis for changes to the City's existing cultural heritage Official Plan policies.

This study was completed prior to and outside of the Vision 2040 study, however it is generally consistent with the Vision 2040 strategy.

The City of Brampton Cultural Heritage Policy Review Phase 1 Report should be updated to address the following issues:

- 1 Bill 108 – on June 6, 2019 the More Homes, More Choice Act, received Royal Assent. Bill 108 included amendments to the Ontario Heritage Act (OHA) which includes changes intended to improve the consistency, transparency and efficiency of decisions, while ensuring that the heritage of Ontario continues to be protected and conserved, and includes several amendments that may affect how municipalities approach certain heritage resources.
- 2 Municipal Official Plan Benchmarking – Since the completion of the study, one of the Official Plans used as a benchmark, the City of London Official Plan (1989, 2010 Office Consolidation) has been replaced by the London Plan (2016). This analysis should be updated to reflect policy updates.
- 3 Vision 2040 – The study should also be amended to include a discussion of Vision 2040 and to ensure policy recommendations are consistent with Action #2-2 of the strategy, which calls for Downtown Brampton to realize the full potential of Brampton's historic Downtown as an advanced education, arts, and life sciences hub.
- 4 Provincial Policy Statement, 2020 - Section 2.6.4 of the Provincial Policy Statement specifies that municipalities should consider and promote archaeological management plans and cultural plans to conserve cultural heritage and archaeological resources. The City of Brampton does not have an Archaeological Master Plan, or a Cultural Heritage Master Plan, and these studies are not discussed in the City of Brampton Cultural Heritage Policy Review Phase 1 Report. The report should be updated to include a discussion of these master plans, and how they may support and inform the OP process.

Recommended Revisions/Updates



An additional scope of work is not required to ensure the Official Plan Review addresses these issues appropriately as the City of Brampton Cultural Heritage Policy Review Phase 1 Report generally aligns with the 2040 Vision.

However, should the City of Brampton decide to complete an Archaeological Master Plan, or a Cultural Heritage Master Plan concurrently to the OP review, a scope change would be required.

5.6. Sustainability

5.6.1. BRAMPTON GROW GREEN ENVIRONMENTAL MASTER PLAN

Brampton Grow Green is the City's first Environmental Master Plan (EMP) and focuses on providing Brampton with a plan to be a municipal leader in environmental sustainability performance. The EMP establishes environmental sustainable directions, including a series of actions and performance targets that will serve to improve Brampton's environmental performance. The EMP outlines a framework with a vision where Brampton is a community that will conserve, enhance and balance our natural and built environments to create a healthy, sustainable city.

Recommended Revisions/Updates

City staff are in the process of updating the EMP to reflect the 2040 Vision and other planning strategies. The EMP outlines policy recommendations, including goals and objectives, that need to be incorporated into the 2040 Plan across various policy areas including transportation, urban design, parks, and land use.

5.6.2. COMMUNITY ENERGY AND EMISSIONS REDUCTION PLAN

The Community Energy and Emissions Reduction Plan (CEERP) is under development in partnership with Sheridan College, and is anticipated to be endorsed by Council in Spring 2020. The CEERP is intended to support the goals of Vision 2040 and the Brampton Grow Green Environmental Master Plan.

The CEERP will act as a roadmap to integrate the efforts of the municipal, local utilities, business, industry, institutions and community stakeholders working towards world-class energy performance while realizing positive economic, environmental, social and cultural outcomes.

The implementation of the CEERP is led by the CEERP Task Force which has been meetings on a regular basis since March 2019. As the Official Plan Review and the creation of the CEERP proceed it will be important to ensure the objectives of the two plans are aligned.

Recommended Revisions/Updates

Since the CEERP is still in process there is no need to update or amend the plan for consistency with 2040 Vision.

5.6.3. SUSTAINABLE COMMUNITY DEVELOPMENT GUIDELINES

The Brampton Sustainable Community Development Guidelines (SCDG) were prepared in 2013 to implement the direction of the 2010 Growth Plan conformity update of the Official Plan. The SCDG is a comprehensive document that encourages and guides development at a level of

planning and design that focuses on the community. The goal of the SCDG is to provide criteria for assessing development applications from a sustainability perspective.

The SCDG is guided by eleven principles that include:

- support for a mix and diversity of land uses;
- preservation of natural heritage features;
- walkability;
- a range and mix of housing options;
- reducing energy demand; and
- fiscal sustainability.

The twelve goals of the SCDG have a direct, and indirect, relationship to land use policy and development:

- 1 Compact development
- 2 Walkable streets
- 3 Mixed-use neighbourhood centres
- 4 Housing and job proximity
- 5 Reduced automobile dependence
- 6 Mixed income/diverse communities
- 7 Public health
- 8 Energy reduction and conservation
- 9 Water management and conservation
- 10 Stormwater management
- 11 Certified Green Building program
- 12 Heritage resource preservation

The SCDG, in concert with the GPOPA policies and the guidelines of the DDG, will be used to evaluate secondary plans, block plans, and draft plans of subdivision and site plan applications to ensure that a high level of urban design and the intended level of sustainability is achieved.

The SCDG provides guidelines and illustrations that address each of the goals at the secondary plan, block plan, subdivision and site plan scales of policy and development.

Recommended Revisions/Updates

While the SCDG pre-dates the 2040 Vision, they share many of the same goals and objectives and may only require minor updates to harmonize language or reference specific objectives. The accompanying Sustainability Metrics and Threshold are currently under review by City Staff. The SCDG does not single out specific geographic areas of Brampton and is therefore adaptable to policies updates that may result from the 2040 Plan.

5.6.4. SUSTAINABILITY ASSESSMENT TOOL

The Sustainability Assessment Tool (SAT) is used to implement the sustainability performance metrics (Block Plan/Draft Plan of Subdivision and Site Plan), as developed by the Cities Brampton, Vaughan and Richmond Hill. The point structure for the Recommended Minimum and Aspirational targets align with the Municipalities' sustainability priorities, in Brampton focused on a) Walkability, b) Natural Heritage, c) Energy, and d) Water.

These metrics are currently being updated based on alignment with other policies, redundancy and implementation. Provincial changes to legislation and provincial plans have impacted the need to update the sustainability metrics. This includes climate change mitigation and low carbon objectives through Provincial Plans and energy efficiency. Source water protection, green infrastructure updates, asset management regulations and the Peel Region Climate Change Master Plan are also changes being addressed by the update. Targets and actions are anticipated to support modified behaviour to achieve targets aligned with these policy updates. As these updated metrics align Official Plan policy areas, these changes will be reflected and incorporated to policy.

Recommended Revisions/Updates

No revisions or updates are recommended. City Staff are currently in the process of updating the Sustainability Assessment Tool.

5.7. Growth Management & Economic Development

5.7.1. PEEL REGION REVISED POPULATION FORECAST BY SMALL GEOGRAPHIC UNIT (SGU), 2016 TO 2041

While this is not a background study, this information is a core requirement to develop the growth forecast scenarios. It is our understanding that the City is still waiting for the release of Peel Region's final population, housing and employment growth forecast. Below is a brief description of the growth forecast information and background information required to update Growth Forecasts for the City of Brampton:

- Population, housing and employment forecast by SGU, including associated mapping output data;

- City of Brampton population forecast by age-cohort and associated headship rate forecast (if available);
- Employment forecast by 2-digit NAICS and details regarding how sectoral forecasts is “rolled up” to employment land use categories (i.e. employment lands employment, population-related employment, major office employment, and rural-based employment);
- Background information on key assumptions, including:
- Land supply (community and employment lands);
- Existing and forecast Designated Greenfield Area density assumptions and components of density (population and employment);
- Residential intensification target for Brampton;
- Employment density assumptions for employment lands, major office and population-related employment;
- Existing and forecast Employment Area density by Employment Area or type of Employment Area (e.g. newly developing employment areas, built employment areas); and
- Employment land intensification assumptions.

Recommended Revisions/Updates

As a supplement to the Region’s growth forecast, the following is requested from the City:

- Past forecasts completed by the City and completed reports;
- Growth monitoring reports and information (if available); and
- Reports on the status of the North-West Brampton Shale Resources Policy Review (ROPA 32) to inform an understanding of the potential impact on the Heritage Heights area.

5.7.2. RETAIL POLICY REVIEW, PHASES 1 AND 2, 2016 AND 2017

The Retail Policy Review reports (Phase 1 and 2) were completed in 2016 and 2017 and key assumptions were derived from data and research completed in mid-2015. It is important to recognize that population is a key input in determining the demand for commercial space and the Region’s forecast will impact the demand for additional commercial space. Further, given the changes occurring in the retail market, both nationally and locally, there is a need to update and review the key assumptions utilized in the Retail Policy Review. As noted in the Report, the impact of major retail trends, including e-commerce was largely unknown at the time of the study. It is our opinion that since the release of the Report there is need to examine e-commerce and other major disruptors for the retail market. We have provided more details

below on the updates and gaps that will need to be addressed to support the growth scenarios forecasts and the market study report.

Recommended Revisions/Updates

- It is recommended that the following technical components of the Retail Policy Review be updated:
- Update national commercial trends and local impact for Brampton over the long-term;
- Update commercial inventory of built retail space, including vacant retail space;
- Update commercial unbuilt retail space inventory;
- Complete a recent license plate survey and consumer survey or provide a rationale for not requiring an update; and
- Update existing population base and utilize the Region's population forecast to generate updated additional warranted retail floor space demand.
- The following gaps have also been identified in the past Retail Policy Review that will need to be addressed:
- Expanded discussion on the opportunity for retail within mixed-use environments (within Brampton context) and intensification areas;
- Expand the analysis to include a review broader range of commercial uses (e.g. hotels/motels, automotive services, non-major office uses);
- Identify commercial land needs (translating floor space to land area requirements);
- Review of retail building coverage trends and forecast coverage for commercial space within Designated Greenfield Areas;
- Commercial floor space demand and commercial land needs for Designated Greenfield Areas, in particular Northwest Brampton and Bram West Areas;
- Forecast employment based on identified commercial demand against the Region's population-related employment forecasts;
- Review of existing commercial density and impact on density levels on Designated Greenfield Area; and
- Breakdown of commercial forecast and demand by Community Area and Employment Area.

Specific Comments, Questions and Information Requests:

- It is recommended that JC Williams, the commercial consultant that prepared the commercial demand analysis Retail Policy Review Phase 1 and Phase 2 Reports, update the commercial space requirements, including updating the key inputs utilized in

deriving the analysis as listed in items 1 through 5 noted above. To support the land needs analysis task as part of the growth forecast scenarios, there is a need to expand the scope of the original retail analysis to include a broader range of non-office commercial uses and translate the commercial floor space requirements into land area requirements, for the Designated Greenfield Area. We recommend that JC Williams also complete the above expanded analysis as part of the update. It is appropriate for the commercial demand analysis to be completed in a technical memo.

- Watson will translate the commercial demand forecast into associated employment growth, including a review of the commercial employment against the Region's population-related employment forecasts. Further, Watson will review the existing commercial density and the density impact of the forecast commercial demand on Designated Greenfield Areas.
- Watson will integrate the results of the update commercial analysis into the broader market study report and provide further supplemental analysis on the anticipated demand for commercial uses in Employment Areas.

5.7.3. BRAMPTON EMPLOYMENT LAND POLICY STUDY

This report is now several years out of date and many relevant technical aspects of this report will need to be updated to support the City's long-term employment land needs assessment. These technical aspects include:

- 1 Recent macro-economic and regional market trends generally related to employment growth and employment lands development;
- 2 Recent employment growth and employment activity on employment lands, including nature of recently developed employment lands by sub-sector, parcel size and density;
- 3 Revised employment land supply inventory (developed and vacant by location),
- 4 Revised major office employment trends, including nature of recently developed major office development by sector, size and location; and
- 5 Revised major office land supply inventory (developed and vacant).

Recommended Revisions/Updates

The report will need to be updated in accordance with current legislation and policy (i.e. Growth Plan, 2019) as well as the revised Provincial Land Needs Assessment (LNA) Methodology when it becomes available. This will require the following:

- 1 A breakdown of the employment lands employment forecast between built employment areas and newly developing employment areas. This analysis should be supported by an updated discussion and analysis of employment intensification opportunities;

- 2 Removal of reference to prime employment areas;
- 3 Discussion regarding Provincially Significant Employment Zones (PSEZs);
- 4 Review of opportunities with designated Employment Areas identified within Major Transit Station Areas in Brampton; and
- 5 Review of proposed employment conversion sites.

Specific Comments, Questions and Information Requests:

- It is recommended that Watson update specific sections of the report as they relate to the City's OP update. This would specifically include an analysis of the City's long-term employment land needs to 2041 in accordance with the LNA and Growth Plan requirements. It is noted that if Hemson has gathered updated employment land supply information as part of the Peel GMS/OP growth forecast update, we would appreciate if this information could be shared through the City of Brampton. This would include the employment supply tables provided in Table 2 and 3 of the 2016 Report. We would also request a revised employment land map (Figure 10);
- The 2016 Report does not appear to provide details regarding employment demand by land use category. We would request that the revised employment forecast by land use category prepared as part of the Peel GMS/OP be provided to Watson through the City of Brampton. We would also request that the City provide the specific employment forecast by two-digit NAICS (via Hemson) to better understand how the employment sectors are then "rolled up" to employment land use category;
- The 2016 report does not provide mapping data regarding existing vacant employment lands. If available, through the City of Brampton, we would request this information; and
- It is also requested that any base employment estimates by sector and land use category for 2020 be provided to Watson by the City via Hemson.

5.7.4. OFFICE STRATEGY, MAY 2016

The report is now several years out of date and many relevant technical aspects of this report will need to be updated to understand the demand for office space within the City of Brampton. Further, there is an opportunity to provide clarity around key recommendations and explore best practices in accommodating office employment.

Recommended Revisions/Updates

It is recommended that the following technical components of the Office Strategy be reviewed and updated:

- 1 High level review of recent local and regional market trends generally related to office growth and development, including understanding the share of office growth by municipality within the GTHA;
- 2 Review of floor space per worker assumption and employment land density assumptions for the City of Brampton; and
- 3 Review and further clarification regarding the of prioritization of major office development by location.

We have identified some gaps in the past Office Strategy that will need to be addressed:

- 1 Compare the office forecast demand against historical actuals to understand how the City is tracking;
- 2 Comment on the Region's Major Office Employment forecast in the context of market reality within the short and medium term;
- 3 Explore best practices (suggested up to six case studies) in accommodating office employment by location types (e.g. commercial mixed-use areas, employment areas and downtown areas); and
- 4 Prepare a SWOT analysis that considers opportunity for major office development by built-form, tenant type, sector and location.

Specific Comments, Questions and Information Requests:

We would recommend that Watson update specific sections of the report as they relate to the City's OP update. This would include providing the City with clear direction for targeting office development, prioritizing locations for office development and reviewing the office forecast against market reality within the context of historical trends and future prospects. Further, Watson will provide a more fulsome discussion on the potential of office use by built-form and tenant type which will consider the evolving office market and opportunities for office space in a range of environments (e.g. mixed-use, retail sites, etc.).

5.8. Parks and Open Space Planning

5.8.1. PARKS AND RECREATION MASTER PLAN

The Parks and Recreation Master Plan (PRMP) provides a blueprint to guide the City's planning and provision of parks, recreation facilities and the programs that take place within them. The PRMP contains 114 recommendations for the delivery of parks and recreation facilities and services to be implemented by 2031. This study is aligned with the 2040 Vision, which envisions a green park network and providing adequate recreational opportunities for residents.

The PRMP provides a series of strategic recommendations which require consideration in the 2040 Plan, as well as technical recommendations which may inform the revised community structure, including:

- #1. Integrate Urban Park and Linear Connector classifications into the City's Official Plan parkland hierarchy (currently investigating new park classifications)
- #2. Proactively provide parks at a ratio of 1.6 hectares per 1,000 population, which will require around 240 hectares of new parkland by 2031 – supported by the undertaking of a Parkland Acquisition Strategy. To support this target, pursue documentation of park supply service level targets in the Official Plan as part of the ongoing Official Plan review. Continue to ensure that any parklands obtained under this ratio should quality, useable tableland to ensure cost-effective and recreationally focused park development.
- #4. Align the PRMP's parkland objectives with those contained within the City of Brampton Official Plan and its implementing Zoning By-law.
- #5. Through Official Plan policy, the City should continue to require parkland dedication as permitted by the Planning Act – including alternative conveyance requirement – through acquisition of physical parkland or cash-in-thereof.
- #9. Continue to work with the Peel District School Board and Dufferin-Peel Catholic District School board in the planning and provision of joint school-park campuses, as per Section 4.7.1.16 of the current City of Brampton Official Plan.
- #6. Through the Official Plan Review process and future reviews of its Parkland Dedication Policy, the City should explore ways to align its parkland dedication requirements, as permitted through the Planning Act, with density of proposed developments and continuing to leverage the Planning Act's density bonusing provisions.
- #18. The PRMP should be considered in tandem with the City of Brampton's Official Plan policies regarding the Natural Heritage System, the Environmental Master plan, the Natural Heritage and Environment Management Strategy, and the Active Transportation Master Plan.
- #67. The PRMP recommends that playgrounds are provided with a focus on serving major residential areas, generally within an 800-metre radius of major pedestrian barriers such as major roads, railways, and watercourses. Opportunities to help achieve this objective can be considered in reviewing the City's urban structure.

Recommended Revisions/Updates

That the planning horizon for the PRMP will have to be aligned with the growth scenarios of the 2040 Official Plan and updated accordingly by City Staff. Considering recent Provincial changes to the development charges and parkland dedication regulations and the implementation of

community benefits charge authority, the City may wish to consider the implications on parkland dedication and acquisition.

5.8.2. BRAMPTON ECO PARK STRATEGY

The Brampton Eco Park Strategy (2019) outlines a proposal to create an amalgamated park network interwoven throughout the City. The goal is a catalytic action for Vision 1 of the 2040 Vision, which calls for ‘one-planet living’. This theme permeates the entirety of the 2040 Vision through the inclusion of more sustainable urban spaces, green space connectivity, and increased environmental stewardship.

Recommended Revisions/Updates

Overall, the Strategy aligns with Vision 1 of the 2040 Vision. There is an opportunity for the Official Plan to align with and support achieving this goal and enhance the City’s municipal and natural heritage park network.

While Brampton’s NHS policies focus on the conservation and enhancement of ecological systems, Brampton’s Parks and Recreation policies focus on the recreational and social needs of the community. As work is done to address the Goals of this program, consideration should be given to ensuring that if locations earmarked as “prime candidates” are part of the Natural Heritage System, that the permitted uses are in alignment with relevant provincial policy. Installation of trails or even low-density public spaces should be avoided in high quality natural features, such as large wooded or wetland areas. Practices and targets discussed in the NHEMS can provide insight into these considerations.

6. NEXT STEPS

Phase 2 and 3 of the Project Plan includes an analysis of Growth Scenarios and development of Discussion Papers. Before Discussion Papers can be formalized, gaps and issues identified in this Document Review and Gaps Analysis Report should be addressed.

The formulation of Discussion Papers and an update to the 2015 Office Consolidated Official Plan through the re-structuring and possible re-write of new policies will require that the City of Brampton Staff remain engaged in and informed on ongoing City projects. Continued engagement will be a part of the Engagement Strategy as part of a separate deliverable for this project.

Specific information required from the City is summarized by subject matter. Once this information is received and reports have been updated, the information will help inform the preparation of Discussion Papers for the next phase of the Project Plan.

STUDIES THAT CAN BE COMPLETED AND CARRIED FORWARD IN THE OFFICIAL PLAN

Through completion of a background review and analysis, the following studies can be carried forward to prepare discussion papers and analyze/update/re-write Official Plan policies:

- Toronto Gore Density Review
- Heritage Heights Secondary Plan (in-process)
- RioCan Shoppers World Redevelopment Master Plan
- Riverwalk Urban Design Master Plan
- Community Hub Studies
- Precinct Plans (Queen Street East Precinct Plan)
- Queen Street East Community Planning Permit System
- Bram East Secondary Plan
- Secondary Plan Consolidation
- Region of Peel Major Transit Station Area Study
- Brampton Gateway Mobility Hubs and Intensification Corridors Background Study
- Bramalea Mobility Hub Land Use Study
- Brampton LRT Extension Study
- Queen Street – Hwy 7 BRT Planning Study and Initial Business Case

- Queen Street Corridor MTSA Study
- Centre for Innovation (CFI) – Transit Hub Study
- Housing Brampton – Senior’s Housing Study
- Housing Brampton – Student Housing Policy Review: Staff Report
- Housing Brampton – Draft Staff Report – Draft Residential Rental Conversion Policy, Development of an Application Review Pilot Program and Innovation Benchmarking
- Culture Master Plan (2018)
- Age-Friendly Strategy and Action Plan, June 2019
- Community Energy and Emissions Reduction Plan (in-process)
- Sustainable Community Development Guidelines
- Brampton Eco Park Strategy
- Brampton Grow Green Environmental Master Plan
- Brampton One Million Trees Program

STUDIES THAT ARE OUTDATED AND REQUIRE UPDATES

Table 2. Identification of Gaps in background information received

RESPONSIBILITY FOR UPDATES

STUDY NAME	CITY OF BRAMPTON	WSP CONSULTING TEAM	3 RD PARTY
City of Brampton Transportation Master Plan Update	●		
City of Brampton Complete Streets Master Plan	●		
Natural Heritage and Environment Management Strategy	●		

RESPONSIBILITY FOR UPDATES

STUDY NAME	CITY OF BRAMPTON	WSP CONSULTING TEAM	3 RD PARTY
Housing Brampton – Housing Needs Assessment		Additional Scope Required	
Cultural Heritage Policy Review Phase 1 Report (2016/17)		● Additional Scope May be required	
Peel Region Revised Population Forecast by Small Geographic Unit (SGU), 2016 to 2041	●		Peel Region
Retail Policy Review reports (Phase 1 and 2)		●	JC Williams
Brampton Employment Land Policy Study		●	
Office Strategy, May 2016		●	
Parks and Recreation Master Plan	●		
Sustainability Assessment Tool	●		

ADDITIONAL INFORMATION THAT WILL NEED TO BE EXAMINED/EXPLORED IN THE OFFICIAL PLAN

The following information is required from the City (and Peel Region where noted) to aid in updating the above-noted studies.

Housing

- Data for the years 2017-2020
- Demographic analysis of households by age
- More detailed information on household tenure, size and housing type (e.g. lone parents, single households, households with a member with a disability)
- Income trends by household income deciles
- Alignment of housing supply analysis along the CMHC housing continuum

Population Forecast

The following is required from Peel Region:

- Population, housing and employment forecast at the Small Geographic Unit (SGU) scale, including associated mapping output data;
- City of Brampton population forecast by age-cohort and associated headship rate forecast (if available);
- Employment forecast by 2-digit NAICS and details regarding how sectoral forecasts is “rolled up” to employment land use categories (i.e. employment lands employment, population-related employment, major office employment, and rural-based employment);
- Background information on key assumptions, including:
- Land supply (community and employment lands);
- Existing and forecast Designated Greenfield Area density assumptions and components of density (population and employment);
- Residential intensification target for Brampton;
- Employment density assumptions for employment lands, major office and population-related employment;
- Existing and forecast Employment Area density by Employment Area or type of Employment Area (e.g. newly developing employment areas, built employment areas); and
- Employment land intensification assumptions.

The following is required from the City of Brampton:

- Past forecasts completed by the City and completed reports;
- Growth monitoring reports and information (if available); and
- Reports on the status of the North-West Brampton Shale Resources Policy Review (ROPA 32) to inform an understanding of the potential impact on the Heritage Heights area.

Employment

- Commercial inventory of built retail space, including vacant retail space;
- Commercial unbuilt retail space inventory;
- Retail building coverage trends and forecast coverage for commercial space within Designated Greenfield Areas;
- Existing commercial density;
- Expanding the scope of the original retail analysis to include a broader range of non-office commercial uses and translate the commercial floor space requirements into land area requirements, in particular for the Designated Greenfield Area;
- Recent employment growth and employment activity on employment lands, including nature of recently developed employment lands by sub-sector, parcel size and density;
- Revised employment land supply inventory (developed and vacant by location);
- Nature of recently developed major office development by sector, size and location;
- Revised major office land supply inventory (developed and vacant);
- Proposed employment conversion sites;
- Updated employment land supply information as part of the Peel GMS/OP growth forecast update, including the employment supply tables provided in Table 2 and 3 and a revised employment land map from the 2016 Employment Land Policy Study Report;
- Revised employment forecast by land use category prepared as part of the Peel GMS/OP be provided through the City of Brampton;
- Specific employment forecast by two-digit NAICS (from Hemson via Brampton);
- Mapping data regarding existing vacant employment lands;
- Base employment estimates by sector and land use category for 2020 from Hemson via Brampton;
- Prioritization of major office development by location; and,
- Office forecast demand against historical actuals.



City of Brampton Official Plan Review – Draft Growth Scenarios Council Presentation

December 7, 2020

Introduction



- The City of Brampton is currently undertaking a comprehensive review and update of its Official Plan (O.P.).
- The City's new O.P. is intended to implement the direction of the "Brampton 2040 Vision" while complying with Provincial and Regional planning direction.
- Watson & Associates Economists Ltd. (Watson) are working with WSP Consulting on this study. Our focus is directed to the development of three long-term range growth scenarios for the City to the year 2051.

Purpose



- The purpose of this meeting is to summarize the draft findings prepared by the Consultant Team with respect to the City's long-range growth scenarios to the year 2051.
- As part of the O.P. review, a total of three long-term growth scenarios for the City have been examined, including:
 - Current Trends Scenario (Scenario 1);
 - Policy Driven Regional Conformity Scenario (Scenario 2); and
 - Preferred Scenario – Brampton Vision 2040 (Scenario 3).
- Each scenario will be used to inform the City's long-term growth potential by Planning Policy Area i.e. Built-up Area (B.U.A. and Designated Greenfield Area (D.G.A)).

What Drives Population and Employment Growth?



Economics

Local and Regional
Economic Outlook



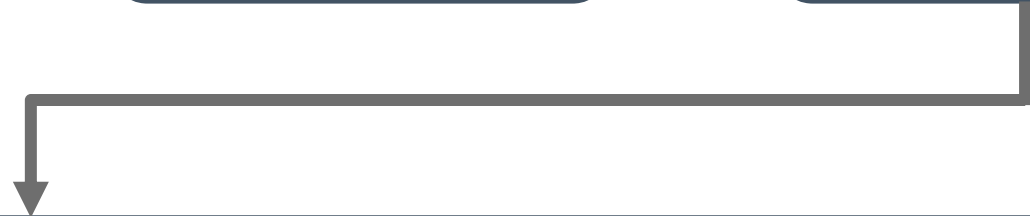
Economic Drivers of
Population and
Employment Growth by
Area



Labour Force Growth
within the Commuter
Shed



Forecast Employment
Growth by Sector



Demographics

Net Migration
and Natural
Increase



Population and
Housing forecast
2016 to 2051



Housing Forecast
by Type, 2016 to
2051



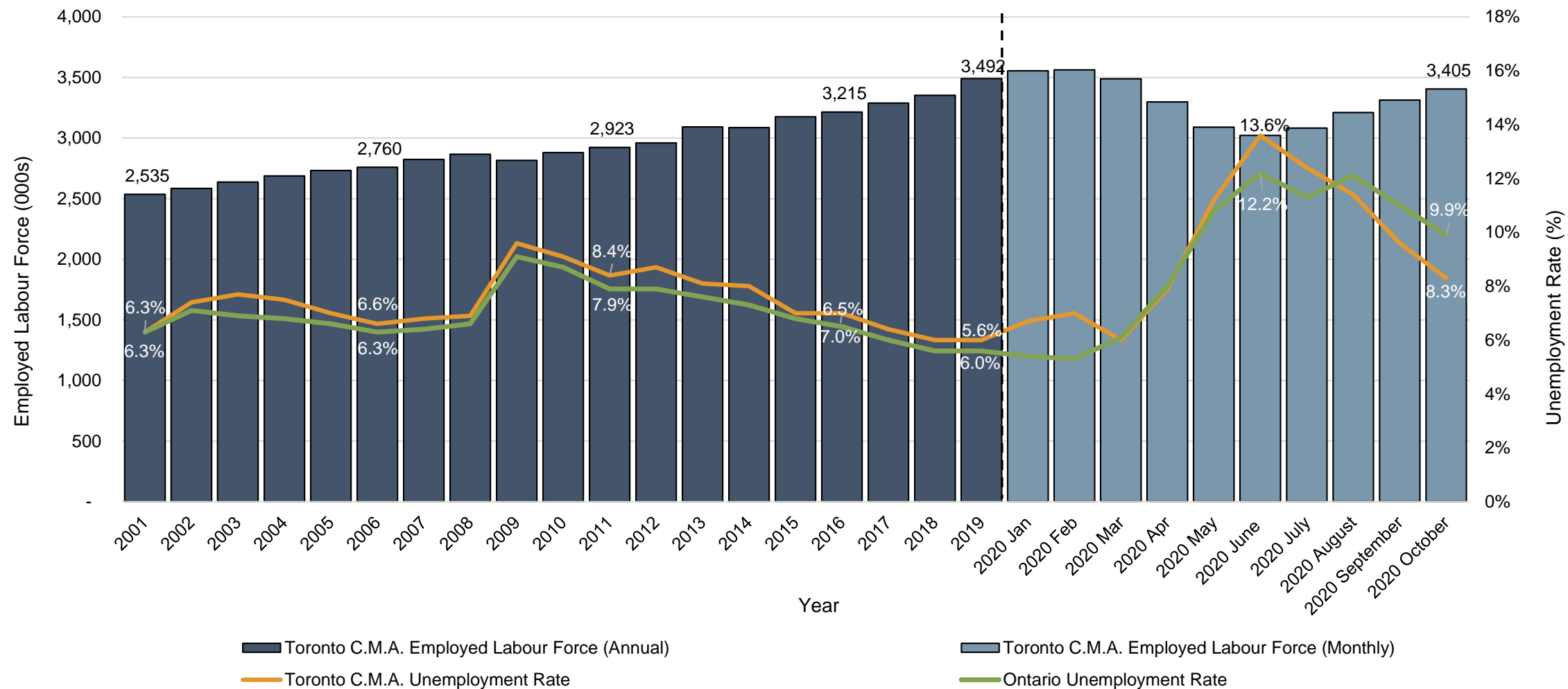
Population,
Housing, and
Employment
Growth Scenarios



Population and
Housing Forecast
Allocation by
D.G.A. and B.U.A.

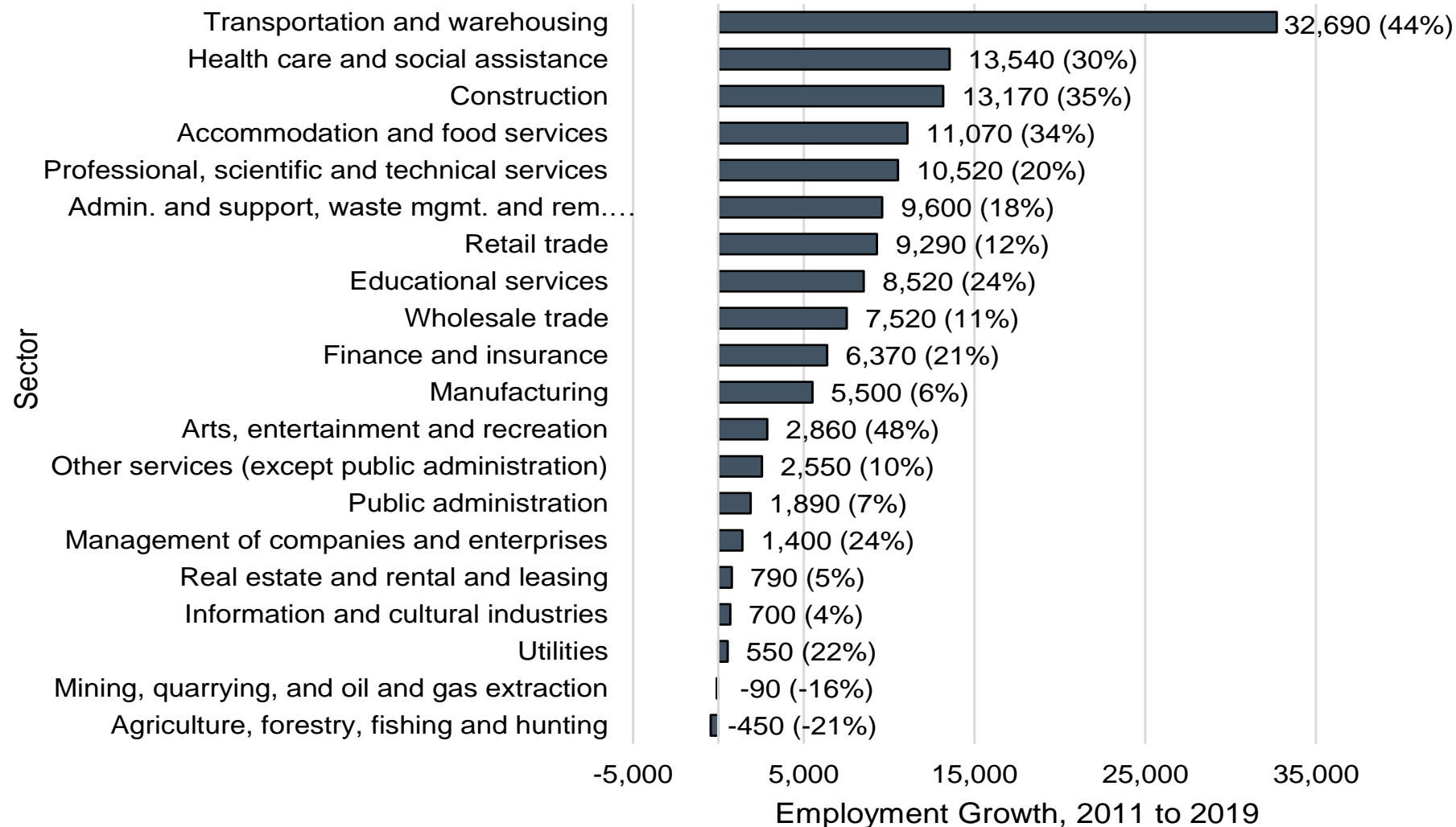
Overview of Macro-Economic and Regional Employment Trends

Toronto C.M.A. Total Labour Force and Unemployment Rate Trends, 2001 to October 2020



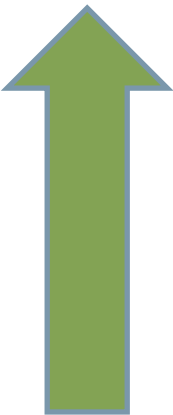
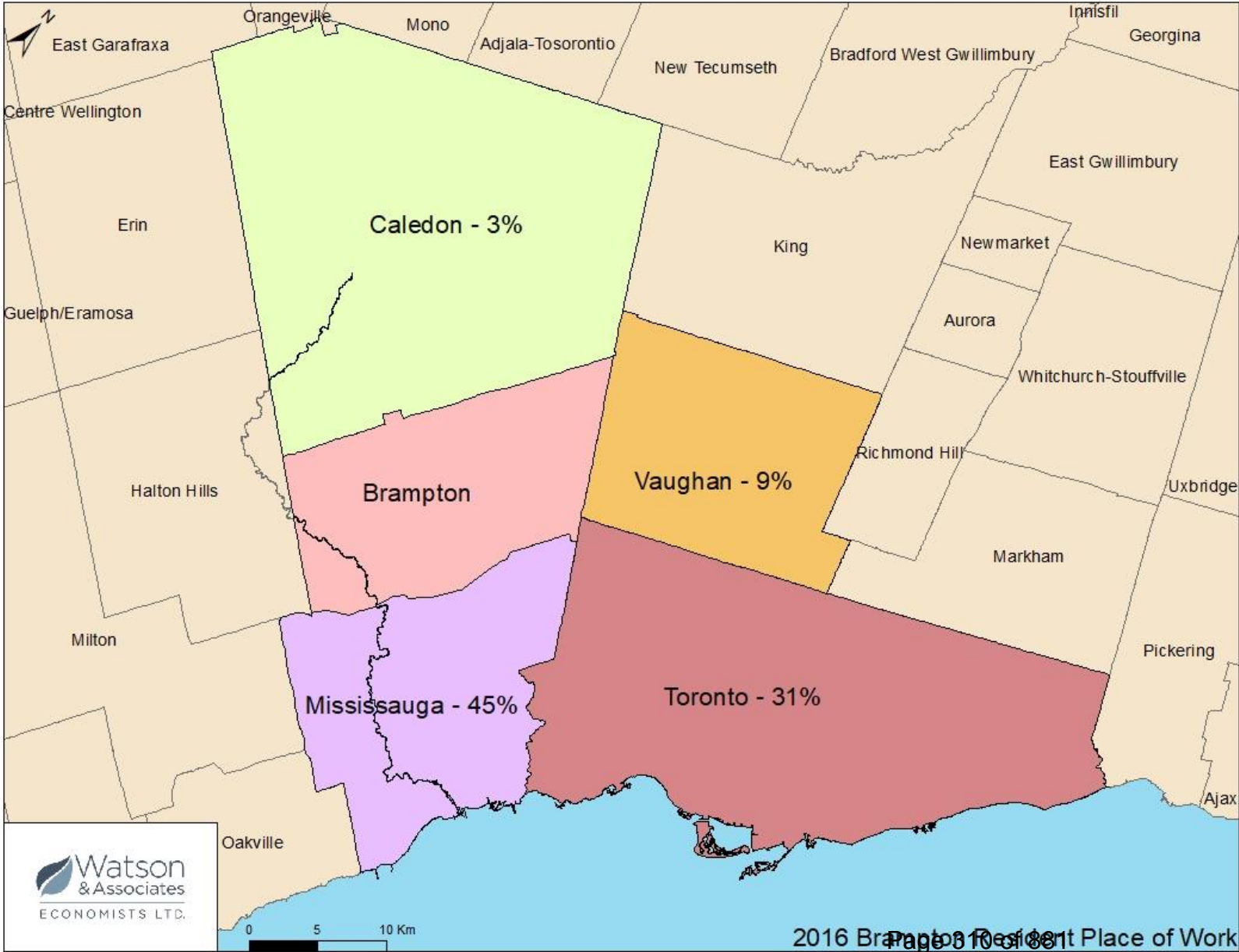
Note: Statistics Canada Labour Force Survey and Census labour force statistics may differ.
Source: Statistics Canada Data Tables 14-10-0098-01 and 14-10-0294-02. By Watson & Associates Economists Ltd., 2020.

Peel Region Employment Growth by Sector, 2011 to 2019



Source: Derived from EMSI data by Watson & Associates Economists Ltd., 2020.
Note: Figure includes employed and self-employed persons.

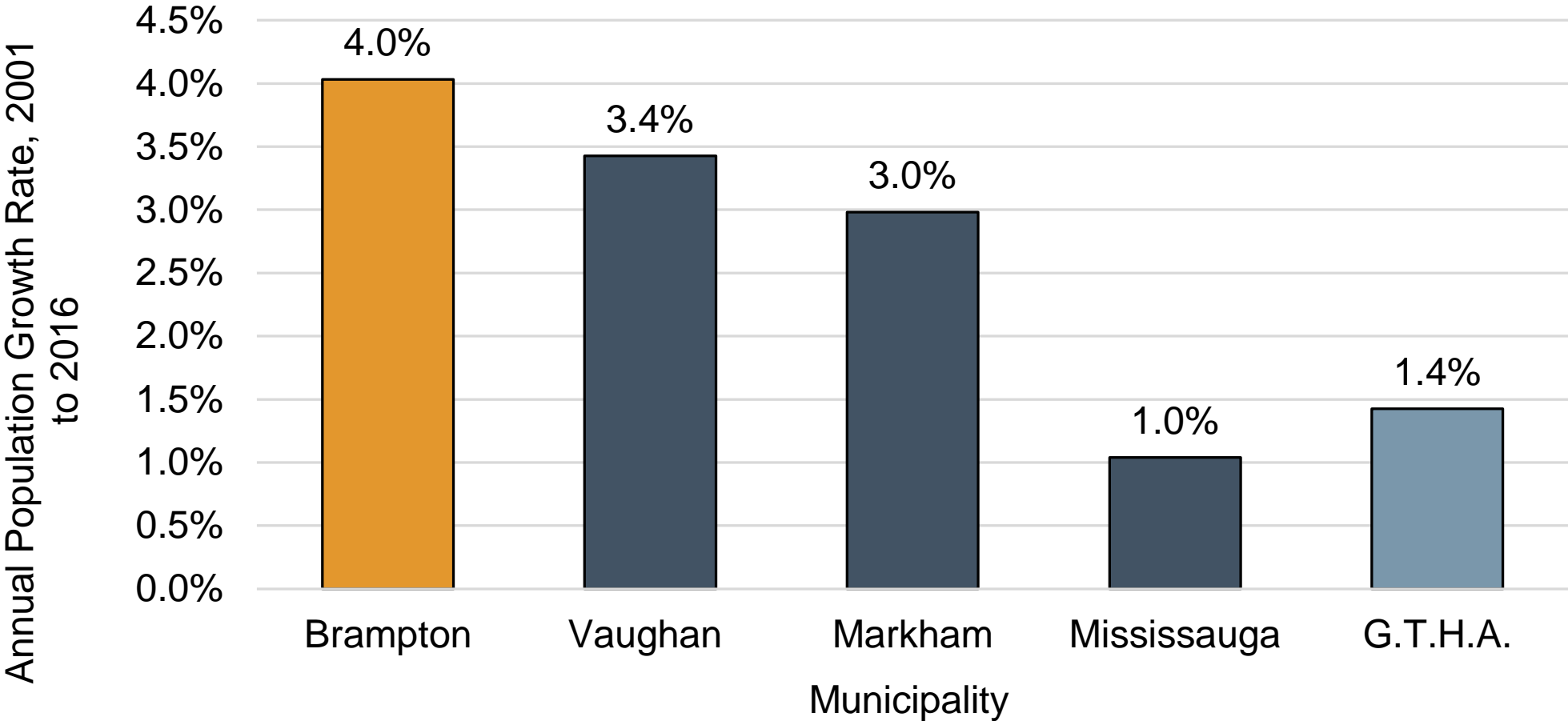
City of Brampton Commuting Patterns by Usual Place of Work, 2016



- 661,000 increase in Primary Commuter Shed jobs from 2016-2051.
- 0.7% Annual employment growth rate 2016-2051.
- Primary commuter shed is 88% of the City's total commuter shed.

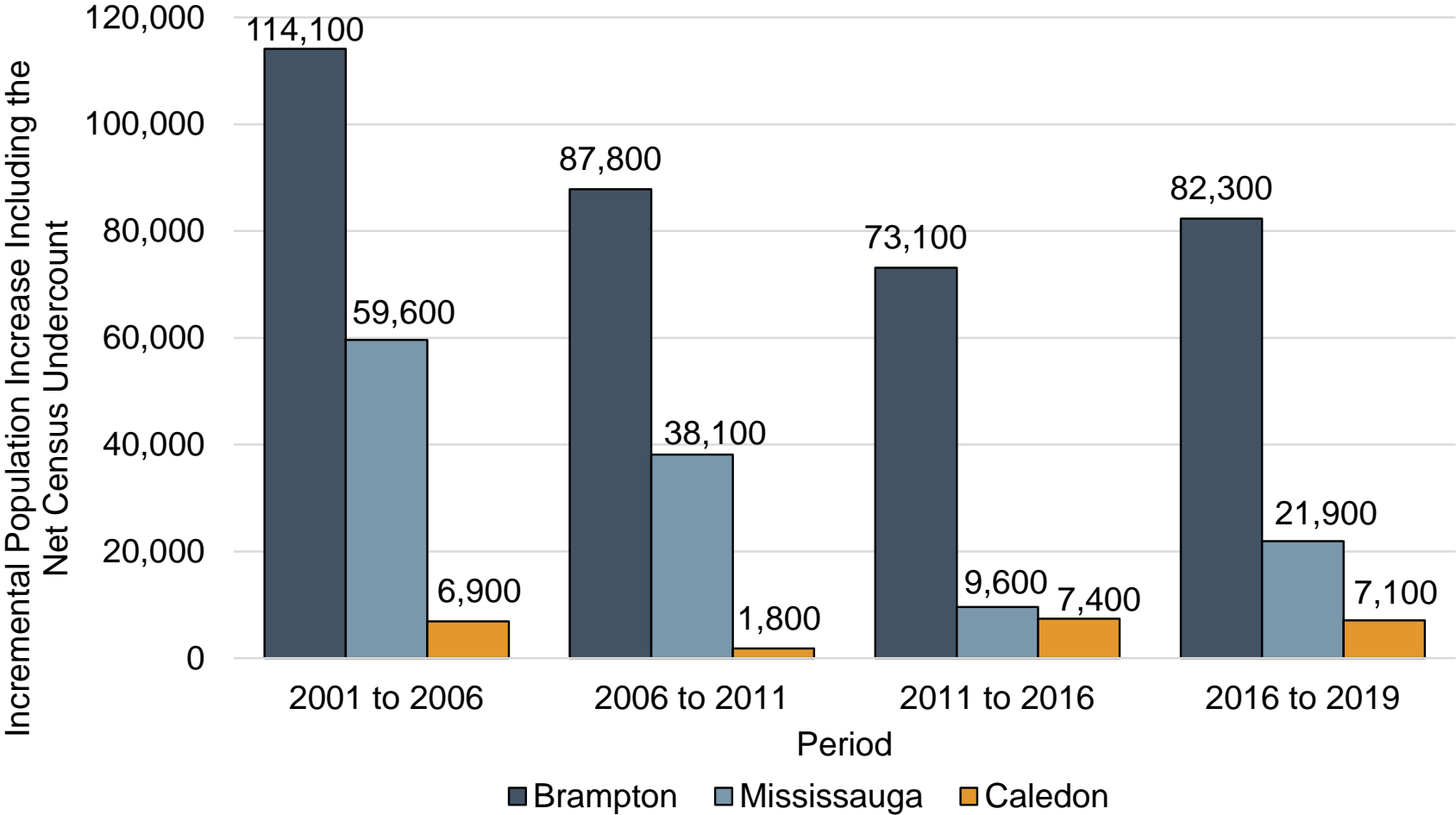
City of Brampton Primary Commuter Shed Employment Forecast		
2016	2051	2016-2051
2,301,000	2,962,000	661,000

Historical Population Growth Rates, 2001 to 2016 by Comparator Municipalities



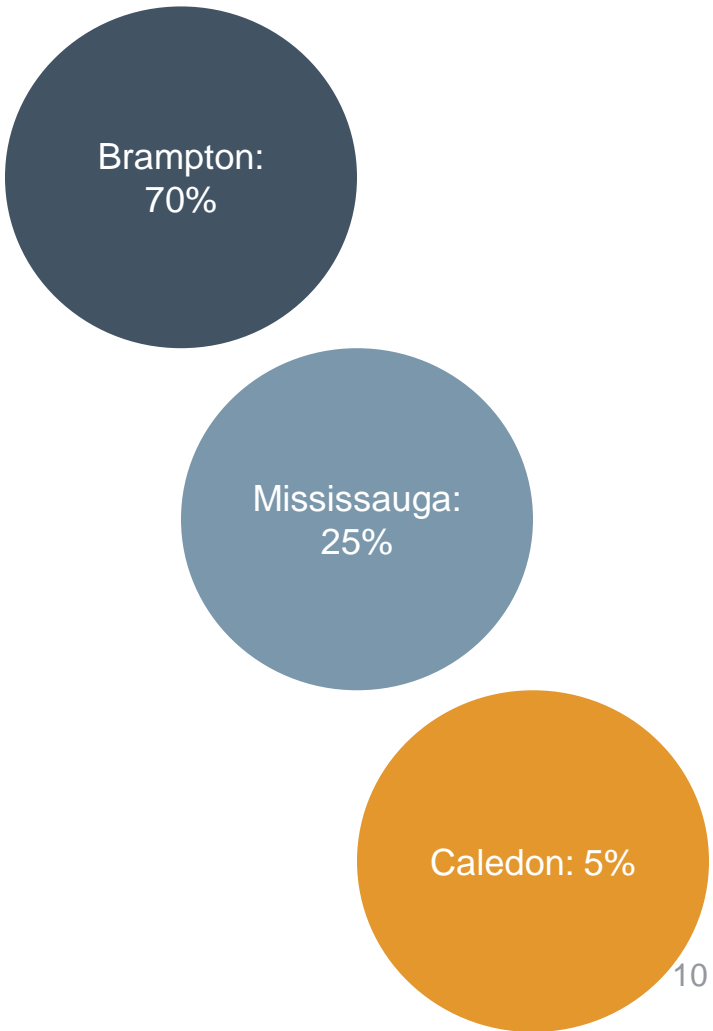
Source: 2001 to 2016 from Statistics Canada Census. Figure by Watson & Associates Economists Ltd., 2020.
Note: Population includes Net Census Undercount.

Region of Peel Historical Population Growth, 2001 to 2019

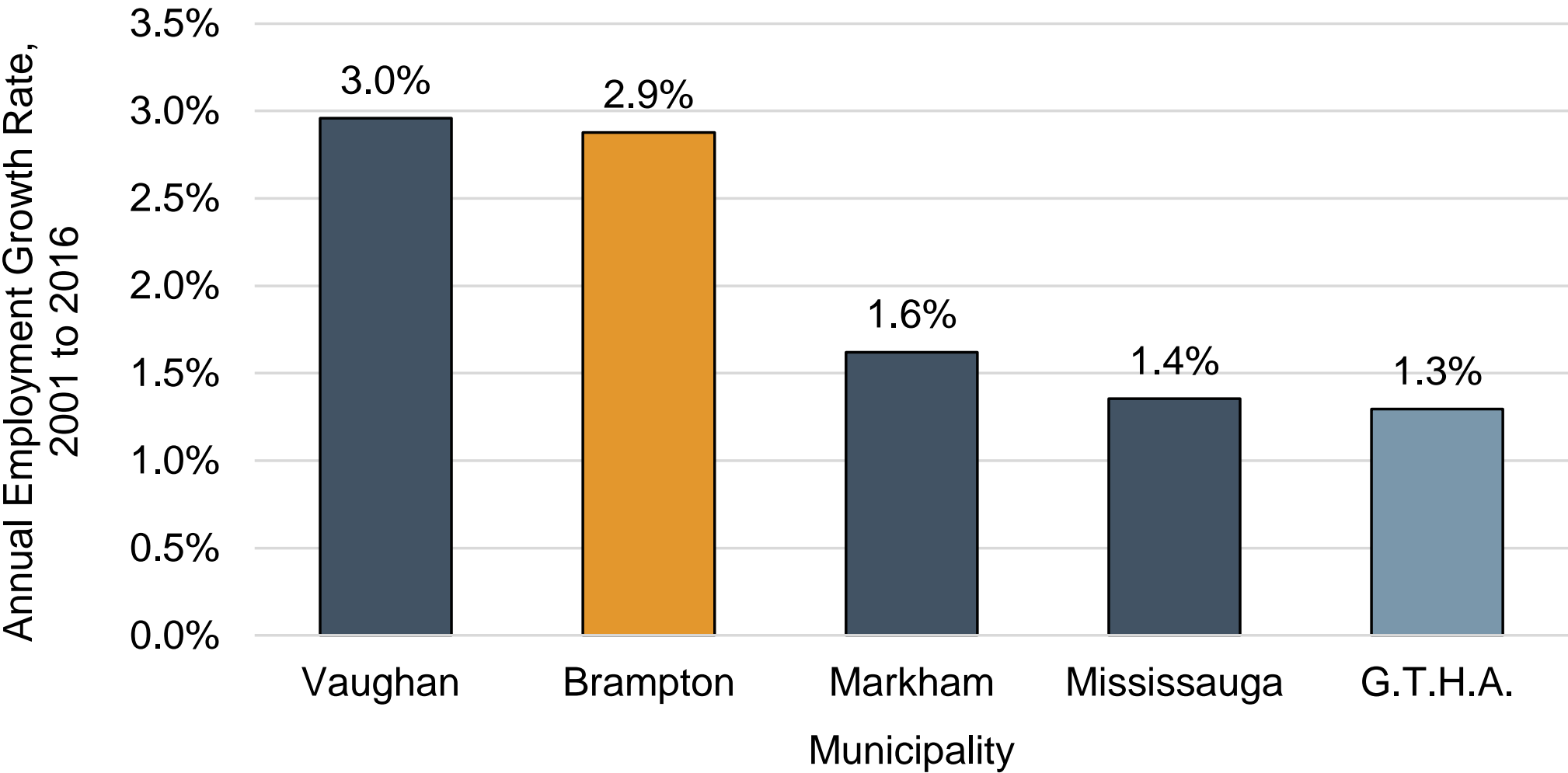


Source: 2001 to 2016 from Statistics Canada Census. 2019 from Statistics Canada Post-Censal Estimates. Figure by Watson & Associates Economists Ltd., 2020.

Share of Regional Population Growth, 2001 to 2019

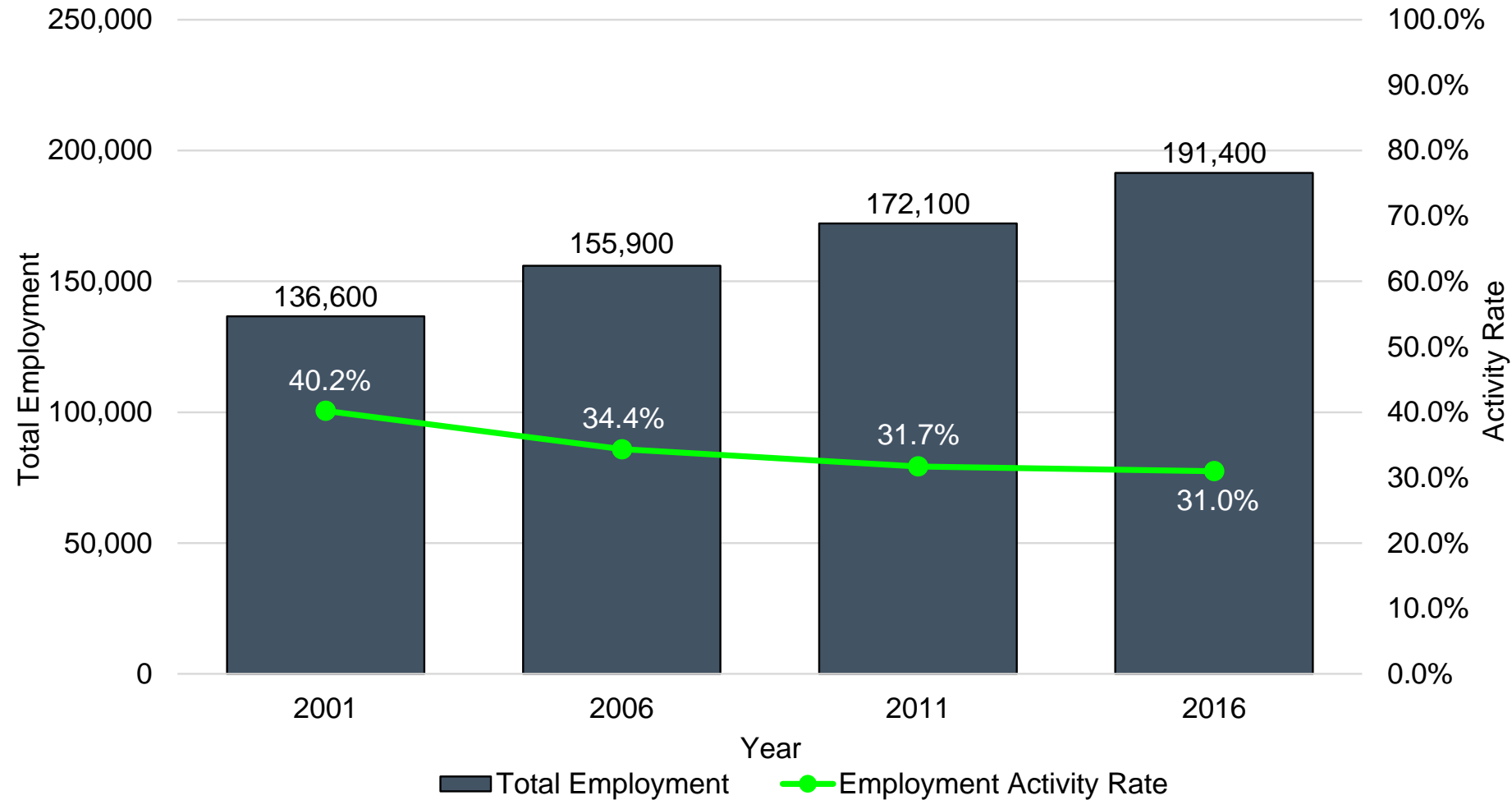


Historical Employment Growth Rates, 2001 to 2016 by Comparator Municipalities



Source: 2001 to 2016 from Statistics Canada Census. Figure by Watson & Associates Economists Ltd., 2020.
Page 313 of 881

City of Brampton Employment Growth, 2001 to 2016

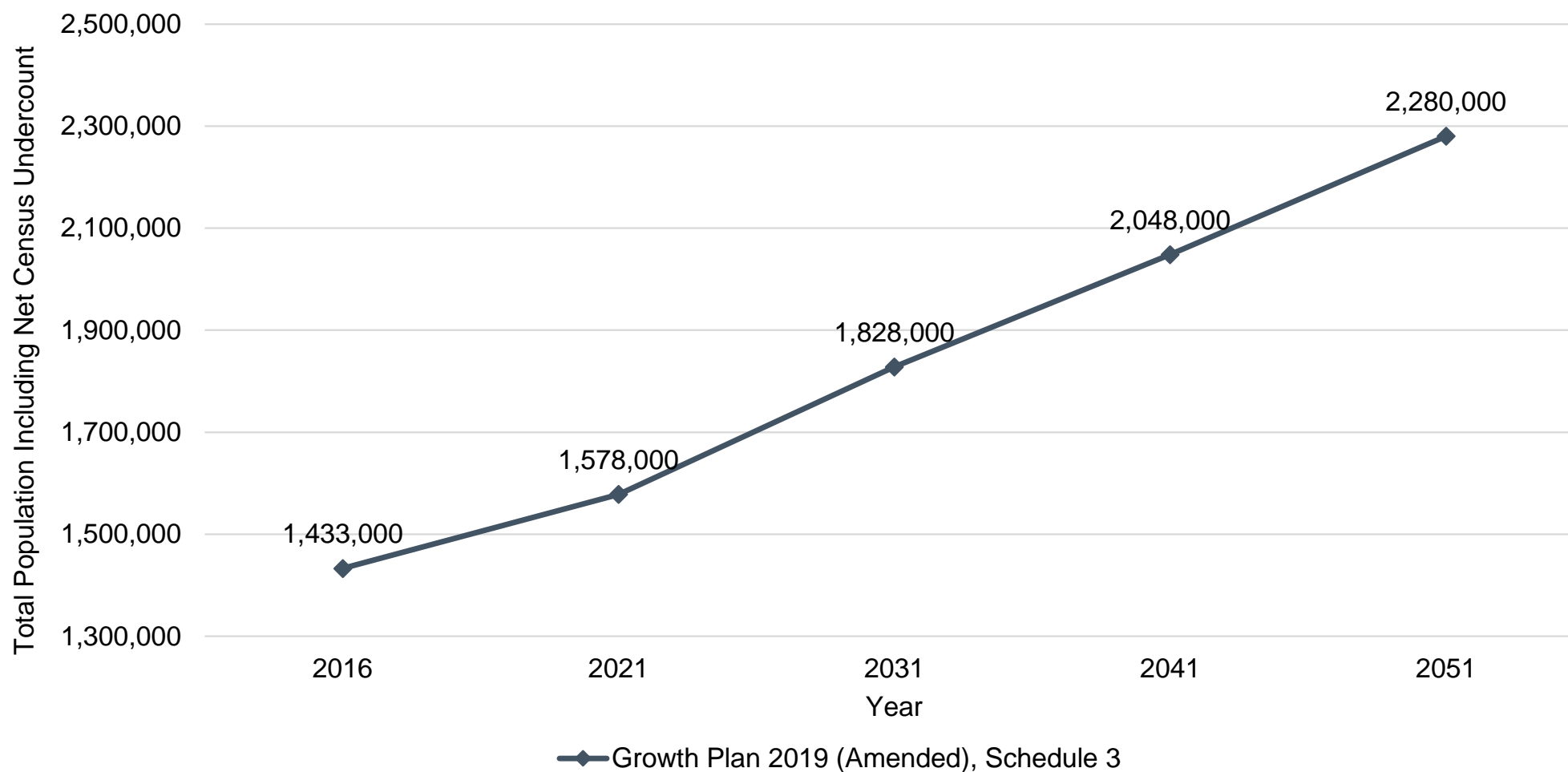


Source: 2001 to 2016 total employment from Statistics Canada Census, by Watson & Associates Economists Ltd., 2020.

Note: Activity rate calculated using the Statistics Canada Census undercount.

City-Wide Long-Term Population and Housing Forecast Scenarios to 2051

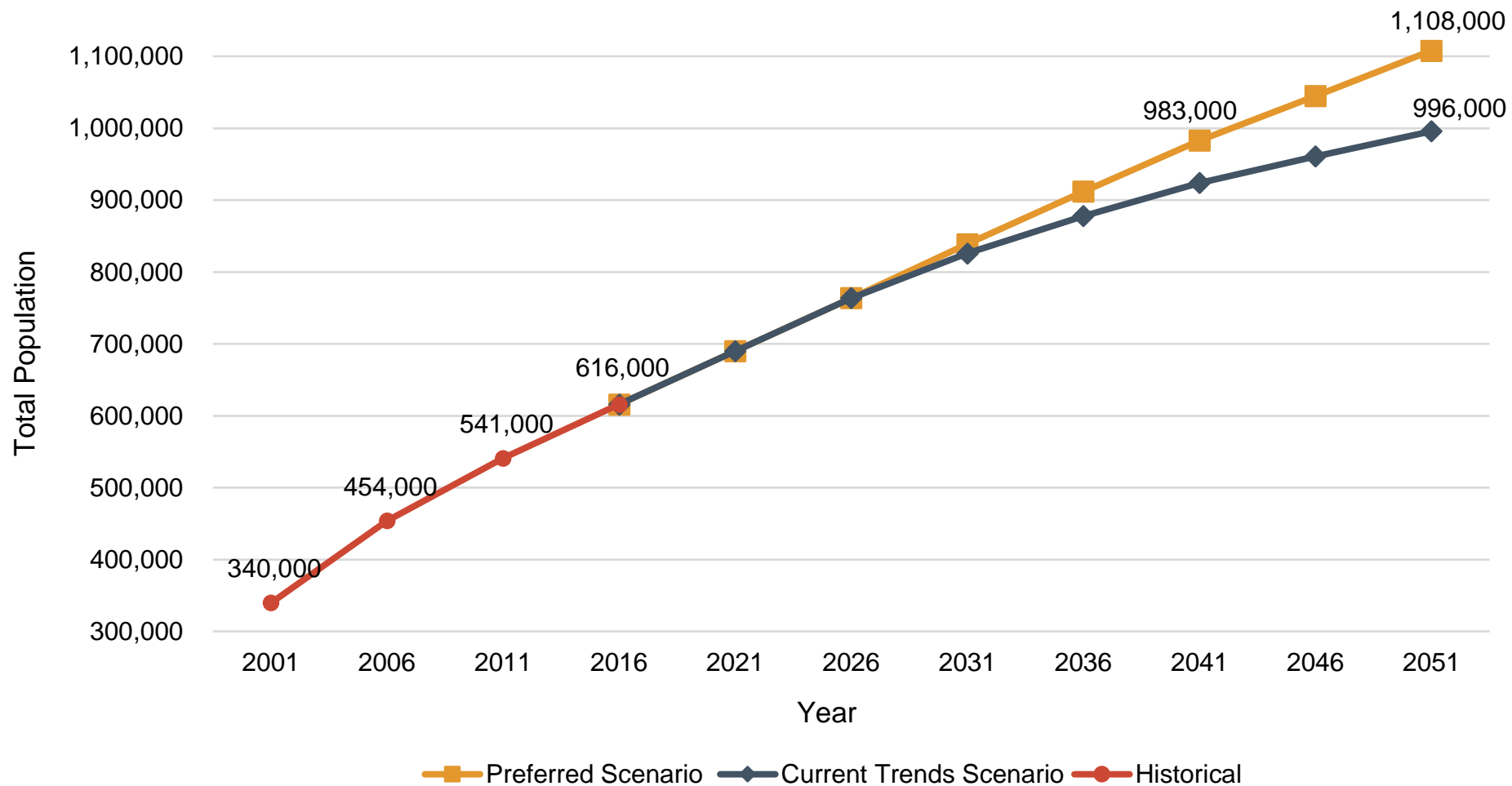
Growth Plan 2019 (Amended), Schedule 3 Forecast for Peel Region, 2016 to 2051



2016 to
2051
Population
Growth:
847,000

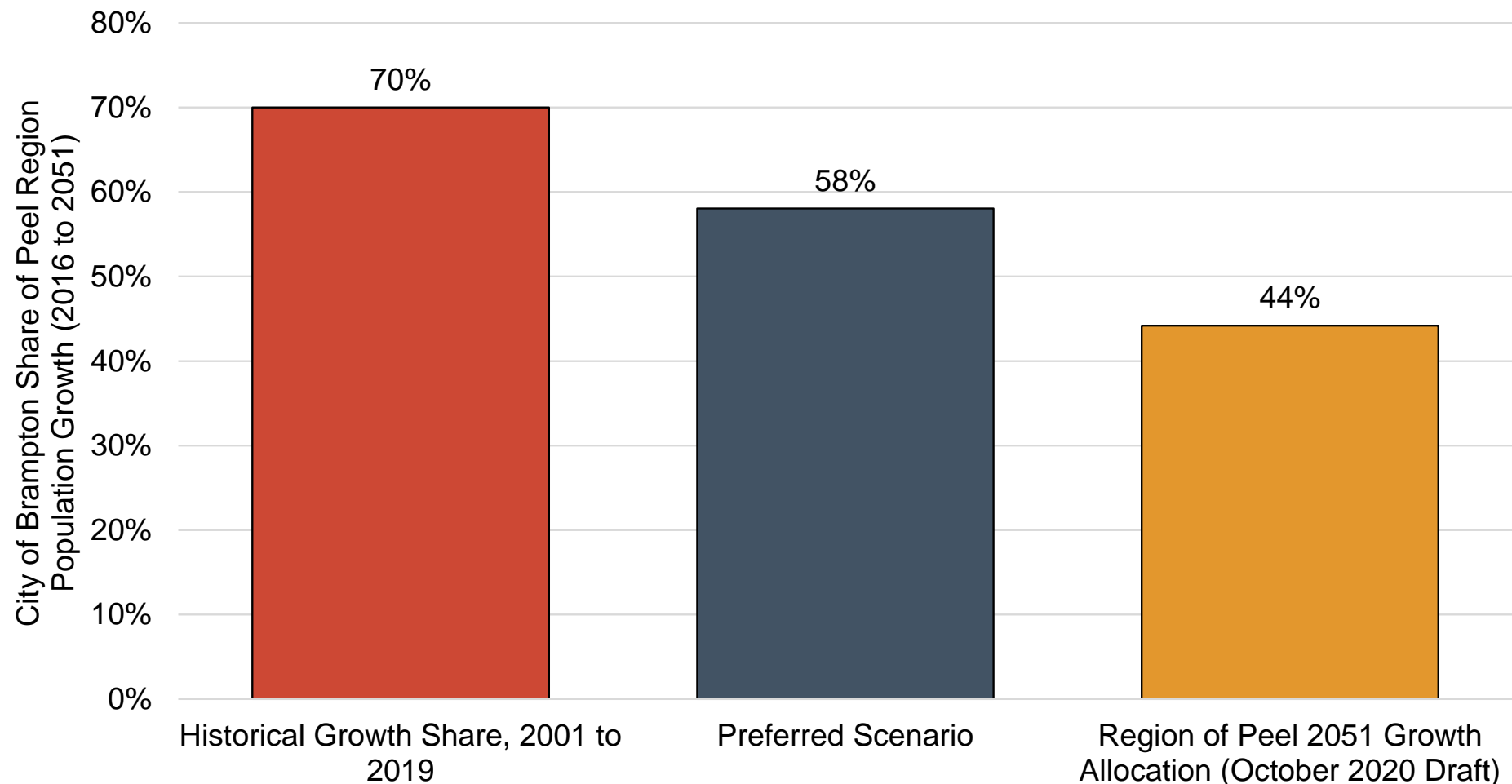
Source: Data from Growth Plan, 2019 and Greater Golden Horeshoe: Growth Forecasts to 2051 by Hemson Consulting Ltd. Figure prepared by Watson & Associates Economists Ltd., 2020.

City of Brampton Population Forecast Scenarios, 2016 to 2051



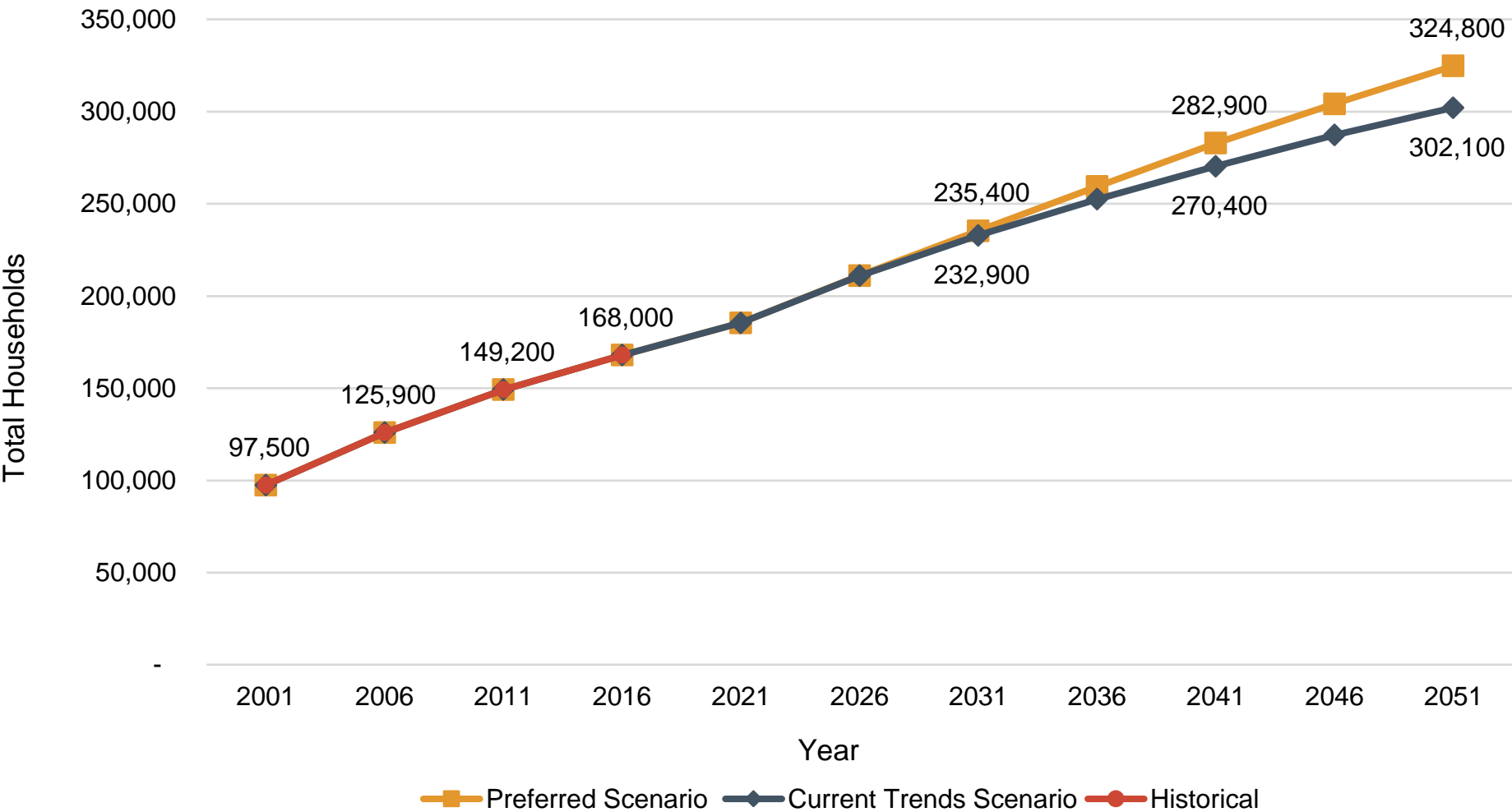
Source: Forecasts by Watson & Associates Economists Ltd., 2020.
Note: Population includes the Net Census Undercount estimated at 0.5%.

Share of Growth Between City of Brampton Forecast Scenarios and Region of Peel Forecast, 2016 to 2051



Source: Region of Peel population growth derived from Growth Plan (2020). Figure by Watson & Associates Economists Ltd., 2020.

City of Brampton Total Household Forecast, 2016 to 2051



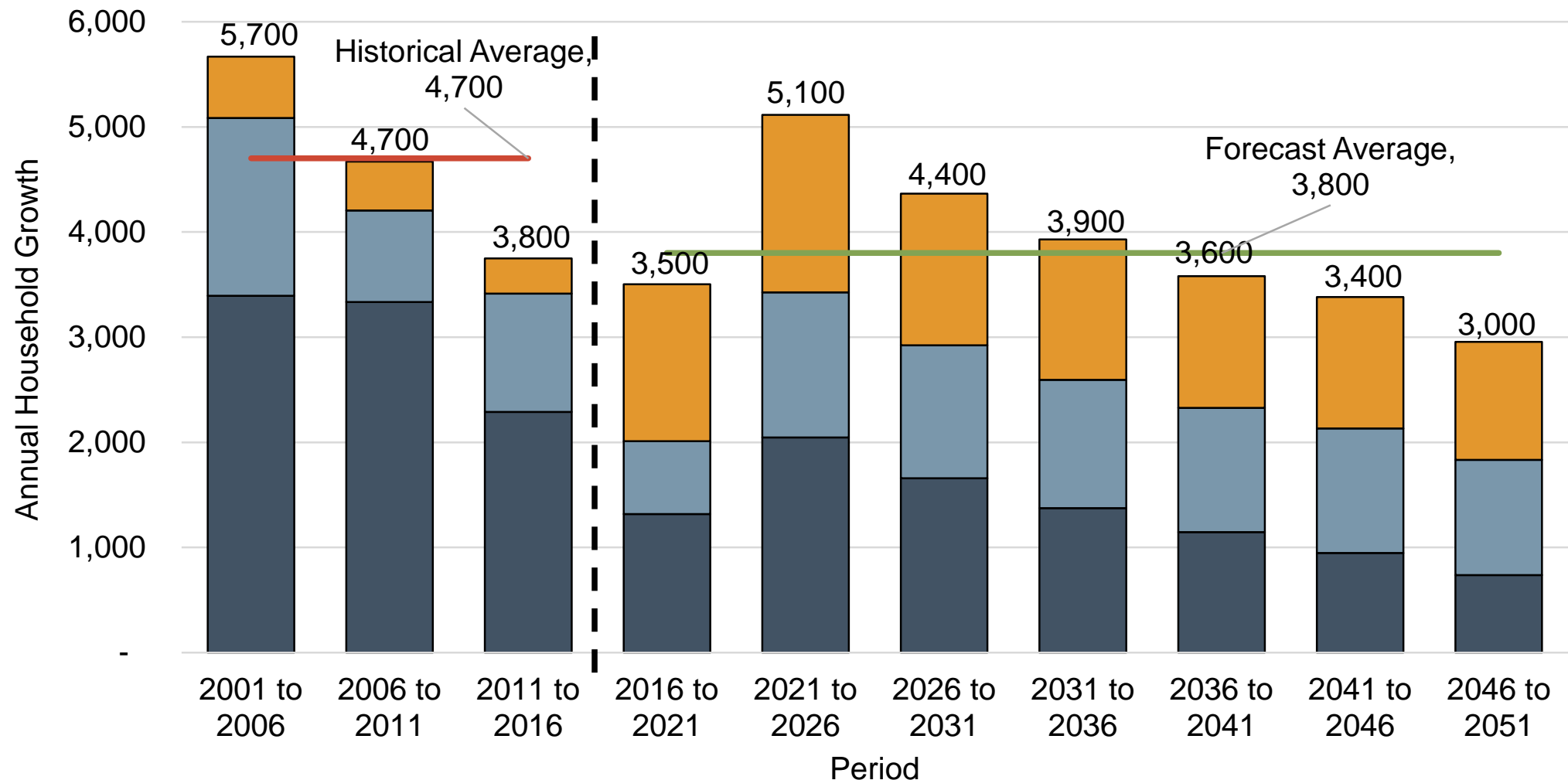
Household Growth,
2016 to 2051:

Preferred:
156,900

Current
Trends:
134,100

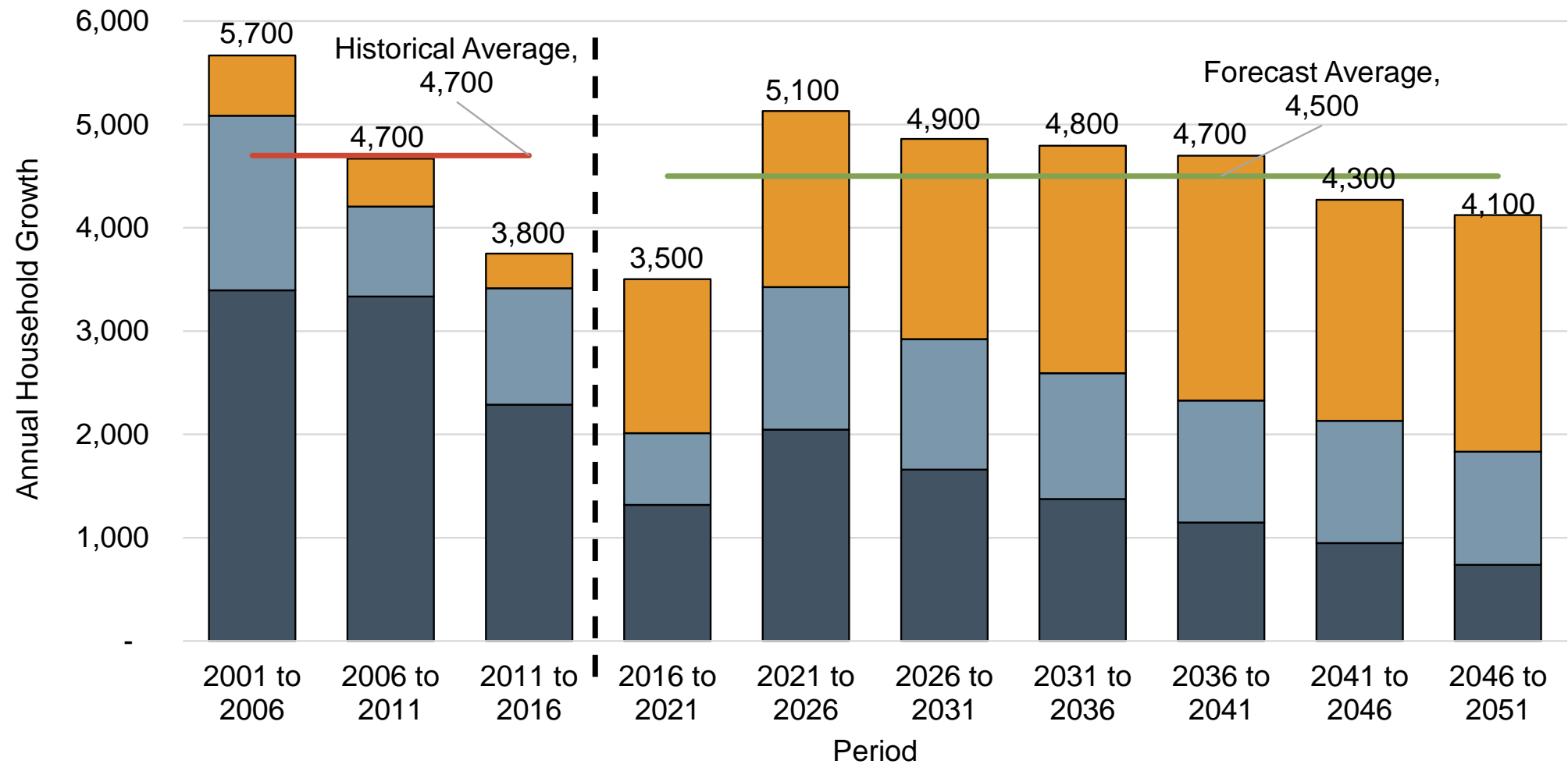
Source: Forecasts by Watson & Associates Economists Ltd., 2020.
Note: Households depict occupied housing units.

City of Brampton Current Trends Annual Household Forecast, 2016 to 2051



Source: 2001 to 2016 from Statistics Canada Census. Forecast by Watson & Associates Economists Ltd., 2020.
Note: Households depict occupied housing units.

City of Brampton Preferred Annual Household Forecast, 2016 to 2051

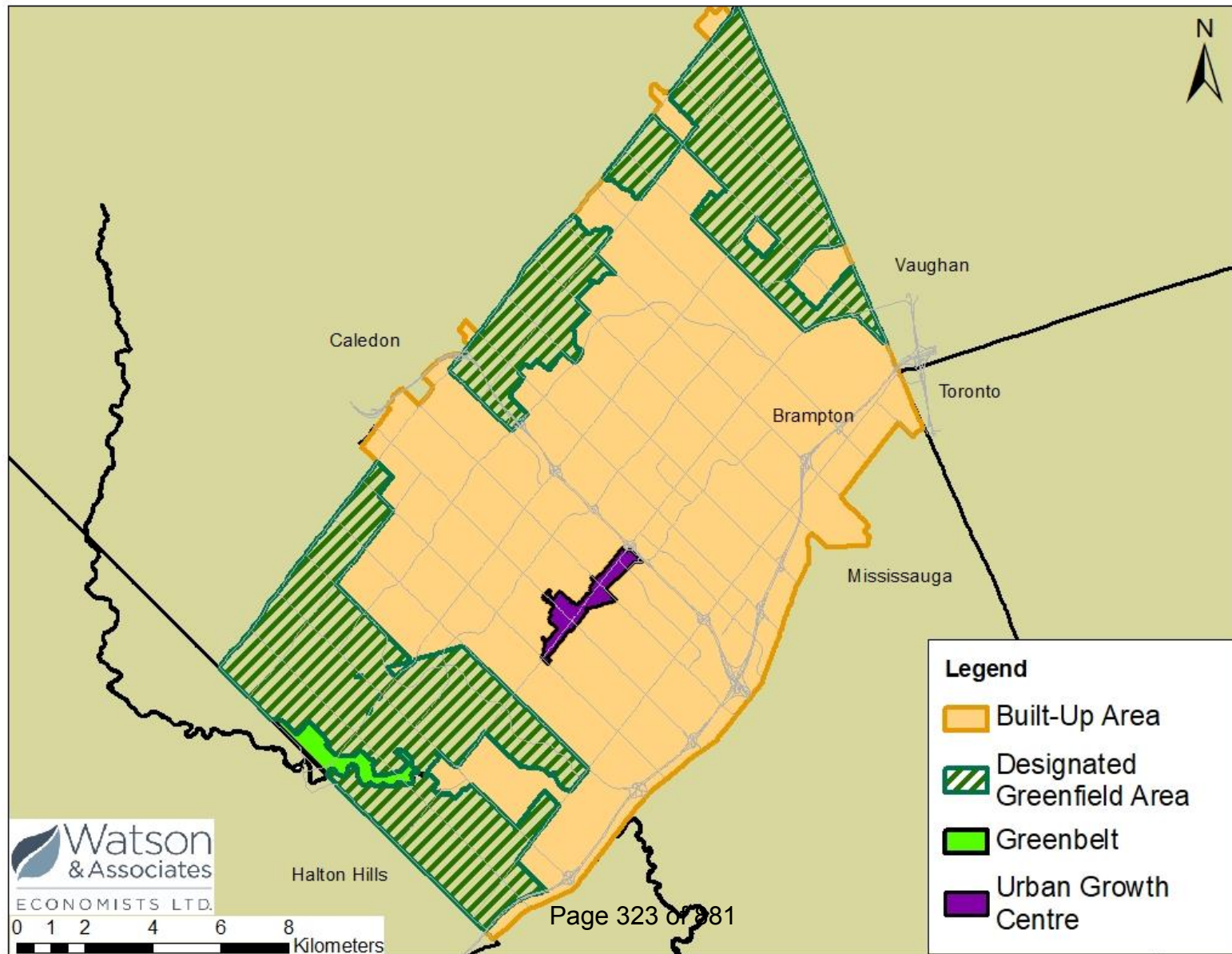


Source: 2001 to 2016 from Statistics Canada Census. Forecast by Watson & Associates Economists Ltd., 2020.

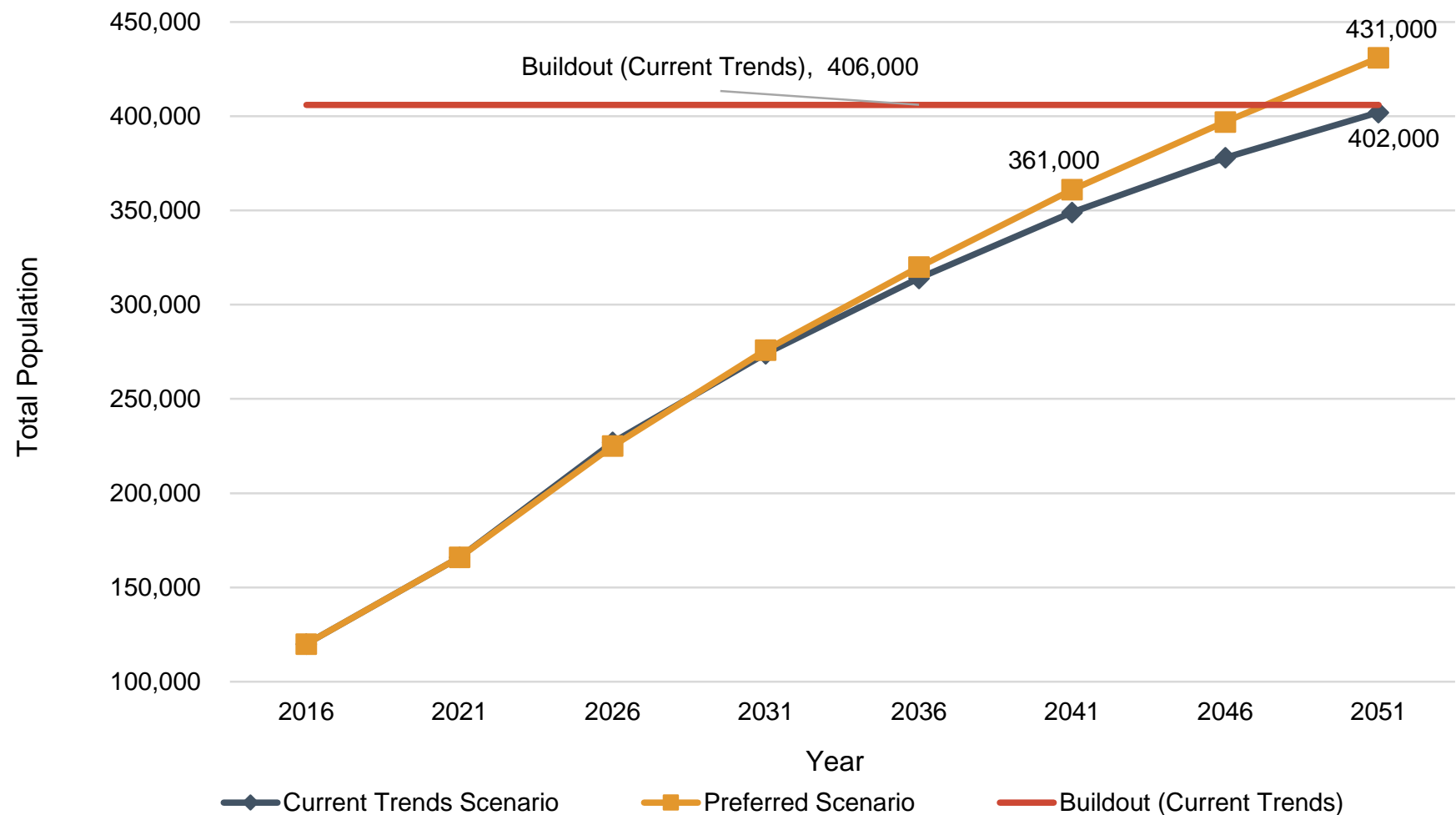
Note: Households depict occupied housing units.

Long-Term Population and Housing Forecast Scenarios by Planning Policy Area to 2051 (Built-up Area and Designated Greenfield Area)

City of Brampton Planning Policy Area Map

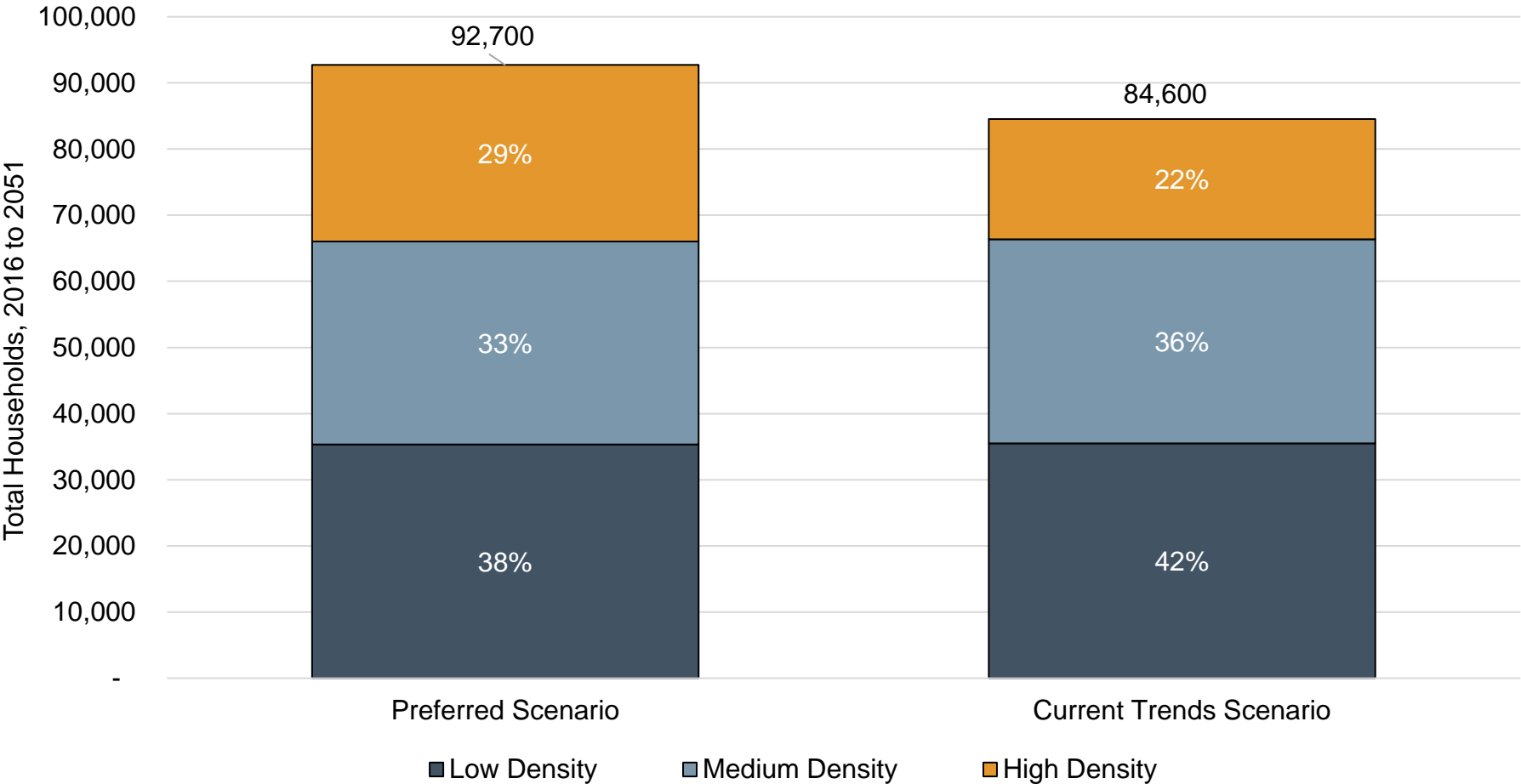


City of Brampton D.G.A. Population Forecast Scenarios, 2016 to 2051



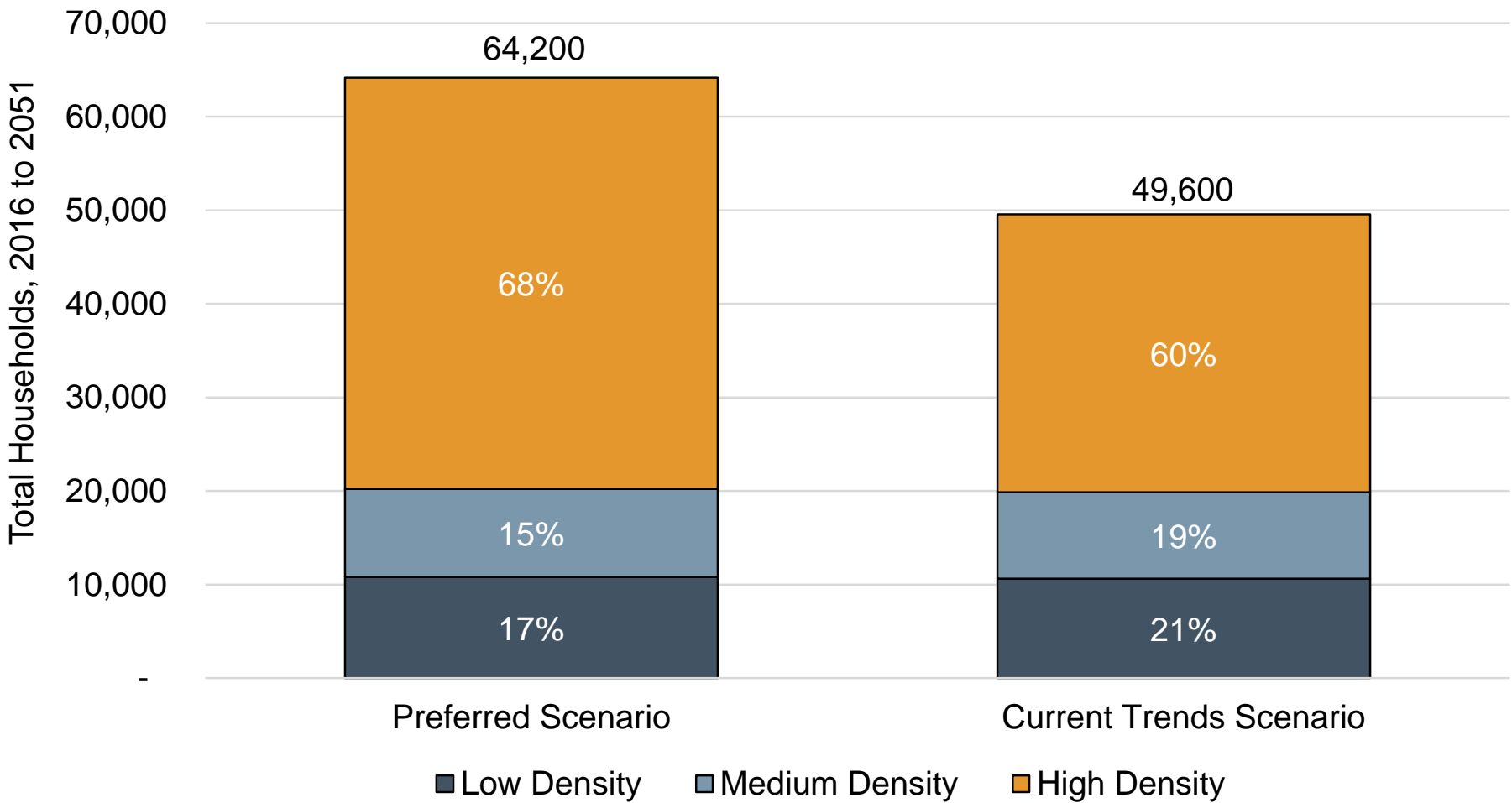
Source: Current Trends and Preferred Scenario by Watson & Associates Economists Ltd., 2020.
Note: Population includes the Net Census Undercount estimated at 10%.

City of Brampton D.G.A. Household Growth by Type, 2016 to 2051

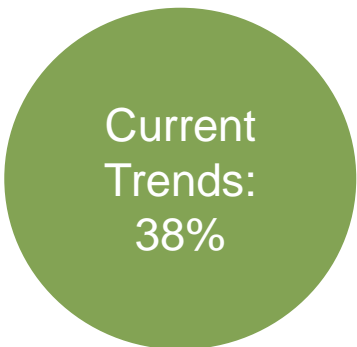


Source: Current Trends and Preferred Scenario by Watson & Associates Economists Ltd., 2020.
Note: Household depicts occupied housing units.

City of Brampton B.U.A. Household Growth by Type, 2016 to 2051



Intensification,
2022 to 2051:



Source: Current Trends and Preferred Scenario by Watson & Associates Economists Ltd., 2020.
 Note: Household depict occupied housing units.

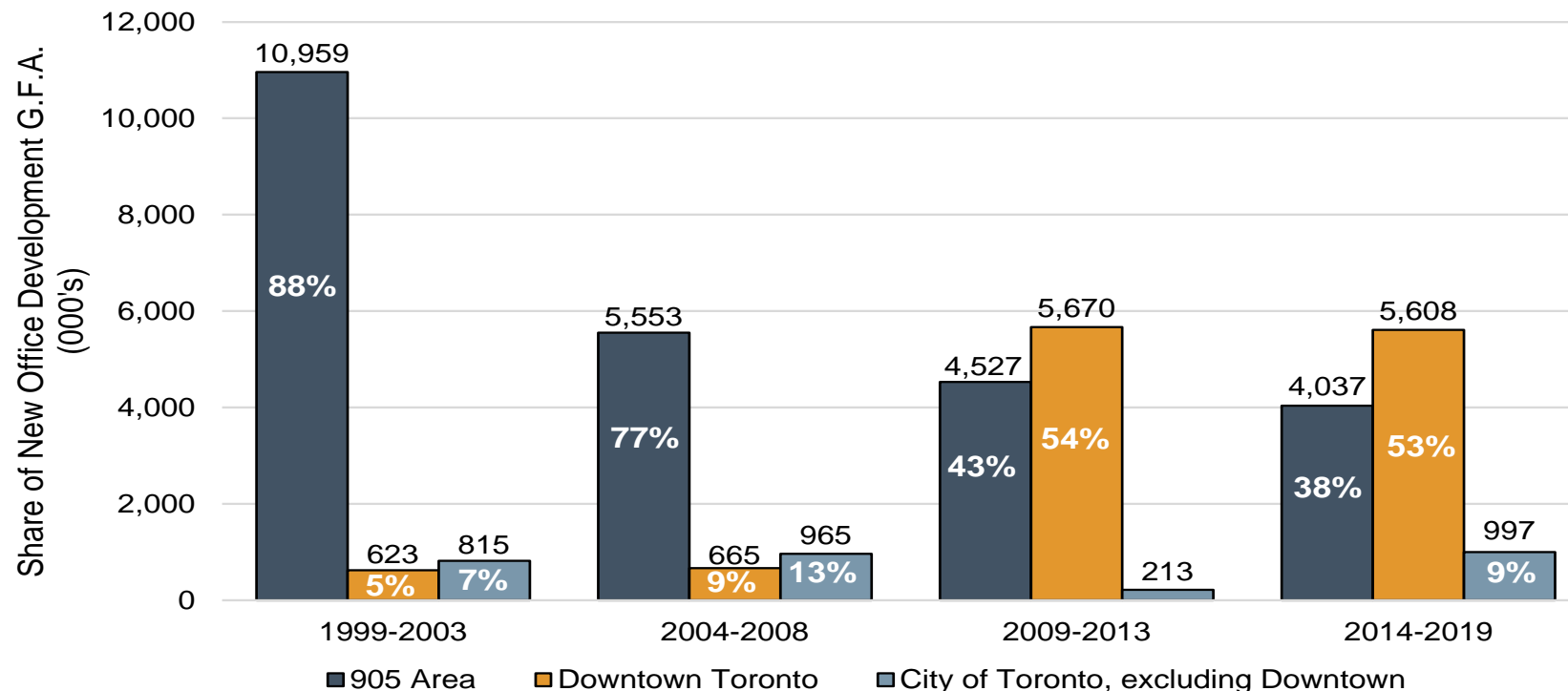
City-Wide Long-Term Employment Forecast Scenarios to 2051

G.T.A. Major Office Market

Share of New Office G.F.A. Sq.ft. Development in the G.T.A.



City of Toronto and Surrounding G.T.A. (905 Area)
Major Office Development, 1999 to 2019

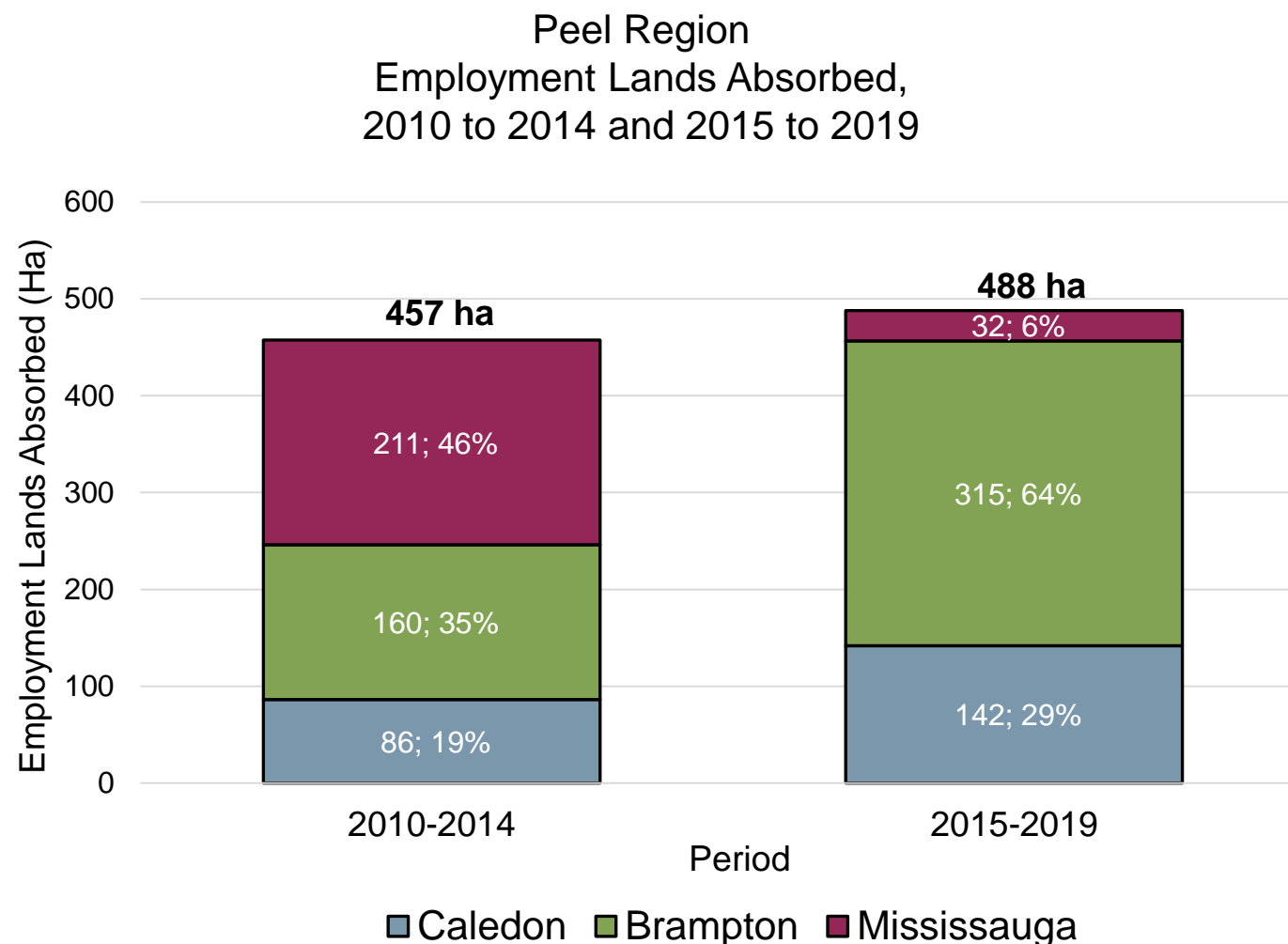


- Within the 905 Area over the 2014 to 2019 period, the City of Mississauga represented 40% of the office development, while Brampton represented less than 1%.

Source: 1999-2013 derived from Office Space Financial/Market Analysis and Marketing Plan Study. 2014-2019 derived from Colliers International Office Market Reports, by Watson & Associates Economists Ltd., 2020.

City of Brampton Employment Lands Employment

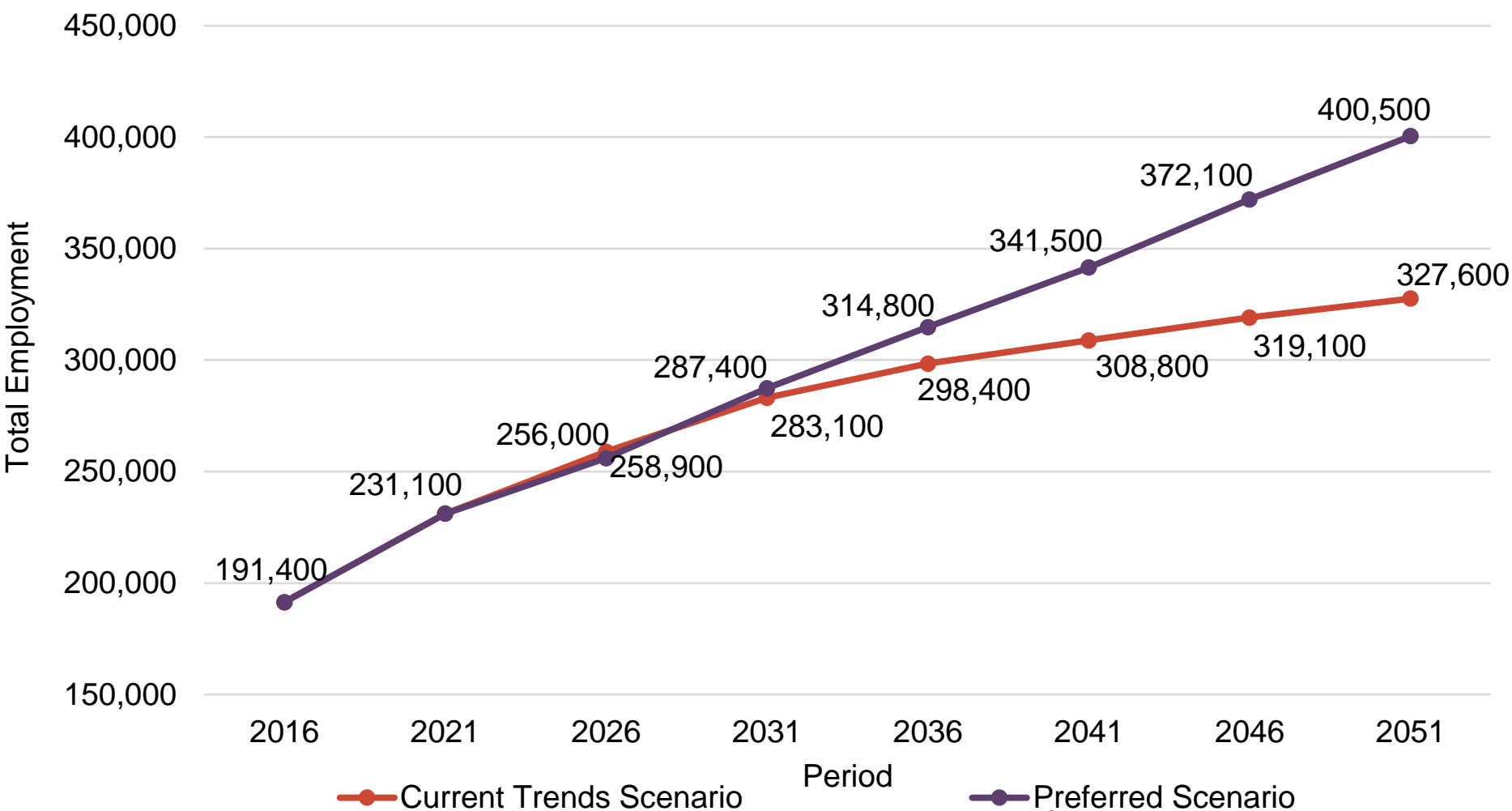
Historical Employment Land Absorption, Peel Region



- Employment land absorption has historically been strong within the City of Brampton.
- Over the past 5-years, approximately 63 ha of lands has been absorbed annually with the City of Brampton, significantly more than the City of Mississauga.
- A key challenge for the City of Brampton is maximize its finite supply of employment by increasing employment density and intensification levels.
- Average employment density on lands absorbed within the last 5-years averaged 21 jobs/net ha.

City of Brampton Employment Forecast

City of Brampton Employment Forecast, 2016 to 2051



Employment Growth,
2016 to 2051:

Preferred:
209,100
(2.1%
annually)

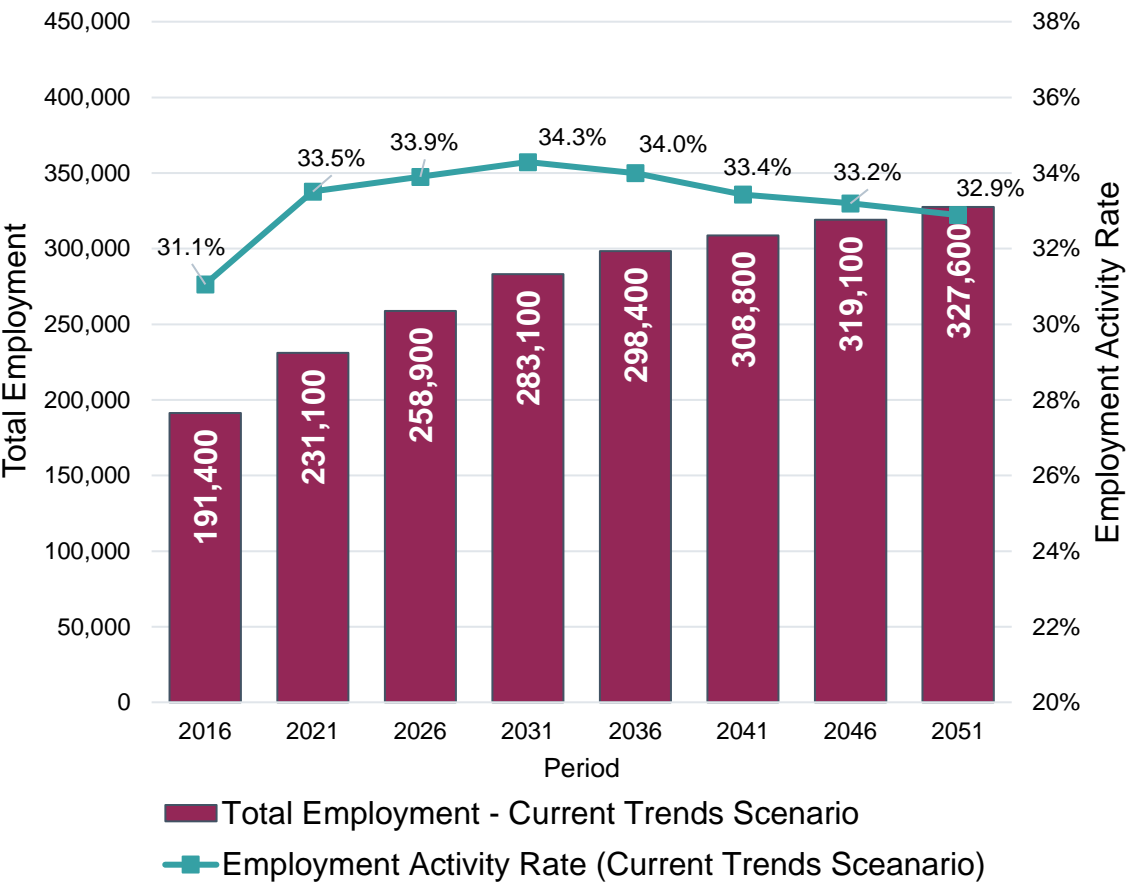
Current
Trends:
136,200
(1.5%
annually)

City of Brampton Employment Forecast

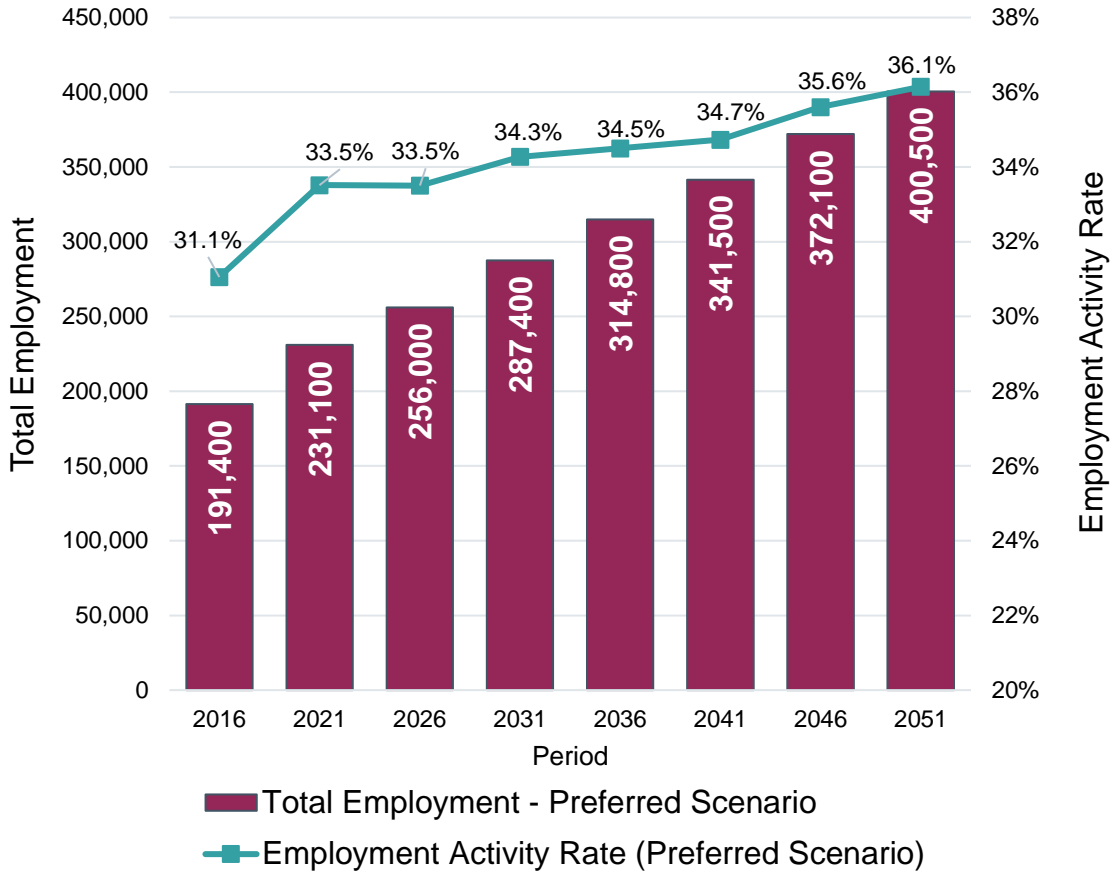
City of Brampton Employment Activity Rates, 2016 to 2051



Current Trends Scenario



Preferred Growth Scenario



Conclusions

Conclusions

Population and Housing Outlook



- With an average annual population growth rate of approximately 4.0% annually between 2001 and 2016, the City of Brampton has been one of the fastest growing municipalities in Canada.
- By 2051, the City of Brampton's population base is forecast to reach between 1 million (Current Trends) and 1.1 million (Preferred).
- This represents a population increase of 380,000 to 505,000 between 2016 and 2051, or an average annual population growth rate of approximately 1.4% to 1.7%.
- Relative to the Current Trends Scenario, the Preferred Scenario anticipates a higher level of net migration with a slightly younger age structure.

Conclusions

Housing Outlook – D.G.A.



- The draft results of this analysis indicate that the City can accommodate an additional 85,000 units and 402,000 people within the D.G.A. assuming a moderate increase in housing density informed by recent and anticipated housing market conditions.
- Under the Preferred Scenario, approximately 8,000 housing units have been allocated to the D.G.A., largely driven by higher D.G.A. densities achieved in Heritage Heights.

Conclusions

Housing Outlook – B.U.A.



- Under the Current Trends Scenario, a more modest housing intensification target of 38% has been assumed.
- Under the Preferred Scenario, a long-term housing intensification target of 43% has been identified from 2016 to 2051. Relative to the Current Trends Scenario, this translates into an additional 14,600 high-density households allocated to the B.U.A. over the planning horizon.

Conclusions

Employment Outlook



- While the City's employment base has grown steadily over the past 15 years at annual rate of approximately 2.8%, the rate of annual employment has been slower relative to population. As a result, the City's employment activity rate (ratio of jobs to population) has declined from approximately 37% in 2001 to 31% in 2016.
- By 2051, the City of Brampton's employment base is forecast to reach between 328,000 (Current Trends) and 400,500 (Preferred).
- This represents an employment increase of 136,000 to 209,000 between 2016 and 2051, or an average annual employment growth rate of approximately 1.5% to 2.1%.
- By 2051, the City's employment activity rate is forecast to increase to between 33% (Current Trends) and 36% (Preferred). Under the Current Trends Scenario the City's employment activity rate is anticipated to peak by 2031 at 34%.

Conclusions

Employment Outlook



- The Preferred Scenario assumes a greater amount of Major Office Employment (M.O.E.) compared to the Current Trends Scenario.
- In targeting the Preferred Scenario, the City will need to attract a wider-range of sectors in the M.O.E. category.
- Relative to the Current Trends Scenario, the Preferred Scenario assumes a higher yield of Employment Lands Employment (E.L.E.) through higher densities and increased intensification in Employment Areas.
- The Preferred and Current Trends Scenario both assume a similar ratio of Population Related Employment (P.R.E.) relative to population growth. As a result, more P.R.E. growth is forecast under the Preferred Scenario as a result of higher population growth assumed.

Next Steps

Next Steps



- Preparation of City of Brampton Draft Growth Analysis Study, February 2021.
- Preparation of City of Brampton Final Growth Analysis Study, February 2021.

Date: 2020-11-13

Subject: **Driveway Design Specifications**

Secondary Title: Driveway Design Specifications in Development Approval Process

Contact: Mark Michniak, Development Planner, Planning and Development Services, mark.michniak@brampton.ca, 905-874-3882, and Steve Ganesh, Manager, Planning and Development Services, steve.ganesh@brampton.ca, 905-874-2089

Report Number: Planning, Building and Economic Development-2020-394

Recommendations:

1. **THAT** the report titled: **Driveway Design Specifications in Development Approval Process** to the Planning Development Committee Meeting of December 7, 2020, be received.
2. **THAT** through the workplan of Brampton Plan and the Comprehensive Zoning By-Law Review, staff be directed to undertake a workshop with members of the public and the Peel Chapter of the Building Industry and Land Development (BILD) that examines housing design and property setback standards.
3. **THAT** staff report back on the outcome of workshop through the Brampton Plan process and Comprehensive Zoning By-Law Review.

Overview:

- On October 28, 2020 Council passed motion C407-2020, referring the matter of driveway design specifications in the development approval process to staff.
- This request stems from media coverage relating to driveway designs in Ward 6 along Mincing Trail.

- **The subdivision containing Mincing Trail uses a unique zoning regulation approved by a previous City Council on September 25, 2013.**
- **Mincing Trail features a staggered driveway design which permits one garage to extend within 1.0 metre of the front property line. This design can prevent the homeowner from parking a car on the driveway in front of the extended garage.**
- **The City's Brampton Plan and Comprehensive Zoning By-law processes will provide further engagement opportunities with the public and industry to address this issue in a comprehensive manner examining overall housing design standards.**

Background:

On October 28, 2020 Council passed motion C407-2020 (Appendix 1), referring the matter of driveway design specifications in the development approval process to staff. This request stemmed from media coverage relating to driveway designs in Ward 6 along Mincing Trail.

Council consideration of this matter included clarification that this Council does not support house designs that have garage doors that are located minimal distances (i.e. less than 5.5 m) between the garage door and front property line. Council referred a discussion to this matter to the December 7, 2020 meeting of the Planning and Development Committee.

Current Situation – An Overview of Standards Influencing Driveway Design:

Zoning By-law

The Zoning By-law sets out various regulations relating to the development of a residential property including types of dwellings, area, setbacks from property lines, number of parking spaces, and building height. The Zoning By-law is passed by Council and implemented by the Planning, Building, & Economic Development Department.

Regulations for individual subdivisions are created by the proponents of the development and reviewed by Development Services. Development Services circulate various departments for feedback on the proposed zoning regulations before making a recommendation on their approval.

The Zoning By-law regulates driveway depth through prescribed requirements for a minimum setback between a garage door opening and the front or flanking property line on a residential property. Section 10.5 (b) of the General Provisions for Residential

Zones requires a minimum setback of 6 metres. However, many site specific exceptions have been introduced to reduce the setback from the garage door opening to as little as 5.5 metres. In the case of staggered garages, a further reduction in this depth is included in the site specific zone.

The Zoning By-law also prescribes a minimum size for a parking stall of 2.7 metres by 5.4 metres. For most dwellings, a minimum of two (2) parking spaces meeting these dimensions are required. Where those required parking spaces can be provided inside an attached or detached garage, there is no requirement for an additional parking area to be provided on a driveway in front of the garage.

Engineering Design Standards

City engineering standards are under the stewardship of the Public Works & Engineering Department. These standards are updated and maintained through the City's Engineering Standards Committee. Key to this matter is the right-of-way design, typically made up of two elements: the travelled road portion and the boulevard portion. The travelled road portion is 8 metres for a local road. The boulevard portion contains utility pedestals, transformers, hydrants, watermains, street lights, trees, underground utilities (gas, hydro, cable), and sidewalks.

The older local road standard (approved March 29, 2004), found in several older subdivisions featured only 1.75 metres from the pavement to the sidewalk. (See Appendix 2 for cross section.) This allowed the sidewalk to be located 2.75 metres from the property line. The City's road cross sections were revised in 2008. The new standard features 4.0 metres from the pavement to the sidewalk, which results in a sidewalk located 0.5 metres from the property line. (See Appendix 3 for cross section.)

Elements that influence the boulevard configuration, include:

- snow storage
- street light location
- street trees
- parking

Snow Storage

In winters with heavy snowfall, the boulevard between the back of curb and the sidewalk requires a sufficient width to accommodate snow storage without the snow overflowing onto the roadway, thereby, impeding vehicular movement. The minimum required width is typically 2.5 metres. This area facilitates the storage of snow from the clearing operations from both the roadway as well as from the sidewalk.

Street Light Location

The location of street light poles has also been revised. The previous location was 0.3 metres from the back of curb. The street light pole location is now 1.0 metres to 1.5 metres from the curb. This new location is much safer from a “clear zone” point of view.

Street Trees

When street trees are located in the boulevard, the size of the boulevard can determine the health and ultimate size of the tree. Trees obtain moisture from the base of the tree to the dripline (the outer edge of the tree canopy). When the road and sidewalk intrude into the dripline, the trees will not obtain sufficient water for optimal growth. The current standard has a sodded boulevard width of 3.5 metres between the back of curb and the sidewalk. This will enhance the growth of the street trees to maturity sooner than a tree located within a narrow boulevard.

Driveway Parking

Overnight parking of vehicles on the street is typically prohibited in Brampton, and residents are required to park on their driveways and/or in the garage. The typical front yard setback requirement from the garage to the property line is 6.0 metres.

In the previous local road standard, the total length for driveway parking between the garage and the sidewalk is 8.75 metres (6.0metres + 2.75metres). In the current local road cross section, the total driveway length is reduced to 6.5 metres (6.0metres + 0.5metres). This reduced length can no longer accommodate two compact vehicles parked in tandem between the garage and the sidewalk.

The Mincing Trail and Sunnycliffe Subdivisions – An Overview

Mincing Trail

The subdivision containing Mincing Trail uses a unique zoning regulation approved by a previous City Council on September 25, 2013. This regulation permits one garage to extend within 1.0 metre of the front property line, whereas the Zoning By-law typically requires a 6.0 metre setback to the garage opening. It is noted that most homes with this zoning regulation do not have this reduced setback. In addition, the subdivision employs an “Alternative Design Standard Minor Local Cross Section” with sidewalks on one side of the roadway. Where sidewalks are present they are located 0.5 metres from the property line as per the current standard.



Mincing Trail - Home with staggered driveway design

The zoning regulation allowing reduced driveways was only applied to specific areas within the subdivision. Multiple factors were considered to provide justification for allowing this variation, such as:

- more interior living space by allowing the home to extend into the setback area
- articulation of the front façade creating a staggered appearance that reduced the prominence of the garage.

The proponent justified that parking would not be impacted because each home with this design still provided three (3) parking spaces, which exceeds the minimum requirement of two (2) parking spaces. On this basis the Council at the time saw fit to proceed with the unique zoning regulations.

Sunnycliffe Subdivision

The subdivision uses the current Engineering Design Standard cross section for local roads. According to the cross section, sidewalks are located 0.5 metres from the property line. The properties in this subdivision are zoned Residential Single Detached (R1E-15.2-2459) which requires a minimum front yard of 6.0 metres. This results in a driveway length of 6.5 metres (6.0 metre front setback + 0.5 metre sidewalk setback).

Other Examples across the City

In addition to the examples provided at the Council meeting, Staff have identified other locations within the City with a similar driveway regulation. (See Appendix 4 for a plan illustrating the location of zones with the staggered driveway regulation.) This regulation also carries into the City's Condominium and Rear Lane Garage Communities. In these instances, the reduced setbacks to garage openings, do not allow for parking of a vehicle on a driveway.

Where a rear lane exists, it is typical for the garage to be located close to the rear property line. Parking is accommodated within garages. Zoning regulations for garage setbacks only apply in instances where the home fronts onto a public road or as otherwise prescribed in a site specific zone particular to accommodate a unique development design. In condominium developments, with a private internal road, the developer has flexibility to vary driveway lengths. In either case a minimum number of parking spaces must still be provided.

Design Alternatives

The objective of the staggered driveway design was to reduce the visual prominence of automobiles on the streetscape. Given the feedback from residents and the penalty notices for parking infractions along Mincing Trail, this strategy should be reconsidered. Staggered driveways, which add articulation to the front façade, can continue to be applied with the minimum 6.0 metre setback from the front property line to avoid causing parking infractions. Allowing front porches to extend towards the front property line is another approach that could be implemented.

Public and Stakeholder Engagement Opportunities

The City offers many opportunities for public and stakeholder engagement, enshrined through our hierarchy of planning documents and policies, ranging from our Official Plan through to individual development applications. It is noted that staff had an initial discussion with representatives of Peel's BILD Chapter on November 23, 2020 advising of this report.

The City's Official Plan provides direction for how physical development within the City of Brampton will meet the current and future needs of residents and businesses. The Official Plan guides decision-making for creating Secondary plans and development applications. As the City advances the Brampton Plan consultation process, the public and key stakeholders (i.e. BILD) will have opportunities to participate in the overarching policies that influence community design, density and housing types.

In addition, engagement currently occurs through:

- Creation of Urban Design Guidelines
- Housing Strategy and Secondary Units
- Secondary Plan/Tertiary Processes
- Development Application Review

The development of Brampton Plan and the Comprehensive Zoning By-Law Review provide further opportunity for public consultation. Within the work plan of these projects staff propose to organize a workshop with members of the public and the Peel Chapter of BILD that examines housing design and property setback standards.

Corporate Implications:

Financial Implications:

There are no financial implications associated with this report.

Term of Council Priorities:

Living the Mosaic – 2040 Vision

This report supports Vision 3 – “Neighbourhoods”, which envisions Brampton as being a mosaic of characterful and complete neighbourhoods by 2040.

Term of Council Priorities 2018-2022:

The engagement workshop as recommended in this report supports the “A Well-run City” priority.

Conclusion:

The length of residential driveways is governed by the Zoning By-law, which regulates the setback to a garage opening from the property line, and engineering standards for local roads, which specify the location of sidewalks within the boulevard.

Properties along Mincing Trail and other locations feature a variation from the general provisions for residential zones which allows one garage to extend within 1.0 metre of the front property line. Given the feedback from residents and the penalty notices for parking infractions along Mincing Trail, this strategy should be reconsidered.

Staff will continue to engage industry partners and residents in housing design and lot setback standards. Further, to ensure provisions in the Zoning By-law reflect the evolving needs of Brampton’s residents’ staff will undertake a workshop with members of the public and the Peel Chapter of BILD that examines housing design and property

setback standards. This engagement and subsequent report back to Council will occur through the Brampton Plan and Comprehensive Zoning By-law processes.

Authored by:

Reviewed by:

Mark Michniak, MCIP, RPP
Development Planner III
Planning, Building & Economic
Development

Allan Parsons, MCIP, RPP
Director, Development Services
Planning Building & Economic Development

Approved by:

Submitted by:

Richard Forward, MBA, M.Sc., P.Eng.
Commissioner
Planning, Building & Economic
Development

David Barrick
Chief Administrative Officer

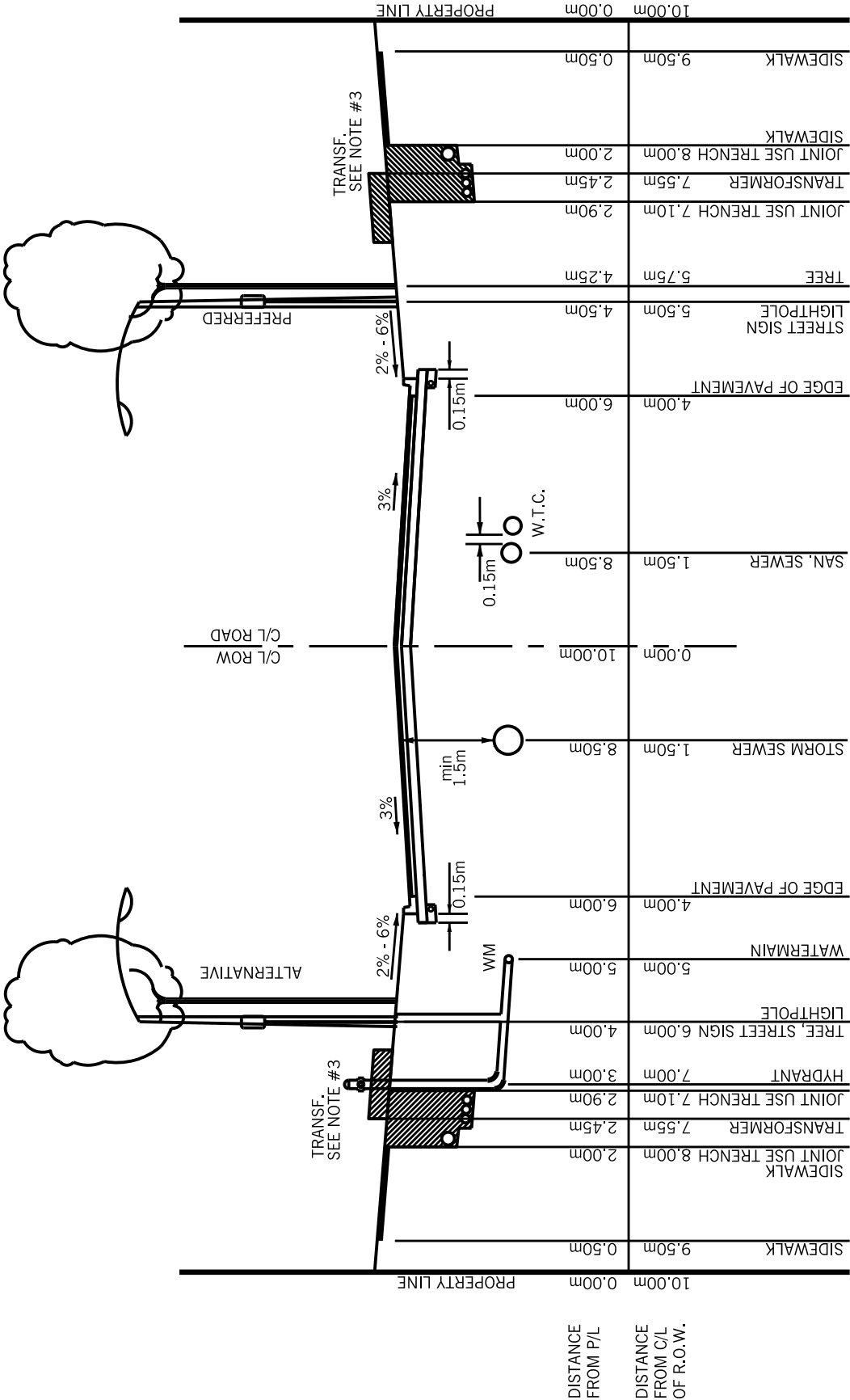
Attachments:

Appendix 1:	Motion C407-2020
Appendix 2:	Local Road Standard 201 (Old) – 2004
Appendix 3:	Local Road Standard 201 (Current) – 2013
Appendix 4:	Zones Permitting Reduced Front Driveways

Motion C407-2020

That the following item be referred to the Planning and Development Committee meeting of December 7, 2020:

Discussion Item at the Request of Regional Councillor Dhillon re: **Driveway Design Specifications in Development Approval Process.**



- NOTES:
1. LOCAL SOIL CONDITIONS MAY REQUIRE CHANGES IN THE DEPTHS OF MATERIALS TO BE PLACED.
 2. WATERMAIN MAY BE LOCATED ON EITHER BLVD.
 3. FOR JOINT USE TRENCH DETAILS, SEE STD. No. 345.
 4. BOULEVARD TO HAVE 150mm OF TOPSOIL AND 50mm OF SOD.
 5. PAVEMENT STRUCTURE TO BE AS FOLLOWS:
 - 40mm HL3 ASPHALT
 - 65mm HL8 ASPHALT (80mm FOR ALL NEW SUBDIVISION ROADS)
 - 150mm GRANULAR "A" OR 130mm OF 20mm CRUSHER RUN LIMESTONE
 - 300mm GRANULAR "B" OR 225 mm OF 50mm CRUSHER RUN LIMESTONE
 6. THE LOCATION OF THE LIGHTPOLE WILL DEPEND ON THE DESIGN SPEED AS OUTLINED IN THE ROADSIDE SAFETY MANUAL.



BRAMPTON
Flower City

LOCAL ROAD

8.0m PAVEMENT
ON 20.0m R.O.W.

APPROVED:
2013/10/17

ORIGINAL:
1989/09/01

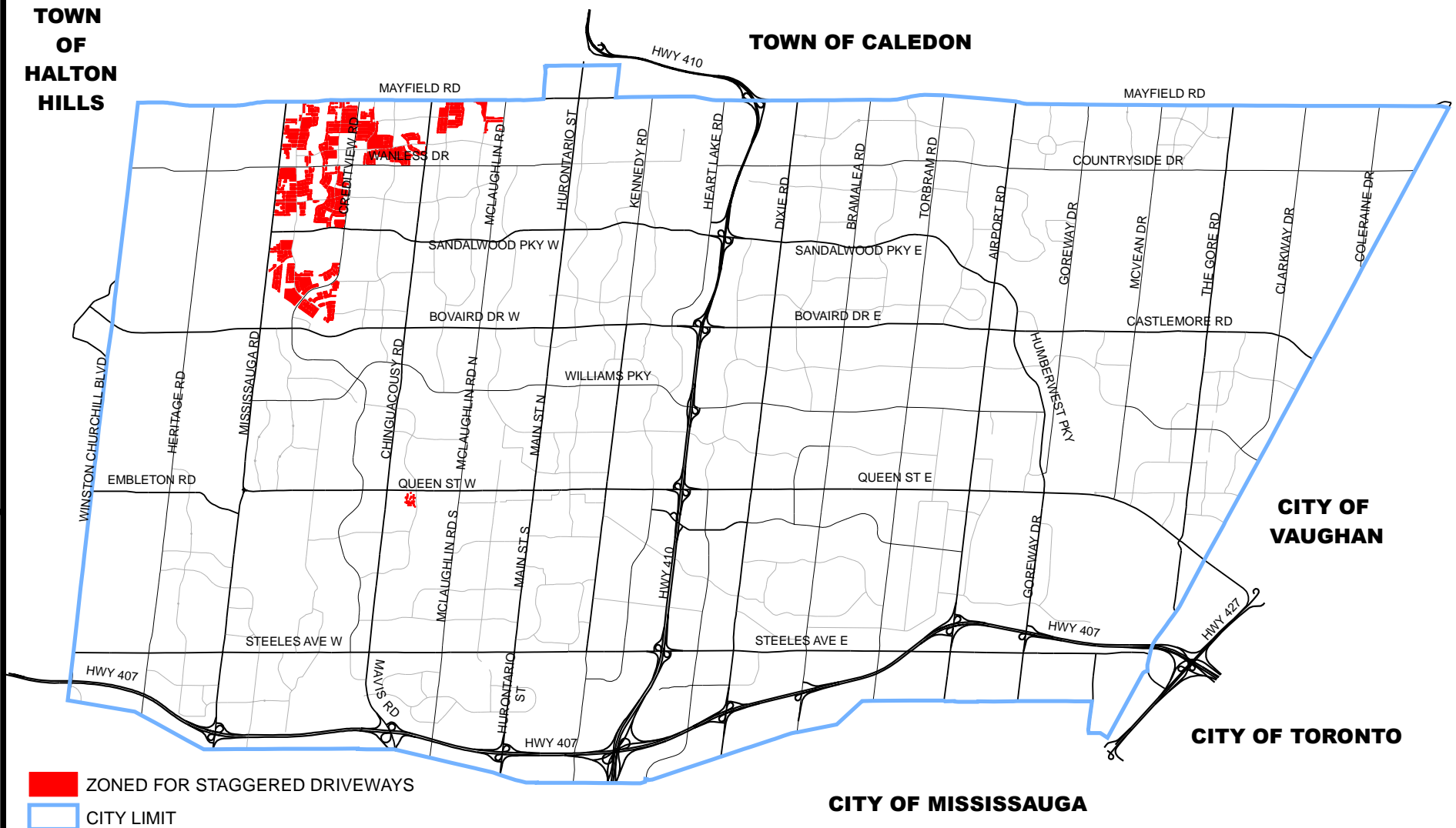
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
201

N.T.S

**TOWN
OF
HALTON
HILLS**

TOWN OF CALEDON



 ZONED FOR STAGGERED DRIVEWAYS
 CITY LIMIT



PLANNING AND DEVELOPMENT SERVICES

0 1 2 3 4



Kilometres

File: STAGGERED DRIEWAYS PERMITTED

ZONES PERMITTING REDUCED FRONT DRIVEWAYS - NOVEMBER 2020

Date: 2020-11-18

Subject: **Supplementary Report - City-Initiated Zoning By-law Amendment to Modernize Parking Standards, City-wide**

Contact: Jeffrey Humble, Manager, Policy Division, Planning, Building and Economic Development Department, jeffrey.humble@brampton.ca, 905-874-5179

Report Number: Planning, Building and Economic Development-2020-441

Recommendations:

1. That the report titled: **Supplementary Report – City-Initiated Zoning By-law Amendments to Modernize Parking Standards, City Wide**, to the Planning and Development Committee Meeting of December 7, 2020, be received;
2. That the Zoning By-law Amendment attached hereto as Appendix 1 be adopted, on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan and the City's Official Plan for the reasons set out in the Planning Recommendation Report dated October 23, 2020 that was received by Planning and Development Committee on November 16, 2020; and
3. That staff be directed to hold a statutory public meeting to present a City-initiated Zoning By-law Amendment that proposes to eliminate minimum parking requirements for specific uses with the Downtown, Central Area and the Hurontario-Main Street Corridor.

Overview:

- **A Recommendation Report entitled “City-Initiated Zoning By-law Amendments to Modernize Parking Standards, and dated October 23, 2020, was received by Planning and Development Committee on November 16, 2020.**

- **At the November 16, 2020 Planning and Development Committee meeting, the report was referred back to staff to look at eliminating minimum parking requirements for uses in areas of the City that are planned for intensification and that are well-served by transit.**
- **This report recommends that the Zoning By-law, attached as Appendix 1, be adopted, for the reasons set out in the Recommendation Report entitled “City-Initiated Zoning By-law Amendments to Modernize Parking Standards, and dated October 23, 2020, that was received by Planning and Development Committee on November 16, 2020. The Zoning By-law has been amended to require a minimum visitor parking requirement of 0.25 spaces per unit for a senior citizen residence.**
- **As per the direction received at the November 16 Planning and Development Committee, staff is proposing that the elimination of minimum parking requirements apply to specific uses and apply to those lands located with the Downtown, Central Area and Hurontario-Main Street Corridor, as these areas provide opportunities for intensive, transit supportive development and have convenient access to existing or planned high order transit.**
- **The purpose of this report is to outline the next steps with respect to the proposal to eliminate minimum parking requirements in specific areas in the City. This includes holding a statutory public meeting to present the proposed Zoning By-law amendment to the public.**

Background:

A Recommendation Report entitled “City-Initiated Zoning By-law Amendments to Modernize Parking Standards”, and dated October 23, 2020, was received by Planning and Development Committee on November 16, 2020 (see Appendix 2). At the November 16, 2020 Planning and Development Committee meeting, the report was referred back to staff to look at eliminating minimum parking requirements for uses in areas of the City that are planned for intensification and that are well-served by transit.

The draft Zoning By-law Amendment that was attached to the above referenced Recommendation Report included an amendment to the senior citizen residence minimum visitor parking requirement from 0.25 spaces per unit to 0.20 spaces per unit. At the November 16, 2020 Planning and Development Committee meeting, Committee members expressed a concern with this amendment and requested that the minimum visitor parking requirement remain at 0.25 spaces per unit to ensure that an adequate amount of visitor parking spaces are available for people visiting the residents in a senior citizen residence. The Zoning By-law Amendment, attached as Appendix 1, has been amended to require a minimum visitor parking requirement of 0.25 spaces per unit for a senior citizen residence.

This report recommends that the Zoning By-law, attached as Appendix 1, be adopted, for the reasons set out in the Recommendation Report entitled “City-Initiated Zoning By-law Amendments to Modernize Parking Standards, and dated October 23, 2020, that was received by Planning and Development Committee on November 16, 2020.

Current Situation:

This report provides a summary of the areas that staff proposes to eliminate minimum parking requirements within and to clarify what uses necessitate a minimum parking requirement. It also outlines the required planning approval process to implement the direction provided by Planning and Development Committee on November 16, 2020, which includes holding a statutory public meeting.

The elimination of minimum parking standards for uses in key intensification areas serviced by rapid transit has been applied in some Ontario Zoning By-laws. However, this reduction is usually limited to Urban Growth Centres or downtown areas and is not applied extensively across a municipality. The City of Edmonton, as of July 2, 2020, removed minimum on-site parking requirements from their Zoning By-law, allowing developers, homeowners and businesses to decide how much on-site parking to provide on their properties based on their particular operations, activities or lifestyle.

As Brampton grows, it must adopt an approach to parking standards that considers land use, built form, and design standards, as well as proximity to transit and other active modes of travel. The direction provided by Planning and Development Committee on November 16, 2020 emphasizes the desire for Brampton to move towards managing parking in a responsible manner that efficiently uses land and supports the development of affordable housing. An elimination of minimum parking requirements does not preclude a developer from providing parking, where it is necessary, and where it is considered marketable to do so.

Analysis

To understand the best approach to regulating on-site parking (maintaining minimum parking requirements, eliminating minimum parking requirements or imposing maximum parking requirements) it is typical that an analysis be undertaken to look at how existing parking spaces in Brampton are being used.

Prior to the City of Edmonton’s decision to remove minimum parking requirements they undertook the following two studies:

1. Values and Priorities – A market research consultant was hired to gain an in-depth understanding of Edmontonians’ values and priorities related to parking.
2. Technical Study – A team of technical consultants were hired to use a range of data to understand how Edmonton’s existing parking spaces are used.

The findings of these two studies helped inform Planning staff's recommendations for parking regulations in Edmonton.

The City will be undertaking a Parking Strategy to develop a comprehensive parking policy, parking management and implementation framework for Brampton that will address the integration of land use and transportation policies, prioritize active transportation and non-auto modes, incorporate the Vision Zero framework, as well as address minimum maintenance standards, and efficient management of parking resources, finances and operations.

Considerations with the Proposed Removal of Minimum Parking Requirements

It is important to note that the planning evaluation with respect to the proposal to eliminate minimum parking requirements in key areas in the City will be completed by staff without the benefit of the Parking Strategy being finalized or extensive public engagement being undertaken. Staff has identified the following preliminary land use planning matters that should be explored further before recommending that the Zoning By-law be amended to eliminate minimum parking requirements:

1. Site-Specific Parking Requirements

There are a number of properties located within the Downtown, Central Area and Hurontario-Main Street Corridor that have site-specific parking requirements. Staff will have to determine whether the proposed elimination of minimum parking requirements would prevail over any existing site-specific parking requirements.

2. On-street Parking

One potential community implication associated with eliminating minimum parking is that if there is insufficient parking provided on-site for specific uses, any shortage in parking may cause a spill over onto adjacent streets, especially areas where there are no public parking facilities available.

Brampton currently prohibits the use of residential streets for overnight parking. Should the Traffic By-law be updated to permit on-street parking in certain areas of the City to support the removal of minimum parking requirements?

Illegal on-street parking will continue to be monitored and enforced, where necessary, consistent with the existing City processes.

3. Public Realm Improvements

Brampton should be designed for pedestrians, cyclists, transit riders and drivers; not, primarily, for parked cars. An elimination of minimum parking requirements should be accompanied by public realm improvements, by both the developer and the City, to assist in providing alternative choices to auto travel for residents, and

to also enhance the pedestrian environment through measures such as bicycle lanes, wider sidewalks, outdoor seating and on-site bicycle parking spaces. At this time, staff has not undertaken an analysis to determine what public realm improvements will be required with the Central Area, Downtown and Hurontario-Main Street Corridor to support the elimination of minimum parking requirements.

4. Improvements to Bus Rapid Transit Service

To offset the elimination of minimum parking requirements within the Central Area, Downtown and Hurontario-Main Street Corridor it is important to understand what improvements are needed to enhance the City's transit services such as, signal priority and traffic management measures, and what improvements are needed to passenger facilities and advanced passenger information systems in order to facilitate efficient transit connections within Brampton and to adjacent municipalities.

5. Rental Buildings

To developers, removing parking requirements does not mean eliminating parking supply. It simply allows developers to decide how many spaces to provide based on market and locational demand. Staff generally agrees that developers for condominium buildings will probably provide sufficient parking based on marketability of units, however, there is a concern when it comes to rental buildings. The owners of rental buildings may not have an issue with renting units without parking spaces, leaving it up to the tenants to secure parking elsewhere. This may lead to illegal on-street parking or an increased demand for parking spaces at the public parking garages.

6. Accessible Parking Spaces

The Traffic By-law requires that a minimum number of accessible parking spaces be provided based on the total number of parking spaces provided on-site. An elimination of minimum parking spaces may impact the amount of accessible parking spaces being provided on-site. Staff will have to explore this further to determine whether an amendment to the minimum number of accessible parking spaces is required to ensure that the appropriate amount of accessible parking is being provided.

Boundaries of the Proposed Zoning By-law Amendment to Eliminate Minimum Parking Requirements (see Appendix 3)

It is proposed that the elimination of minimum parking requirements apply to those lands that are located within the Downtown, Central Area and the Hurontario-Main Street Corridor (boundaries of the Hurontario - Main Street Corridor Secondary Plan Area 55) as these areas are identified in the Official Plan as providing opportunities for intensive, transit supportive development and they have convenient access to existing or planned high order transit. These areas represent a logical starting point for proposing an

elimination to the minimum residential parking standards. Please refer to Appendix 3 for the boundaries of the proposed Zoning By-law Amendment to eliminate minimum parking requirements.

Uses

It is proposed that the elimination of minimum parking requirements apply to a building or place containing three (3) or more dwelling units and apply to all other commercial, office, institutional and industrial uses. This means that minimum parking requirements would still apply to such uses as: single detached dwellings, semi-detached dwellings, townhouses, street townhouses, duplexes, triplexes, quadruplex, back-to-back townhouses, two-unit dwellings and lodging houses within the boundaries shown in Appendix 3.

Minimum Visitor Parking Requirements

It is proposed that a minimum visitor parking rate of 0.20 parking spaces be applied per residential unit within the Central Area and Hurontario-Main Street Corridor and that a minimum visitor parking rate of 0.10 parking spaces per residential unit apply within the Downtown area for an apartment dwelling unit, multiple residential dwelling unit and townhouse unit, without a private garage/driveway.

Statutory Public Meeting

On July 6, 2020, a statutory public meeting was held to present the proposed parking amendments that were included in staff's Recommendation Report that was received at the November 16 Planning and Development Committee meeting. The notice for the July 6, 2020 statutory public meeting indicated a proposed reduction to the minimum parking requirements for an apartment dwelling, a multiple residential dwelling, townhouses without private garages/driveways, and for commercial and offices uses (different requirements that would apply City-wide and within the Central Area). The term "reduction" in the notice implies that a minimum parking requirement will still apply.

Since the notice for the July 6, 2020 public meeting did not indicate an elimination of minimum parking requirements for specific areas and uses within the City, a further statutory public meeting is required to be held before Council enacts an amendment to the Zoning By-law to eliminate minimum parking requirements.

Next Steps:

The next steps in the planning approval process based on the direction provided at the November 16, 2020 Planning and Development Committee meeting includes the following:

- January 2021 - present the proposed Zoning By-law amendment to eliminate minimum parking requirements in specific areas of the City at a statutory public meeting; and,
- March 2021- final Recommendation Report and implementing Zoning By-law amendment to Planning and Development Committee and Council.

Other parking regulation changes are anticipated to be proposed through the Municipal Parking Strategy and implemented through the Comprehensive Zoning By-law Review, which will align with the policy direction in the new Official Plan.

Corporate Implications:

No corporate implications have been identified at this time.

Financial Implications:

There are no financial implications associated with this report.

Economic Development Implications:

No economic development implications have been identified at this time.

Term of Council Priorities (2019-2022)

This Report has been prepared in full consideration of the Term of Council Priorities.

Living the Mosaic – Brampton 2040 Vision

This Report has been prepared in full consideration of the overall vision that the people of Brampton will 'Live the Mosaic.'

Conclusion:

It is recommended that staff hold a statutory public meeting and report back to Planning and Development Committee with final recommendations that address consistency with Provincial, Regional and City policies and a Zoning By-law Amendment that proposes to eliminate minimum parking requirements in key strategic areas in the City.

Authored by:

Reviewed by:

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Bob Bjerke, Director, Policy Planning

Approved by:

Submitted by:

Richard Forward, MBA, M.Sc., P.Eng.
Commissioner, Planning and
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David Barrick, Chief Administrative Officer

Appendices:

Appendix 1: Zoning By-law Amendment

Appendix 2: Recommendation Report - City-Initiated Zoning By-law Amendments to
Modernize Parking Standards dated October 23, 2020

Appendix 3: Boundary of Proposed Elimination of Minimum Parking Requirements



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____

To amend By-law 270-2004, as amended

The Council of The Corporation of the City of Brampton, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, hereby ENACTS as follows:

1. By-law 270-2004, as amended, is hereby further amended:

(1) By deleting Section 10.9.2 in its entirety and replacing it with the following:

“10.9.2 Apartments and Multiple Residential Dwellings

- a) For each dwelling unit in an apartment or multiple residential dwelling, the minimum required parking shall be 1.0 parking space for residents and 0.20 parking spaces for visitors.
- b) For each unit in a senior citizen residence, the minimum required parking shall be 0.50 parking spaces for residents and 0.25 parking spaces for visitors.”

(2) By deleting Section 10.9.3 in its entirety and replacing it with the following:

“10.9.3 For each dwelling unit in a townhouse dwelling that does not have a private garage and driveway, the minimum required parking shall be 1.5 parking spaces for residents and 0.20 parking space for visitors.”

(3) By modifying the table in Section 20.3.1 as follows:

- a) by deleting the text under the column Minimum Parking Spaces Required for an “Office” in its entirety and replacing it with the following:

“Physician, dentist, or drugless practitioner’s office: 1 parking space for each 16 square metres of gross commercial floor area or portion thereof; Other office: 1 parking space for each 30 square metres of gross commercial floor area or portion thereof.”

- b) by deleting the text under the column Minimum Parking Spaces Required for a “Personal Service Shop” in its entirety and replacing it with the following:

“1 parking space for each 25 square metres of gross commercial floor area or portion thereof”.

- c) by deleting the text under the column Minimum Parking Spaces Required for a “Restaurant” in its entirety and replacing it with the following:

“Dining room or Convenience Restaurant: 1 parking space for each 6.5 square metres of gross commercial floor area or portion thereof; Take-Out Restaurant: 1 parking space for each 20.0 square metres of gross commercial floor area or portion thereof”.

- d) by deleting in their entirety the rows for Use and Minimum Parking Spaces Required for “Shopping Centre having a gross leasable commercial floor area of less than 2000 square metres” and “Shopping Centre having a gross leasable commercial floor area of 2000 square metres or more” and replacing them with the following:

Shopping Centre	1 parking space for each 23 square metres of gross commercial floor area or portion thereof
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- (4) By amending Section 20.3.2 Central Area Parking Requirements as follows:

- a) by deleting the Section heading “Central Area Parking Requirements” in its entirety and replacing it with “Central Area – Downtown Parking Requirements”.
- b) by amending Section 20.3.2.1 to add the text “ - Downtown” immediately follow the text “Central Area”.
- c) by deleting Section 20.3.2.1 (d) in its entirety and replacing it with the following:

“(d) For office uses, parking requirements shall be provided in accordance with the following:

- (i) Physician, dentist or drugless practitioner’s office: 1 parking space for each 16 square metres of gross commercial floor area or portion thereof.
- (ii) Other Offices: 1 parking space for each 44 square metres of gross commercial floor area or portion thereof.”

- d) by deleting Section 20.3.2.1 (h) in its entirety and replacing it with the following:

“(h) For an apartment dwelling,— parking shall be provided at a rate of 0.50 parking spaces per dwelling unit and 0.10 visitor parking spaces per dwelling unit. No visitor parking spaces are required for an apartment dwelling that has 12 or fewer dwelling units.”

- e) by amending Section 20.3.2.2 to add the text “- Downtown” immediately follow the text “Central Area”.
 - f) by deleting the phrase “, and for a temporary period expiring June 30, 2024” from Section 20.3.3.”
- (5) By adding Schedule B-7 Central Area - Queen Street Corridor: Special Parking Provisions to Schedule B of the By-law.
- (6) By adding the following new Sections 20.3.4 and 20.3.5 immediately following Section 20.3.3:
- “20.3.4 Central Area – Queen Street Corridor
- (a) The minimum required parking for an apartment dwelling in the Central Area - Queen Street Corridor, as delineated on Schedule B-7, shall be 0.50 parking spaces per dwelling unit and 0.20 visitor parking spaces per dwelling unit.
 - (b) For all other uses the parking requirements of Section 20.3 of this By-law shall apply to the Central Area - Queen Street Corridor as delineated on Schedule B-7.”
- “20.3.5 Surface Parking for Apartment Dwelling Units
- For lands within the areas delineated on Schedules B-5 and B7, the following requirements for surface parking shall apply:
- 20.3.5.1 A maximum of 10% of the total number of parking spaces provided on a lot in conjunction with an apartment dwelling, whether for residents or visitors, are permitted to be provided as surface parking. The remainder of the parking spaces shall be provided in an above-ground or below-ground parking structure.
- (a) Section 20.3.5.1 shall not apply to any loading space.
 - (b) Notwithstanding Section 20.3.5.1, up to 10 parking spaces are permitted to be surface parking spaces.
 - (c) The restriction on surface parking set out in Section 20.3.5.1 shall not apply to an apartment dwelling having less than 25 apartment dwelling units.
 - (d) The provisions of Section 20.3.5 shall not apply to any lands zoned DC1, or to lands zoned DC1 with a special section, in which case the requirements of Section 28.2.3 i) and all other applicable requirements of this By-law shall apply.”
- (7) By adding a new Section 20.3.6 to immediately follow Section 20.3.5.1(d), as follows:

“20.3.6 Bicycle Parking

Bicycle parking for an apartment dwelling located within the lands delineated on Schedules B-5 and Schedule B-7 of this By-law, shall be provided as follows:

- (a) A minimum of 0.50 bicycle parking spaces shall be provided per apartment dwelling unit.
 - (b) A minimum of 0.10 visitor bicycle parking spaces shall be provided per apartment dwelling unit.
 - (c) A maximum of 50% of the required bicycle parking spaces shall be vertical spaces.
 - (d) The dimensions for required bicycle parking spaces shall be:
 - (i) A horizontal bicycle parking space shall have a minimum length of 1.8 metres and a minimum width of 0.6 metres.
 - (ii) A vertical bicycle parking space shall have a minimum length of 1.6 metres and a minimum width of 0.5 metres.
 - (e) All bicycle parking spaces shall be located on the same lot for which it is required.”
- (8) By deleting Section 28.2.3 i) (ii) its entirety and replacing it with the following:
- “(ii) No portion of a parking space or parking/drive aisle that is located on the ground floor of an above-ground parking garage shall be permitted within 6.0 metres of any exterior wall facing a streetline or within 6.0 metres of any streetline.”
- (9) By amending Section 5 Definitions, as follows:
- a) by adding the following:

“**SURFACE PARKING** shall mean any parking space that is located on the finished ground surface and is not contained or otherwise enclosed in a building or structure, including an above-ground or below-ground parking structure.”
 - b) to re-organize the definitions in alphabetical order accordingly.

READ a FIRST, SECOND and THIRD TIME, and PASSED in OPEN COUNCIL, this day of 2020.

PATRICK BROWN - MAYOR

PETER FAY - CITY CLERK

Date: 2020-10-23

Subject: City-initiated Zoning By-law Amendments

Secondary Title: Recommendation Report - City-initiated Zoning By-law Amendments to Modernize Parking Standards

Contact: Michelle Gervais, Policy Planner, Policy Division, Planning, Building and Economic Development Department, michelle.gervais@brampton.ca, 905-874-2073

Report Number: Planning, Building and Economic Development-2020-067

Recommendations:

1. **THAT** the report titled “**Recommendation Report: City Initiated Zoning By-Law Amendment to Modernize Parking Standards (2020-067)**”, to the Planning and Development Committee meeting of November 16, 2020, be received;
2. **THAT** the Zoning By-law Amendment attached hereto as Appendix 1 be adopted, on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan and the City’s Official Plan for the reasons set out in the Planning Recommendation Report, September 30, 2020; and
3. **THAT** Council hereby determines that no further public notice is to be given pursuant to Section 34(17) of the *Planning Act*.

Overview:

- This report presents for approval, a City-initiated Zoning By-law amendment that proposes to modernize some of the City’s parking standards.
- The proposed Zoning By-law amendment is limited in scope and is determined to be appropriate to advance prior to the completion of the Comprehensive Zoning By-law Review in order to better align Brampton’s parking standards with other municipalities.

- The proposed parking and bicycle standards are a step in the right direction to building a Green City as they ensure that an over-supply of surface parking spaces are not being provided, they promote sustainable forms of development, assist in decreasing the reliance on private automobile ownership and place more emphasis on utilizing transit and active transportation opportunities.
- Through the Municipal Parking Strategy it is anticipated that recommendations will be made to further amend the parking standards in the Comprehensive Zoning By-law.
- The draft City-initiated amendment was presented at a statutory public meeting on July 6, 2020.

Background:

As Brampton grows and densifies, and as transportation choices increase, there is a corresponding need to review the current off-street parking standards in the City's Comprehensive Zoning By-law in terms of its role in helping to shape the future development of the City. In order to achieve the City's long-term sustainability land use and transportation goals, a number of amendments are being proposed to the Zoning By-law's parking standards.

The proposed amendments are intended to be incorporated into the City's current Zoning By-law so that they may take effect at the earliest opportunity. Further refinement and other parking regulation changes are anticipated to be proposed through the Municipal Parking Strategy.

Current Situation:

Benchmarking

The proposed parking amendments are solely based on current data and best practices where it has been determined that the City's parking standards are generally high compared to other similar municipalities in the Greater Toronto Area (GTA) and beyond. These findings have helped inform the proposed amendments to the City's Zoning By-law parking standards. A summary of these findings are included in a memo prepared by WSP and are found in Appendix 2.

Purpose

The purpose of this report is to recommend amendments to the City's Zoning By-law parking standards that will move the City towards managing parking in a responsible manner, which includes promoting sustainable forms of development and placing more emphasis on utilizing transit and active transportation opportunities. The recommended parking amendments are broken down into those that would apply City-wide and those that would apply specifically to the Central Area:

City-wide

- Reduce the minimum parking requirement for an apartment dwelling, multiple residential dwelling and townhouses without private garages/driveways;
- Reduce the minimum visitor parking requirement for a senior citizen residence; and
- Reduce the minimum parking requirements for commercial and office uses.

Central Area

- Reduce the minimum residential parking requirement for an apartment dwelling;
- Require a minimum visitor parking requirement for an apartment dwelling within Downtown only;
- Establish maximum surface parking requirements for an apartment dwelling;
- Incorporate bicycle parking requirements for an apartment dwelling;
- Permanent parking exemption for commercial and office uses in Downtown; and
- An amendment to one of the Downtown Commercial One (DC1) Zone's parking provisions.

Proposed Amendments to the City's Zoning By-law:

Below is an outline of the proposed amendments to the City's Zoning By-law parking standards that would apply City-wide and those that would apply specifically to the Central Area. The implementing draft Zoning By-law amendment can be found in Appendix 1.

City Wide Amendments

1. Reduction to the Minimum Residential Parking Requirement for an Apartment Dwelling, Multiple Residential Dwelling and Townhouses Without Private Garages/Driveways (City-Wide, excluding Central Area)

The City's current minimum parking rates (residential and visitor) for an apartment dwelling, a multiple residential dwelling and townhouses without private garages/driveways vary depending on whether the unit is condominium or rental. The minimum parking rates are slightly lower for rental compared to condominium and they vary based on the number of bedrooms, with higher requirements for a larger number of bedrooms.

The requirement to calculate rates based on the number of bedrooms used to be common in Ontario Zoning By-laws, but newer Zoning By-laws provide a simplified blended rate which is easier to administer.

It is proposed that a blended minimum parking rate of 1.0 parking space per apartment dwelling unit be provided for all apartment dwellings and multiple residential dwellings, and a blended rate of 1.5 parking spaces per townhouse unit, without a private garage/driveway, regardless of the number of bedrooms and regardless of tenure. This is a reduction and simplification of the current standards for these building types.

Further, it is proposed that a minimum visitor parking rate of 0.20 parking spaces be applied per apartment dwelling unit, multiple residential dwelling unit and townhouse unit, without a private garage/driveway, regardless of the type of unit. These amended parking rates are proposed to be applied City-wide, except for the Central Area.

2. Reduction to the Minimum Visitor Parking Requirement for a Senior Citizen Residence (City-Wide)

The Zoning By-law requires that a senior citizen residence provide a minimum 0.50 parking spaces per unit plus 0.25 visitor parking spaces per unit. The current residential parking rate will be retained, however, it is proposed that the visitor parking space requirement of 0.25 spaces per unit be reduced to 0.20 spaces to align with the visitor parking requirement for an apartment dwelling and a multiple residence dwelling as proposed above.

3. Reduction to the Minimum Parking Requirements for Commercial and Office Uses (City-Wide)

Parking requirements for commercial and office uses are established to satisfy peak demand for parking on a site. As part of the Comprehensive Zoning By-law Review to-date, it has been recognized that the City's parking standards for commercial and office uses are out of date and are generally high compared to other similar municipalities. These high parking rates lead to an over-supply of "free" surface parking that contributes to auto-oriented land use planning, increased auto dependency and an inefficient use of land.

Based on best practice approaches as assessed by WSP, the following amendments to the parking standards for commercial and office uses are being proposed to ensure that land is being used more efficiently and to encourage site design that is more walkable and pedestrian-friendly:

Use	Current Standard (Gross Floor Area)	Proposed Standard (Gross Floor Area)
Medical Office	1.0 parking space per 12.0 m ²	1.0 parking space per 16.0 m ²
Office	1.0 parking space per 25.0 m ²	1.0 parking space per 30.0 m ²
Shopping Centre having a gross leasable commercial floor area of less than 2000 square metres	1.0 parking space per 23 m ²	1.0 parking space per 23.0 m ²
Shopping Centre having a gross leasable commercial floor area of 2000 square metres or more	1.0 parking space per 19.0 m ²	
Personal Service Shop	1.0 parking space per 19.0 m ²	1.0 parking space per 25.0 m ²
Restaurant (Sit Down)	1.0 parking space per 6.25 m ²	1.0 parking space per 6.5 m ²
Restaurant (Take Out)	1.0 parking space per 16.7 m ²	1.0 parking space per 20.0 m ²

At the statutory public meeting staff received correspondence from a few members of the development industry where they raised a concern that the proposed shopping centre parking requirement of 1 parking space per 19 square metres was too high. Staff considered these comments and has revised the proposed parking requirement for a shopping centre from 1 parking space per 19 square metres to 1 parking space per 23 square metres. The proposed parking requirement of 1 parking space per 23 square metres will provide enough parking to satisfy the peak parking demands for a shopping centre. In staff's opinion, this nominal change in the parking requirement for a shopping centre does not warrant a further public meeting.

The current parking rate for "retail" (1.0 parking space per 19.0 m² of gross floor area) is slightly higher than comparable Zoning By-laws. This rate will be retained until further review can take place through the Comprehensive Zoning By-law Review. Further refinement and updates to commercial parking standards will occur through the ongoing Comprehensive Zoning By-law Review and will also be informed by the Municipal Parking Strategy.

The proposed draft Zoning By-law amendment presented at the public meeting did not propose an amendment to the minimum parking requirement for a real estate office. The proposed amendment to the "office" minimum parking requirements presented at the statutory public meeting, as illustrated in the table above, was intended to capture all offices, except medical, so that a specific parking requirement for a real estate office would no longer be required. Unfortunately, the proposed deletion of the minimum

parking requirement for a real estate office was not captured in the draft Zoning By-law amendment presented at the statutory public meeting.

Currently, the Zoning By-law includes a specific minimum parking requirement for a real estate office (1 parking space for each 15 square metres of gross commercial floor area or portion thereof). A real estate office is not a defined use nor is it listed as a permitted use under any parent zone in the Zoning By-law. A real estate office is permitted wherever an office use is permitted. Based on the proposed amendment to the minimum parking requirement for medical office uses (1 parking space for each 16 square metres of gross commercial floor area or portion thereof), a real estate office would require more parking than a medical office, which is not what is intended.

In most municipalities Zoning By-law's across Ontario, there is no specific minimum parking requirement for a real estate office. It is staff's opinion that a minimum parking requirement for a real estate office is not required, especially with a more onerous parking requirement than a medical office use. It is proposed that the real estate office minimum parking requirement be deleted and that the minimum parking requirement for an "other office" use (1 parking space for each 30 square metres of gross commercial floor area or portion thereof) be applied to a real estate office.

In staff's opinion, the proposed deletion of the minimum parking requirement for a real estate office is minor in nature and does not require further public notice. The public meeting notice indicated that the City was proposing amendments to parking standards and specifically noted a proposed reduction to the minimum parking requirement for commercial and office uses City-wide.

Central Area

1. Reduce the Minimum Residential Parking Requirement for an Apartment Dwelling

Currently, the City requires a minimum of 1.0 parking space per apartment dwelling unit in the Central Area delineated in the Zoning By-law. This area focuses on the central part of the downtown, rather than the entirety of the "Central Area" as designated in the Official Plan. In the Official Plan, the Central Area is more extensive, extending easterly across the Queen Street Corridor and surrounding lands and it encompasses the City's Urban Growth Centre, which is planned for significant intensification. The parking requirements for an apartment dwelling outside of the delineated Central Area in the Zoning By-law vary depending on whether the unit is condominium or rental. The minimum parking rates are slightly lower for rental compared to condominium and they vary based on the number of bedrooms, with higher requirements for a larger number of bedrooms.

It is proposed that the minimum residential parking be 0.5 parking spaces per unit for an apartment dwelling, including apartment dwelling units in a mixed-use building, within the Central Area of the City as designated by the Official Plan. This amounts to a reduction in the parking supply by approximately 50% for an apartment building located within the Central Area. A reduction to the parking supply is a step in the right direction towards

meeting the land use and transportation objectives of the Central Area. The proposed minimum parking standard will also support transit-oriented development, use land more efficiently and enhance the viability and affordability of new development.

2. Require a Minimum Visitor Parking Requirement for an Apartment Dwelling within Downtown

Currently, there is no minimum visitor parking requirement for an apartment dwelling in the Downtown. On-street parking and public parking garages that were previously available are not expected to satisfy this need now. As such, it is appropriate to establish a minimum visitor parking requirement for each residential unit within an apartment dwelling. It is proposed that a minimum visitor parking rate of 0.10 parking spaces per unit apply within the Downtown area. This rate is lower than the visitor parking space requirement used in other areas of the City, which reflects the Downtown context. It is also proposed that a minimum threshold of 12 dwelling units be implemented to avoid the need for small infill developments to provide visitor parking spaces, as this may be difficult for minor infill projects.

Due to the limited availability of public parking available within the Queen Street Corridor, the minimum visitor parking rate of 0.20 parking spaces per residential unit will continue to apply for an apartment dwelling within this Corridor.

3. Establishing Maximum Surface Parking Requirements for an Apartment Dwelling

Maximum surface parking rates have only recently been introduced in Zoning By-laws across Ontario. These parking standards are typically applied to areas that are planned for the greatest amount of growth and intensification and where rapid transit is available. There is currently a restriction in the Downtown Commercial Zone (DC1) that prohibits surface parking and requires that all parking be provided in the form of structured parking.

It is proposed that a new Zoning By-law provision be included that would limit the amount of surface parking spaces for an apartment dwelling within the Central Area (encompassing Downtown Brampton and the Queen Street Corridor) as follows:

- 1) The existing restriction on all surface parking in the DC1 zone should be retained.
- 2) Developments with fewer than twenty-five (25) apartment units are proposed to be exempt from the maximum surface parking requirement.
- 3) A maximum of 10% of the total number of resident and visitor parking spaces provided on a lot in conjunction with an apartment dwelling, are permitted to be provided as surface parking. However, up to ten (10) parking spaces may be provided in the form of surface parking spaces on each lot.
- 4) The maximum surface parking rate shall not apply to restrict the provision of any drop-off parking space located within 30 m of a building entrance, provided there is a maximum of 2 drop-off parking spaces per building entrance.
- 5) Maximum surface parking will not apply to any loading space requirements.

This provision would contribute to a more urban, pedestrian-friendly built form with potential for more open space and amenities for activities and will work towards meeting the density objectives of the Central Area while still enabling a developer to provide the parking required in the form of underground and above-ground structured parking garages.

Opportunities to expand this requirement to other uses or other areas of the City (e.g. Uptown) and/or to introduce a maximum parking requirement for all types of parking will be explored through the Comprehensive Zoning By-law Review and the City-wide Parking Strategy.

4. Incorporation of Bicycle Parking Requirements for an Apartment Dwelling

To complement some of the proposed parking requirement reductions described above, a new framework for bicycle parking requirements is proposed to be incorporated into the Zoning By-law. Many other municipalities have recently incorporated minimum bicycle parking requirements, which are intended to support overall principles of creating pedestrian and cycling-oriented communities.

This amendment proposes new minimum bicycle parking spaces for new apartment dwellings in the Central Area (Downtown Brampton and the Queen Street Corridor) at a rate of 0.50 spaces per unit and 0.10 visitor spaces per unit and integrating the following locational requirements:

- 1) A maximum of 50% of the required bicycle parking may be vertical spaces, and the rest must be horizontal spaces.
- 2) The dimensions for provided bicycle parking space shall be as follows:
 - a) A horizontal bicycle parking space shall be a minimum length of 1.8 m and a minimum width of 0.6 m.
 - b) A vertical bicycle parking space shall be a minimum length of 1.6 m and a minimum width of 0.5 m.
- 3) All bicycle parking must be located on the same lot as the apartment dwelling for which it is required.

The draft Zoning By-law amendment that was presented at the public meeting proposed to include the following provisions related to the location of bicycle parking spaces:

- 1) All required resident bicycle parking spaces as required by Section 20.3.6.1 must be located within:
 - a) a building or structure;

- b) a secure area that is accessible and weather-protected such as a supervised or monitored parking lot with a roof structure or other enclosure; or
 - c) bicycle lockers.
- 2) Where bicycle parking spaces are provided in a common parking area, each space must contain a parking rack that is securely anchored to the ground.

After further consideration, it was determined that these specific locational criteria (e.g. “secure area” and “securely anchored”) may be difficult to administer and therefore not appropriate to be included in a Zoning By-law. The location of bicycle parking spaces for apartment dwellings will be determined through the site plan approval process. The above noted requirements have been removed from the draft Zoning By-law amendment attached in Appendix 1.

City-wide bicycle parking requirements for residential and non-residential uses will be considered through the Comprehensive Zoning By-law Review, as it requires a thorough review.

5. Permanent Parking Exemption for Commercial and Office Uses in Downtown

Since 1995, Council has granted a series of temporary exemptions from the Zoning By-law’s minimum parking requirements for commercial and office uses in the Downtown. The temporary exemptions have applied specifically to the lands identified on Schedule B5 – Special Parking Regulations Area of the Comprehensive Zoning By-law. On June 5, 2019 Council extended the Downtown parking exemptions for a period of five years. The Downtown parking exemption continues to be a valuable part of the incentive strategy for the Downtown and therefore, it is being recommended that the exemption become permanent.

The extent of the Parking Exemption Area and the determination of whether it should apply to other uses will be explored further through the on-going Comprehensive Zoning By-law Review. It may be suitable to expand the area and uses based on the policy direction of the City’s new Official Plan. At this time, however, there is no clear policy basis to expand or otherwise modify the land uses.

The lands located outside of Schedule B5, but still located within the boundaries of Schedules B1 through B4 are subject to the Central Area parking requirements. Section 20.3.2.1 d) outlines the following parking requirements for office uses in the Central Area:

- (i) Physician, dentist or drugless practitioner’s office: 1 parking space for each 12 square metres of gross commercial floor area or portion thereof.
- (ii) Real Estate Office: 1 parking space for each 20 square metres of gross commercial floor area or portion thereof.
- (iii) Other Offices: 1 parking space for each 44 square metres of gross commercial floor area or portion thereof.

As described previously within this Report, staff is proposing an amendment to the minimum parking requirement for some commercial and office uses outside of the City's Central Area. One of the proposed changes is to the minimum parking requirement for a physician, dentist or drugless practitioner's office (medical) from 1 parking space for each 12 square metres of gross commercial floor to 1 parking space for each 16 square metres of gross commercial floor and to delete the minimum parking requirement for a real estate office.

An amendment to the minimum parking requirement for a medical office in the Central Area was not identified in the draft Zoning By-law amendment that was presented at the statutory public meeting. Without an amendment to the minimum parking requirement for a medical office use in the Central Area, a medical office use would require more parking in the Central Area than the rest of the City. This was an oversight, as it is not the intent to require more parking for a medical office use in the Central Area. It is proposed that the parking requirement for a medical office in the Central Area be amended from 1 parking space for each 12 square metres of gross commercial floor to 1 parking space for each 16 square metres of gross commercial floor to align with the proposed medical office minimum parking requirement that is proposed to apply to the area outside of the Central Area.

It is also proposed that the Central Area real estate parking requirement of 1 parking space for each 20 square metres of gross commercial floor area or portion thereof be deleted. The proposed deletion of the minimum parking requirement for a real estate office in the Central Area was not included in the draft Zoning By-law amendment that was presented at the statutory public meeting. As described previously in this Report, it is the intent that all office uses (excluding medical) be captured under the minimum parking requirement for "other offices". The proposed deletion of the minimum parking requirement for a real estate office is consistent with the proposed office parking requirements that would apply outside of the Central Area.

In staff's opinion, the proposed amendment to the office parking requirements in Section 20.3.2.1 d) is minor in nature and does not require further public notice. The public meeting notice did indicate that the City was proposing amendments to parking standards and specifically noted a proposed reduction to the minimum parking requirement for commercial and office uses City-wide.

6. An Amendment to One of the Downtown Commercial One (DC1) Zone's Parking Provisions

The DC1 zone includes the following provision that is intended to require liners (i.e. commercial or residential space) on the first floor of parking garages and to prohibit parking spaces and parking aisles:

28.2.3 i) (ii) *No portion of a parking garage that is above grade shall be located within an area that is above grade shall be located within an area that within 6.0 metres of any exterior wall adjacent to a streetline.*

A minor amendment to this provision is required to clarify the wording and confirm its intent.

The proposed wording of Section 28.2.3 i) (ii) is:

“No portion of a parking space or parking/drive aisle that is located on the ground floor of an above grade parking garage shall be permitted within 6.0 metres of any exterior wall facing a streetline or within 6.0 metres of any streetline.”

Official Plan

The principle of sustainable development represents the foundation of this Official Plan as it continues to guide Brampton’s growth. Sustainable development promotes a holistic approach to planning to achieve a balance between the social and economic needs of the community, and environmental and cultural conservation. The Official Plan promotes the use of active transportation such as, walking and cycling as safe, and sustainable and healthy modes of travel and also encourages that development within the City’s Urban Growth Centre be transit-supportive densities, uses and built form designed to foster a pedestrian-friendly environment (Section 3.0 – City Structure).

Section 4.5 of the Official Plan contains the long-term transportation objectives for Brampton. In order to provide for more sustainable transportation practices in the future, the Official Plan acknowledges that Brampton must find ways and design policies to assist in reducing the number and length of automobile trips, by accommodating and encouraging increased transit ridership, by encouraging active transportation such as cycling and walking, by increasing car occupancy (i.e. carrying passengers, carpooling, etc.).

Section 4.5.5 – Parking Management recognizes that parking facilities are major users of expensive land. The parking management policies are in place to achieve careful planning of the locations and quantity of parking to reduce the cost of parking and support the use of transit and transportation demand management measures.

Two policies in the Parking Management Section of the Official Plan that are relevant to the proposed amendments to the City’s parking standards are:

- Policy 4.5.5.2 - *“The City shall continue to set parking standards in zoning by-laws for all uses appropriate to their traffic generation and in that process shall recognize and anticipate reductions in parking demand in locations to be provided with enhanced transit service.”*
- Policy 4.5.5.7 – *“The City shall consider limiting the parking supply within the Office Centers and Retail areas to encourage transit use and reduce single occupancy vehicle trips. Within the Central Area, the City may consider limiting or eliminating on-site parking requirements for specific developments or areas as determined to be appropriate on a site or area-specific basis.”*

The proposed new parking requirements will help support the design of transit-oriented development, enhance the viability and affordability of new development, and assist in achieving the objectives of the City's sustainability development policies.

The management of off-street parking is critical to achieving long-term transportation goals and is an effective way to support rapid transit investments, promote increased transportation choices and support the development of affordable housing, which are all objectives in the City's Official Plan.

Secondary Plans

Some of the City's Secondary Plans include policies that provide direction related to reducing parking requirements, encouraging shared parking and guidelines that influence the form and location of parking on individual sites. Since a number of the proposed parking amendments are located within the Downtown and Central Area, a review of the parking policies and guidelines in the Downtown Brampton (Area 7) and Queen Street Corridor (Area 36) Secondary Plans has been undertaken in more detail than other Secondary Plans.

The main parking policies for both Secondary Plan Areas 7 and 36 are found in Section 6.6 (Parking):

- 1) 'Less stringent parking standards to facilitate commercial, residential and mixed-use development/ redevelopment within the Secondary Plan Area. This flexible approach is based on the current supply of parking spaces'.
- 2) Council discretion on exemption from 'commercial and mixed-use developments within the Downtown Brampton and Queen Street Corridor Secondary Plans from on-site parking requirements of the appropriate zoning by-law and/or may enact a comprehensive by-law to establish reduced parking standards across the Secondary Plan Areas'.
- 3) Policy endorsement of the shared parking concept for mixed use development.
- 4) Temporary parking that aligns with urban form policies.
- 5) Off-site parking for business uses in the Central Mixed-Use area where 'the City is provided with adequate evidence that legal agreements and leases are in effect and registered on title for such parking arrangements'.
- 6) Policy support for cash in lieu payments 'which cannot economically provide on-site parking as a means of providing financial support to transit and public parking facilities'.

The proposed parking standards will help support the parking policy objectives of both the Downtown and Queen Street Corridor Secondary Plan.

Zoning By-law

The City's off-street minimum parking requirements for various land uses are contained within Sections 10 and 20 of the City's Zoning By-law. The current parking requirements

for the apartment, townhouse, commercial and office uses that are proposed to be amended can be found in Appendix 2 – WSP Parking Memo.

On-street Parking

One potential community implication associated with reducing the minimum residential parking requirements would be an increase in illegal on-street parking. Brampton currently prohibits the use of residential streets for regular overnight parking. Illegal on-street parking will continue to be monitored and enforced, where necessary, consistent with the existing City processes.

The Land Use Policy Division is undertaking a City-wide Parking Strategy in order to determine the appropriate on-street parking approach for Brampton, as well as other related parking issues. The Strategy will identify potential actions, programs and strategies beyond the Zoning By-law to comprehensively address parking issues in Brampton.

Planning Analysis

The proposed Zoning By-law amendment will reduce parking requirements and introduces new minimum bicycle parking space requirements that will support the development of sustainable, resilient and healthy communities in the City. Specifically, the proposed Zoning By-law amendment satisfies the following matters of provincial, regional and municipal interest:

- assists in minimizing land consumption;
- supports the development of compact built form by ensuring that an over-supply of parking is not being required;
- eases the dependence on the automobile;
- encourages active transportation and supports existing and planned transit; and
- supports the development of affordable housing.

The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement and is in conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe as well as the Region's Official Plan. The proposed Zoning By-law Amendment is also generally consistent with Brampton's Official Plan, and appropriately considers matters of provincial interest as set out in Section 2 of the *Planning Act*. A summary of the relevant Provincial, Regional and City policies can be found in Appendix 3 – Planning Analysis.

Statutory Public Meeting

The application was published in the Brampton Guardian on June 11, 2020 as per *Planning Act* requirements. The virtual public meeting for this application was held on Monday, July 6, 2020. There were no members of the public in attendance at the virtual public meeting (see Appendix 4).

Seven (7) pieces of correspondence were received from members of the public (see Appendix 6). A summary of the public comments are as follows:

- More progressive parking rates should be proposed for residential and commercial uses across the City;
- The proposed parking requirement of 1/19 square metres per gross leaseable commercial floor area is too high for a shopping centre and should be reduced to encourage site design that is more walkable and pedestrian-friendly;
- The push for denser communities that are well connected, and which have multimodal transportation integrated in and around them means that people have a choice for how to get there and therefore the demand for parking should be lower than what the proposed standards require;
- The proposed parking rate for an apartment dwelling in the Central Area will be helpful in reshaping the outlook of downtown Brampton, help promote development and the realization of the “Downtown Reimagined” vision;
- Recommend that the proposed parking rates be extended beyond apartment dwellings and multiple residential dwellings, commercial and office uses, and senior citizen residences;
- Would prefer to see more ambitious bicycle parking space requirements that would include commercial and office uses;
- Reducing parking will affect the purchase decisions of most buyers and will also affect the resale value of the unit for the sellers, as buyers look for adequate parking that is usually free when purchasing the unit;
- 0.5 bicycle parking spaces per apartment unit seems to be high. It is recommended that this minimum rate be reduce to 0.2 spaces per unit and increase the minimum number of vehicle parking spaces;
- Townhouses do not have adequate residential and visitor parking. Most visitor parking lots are full and this causes a lot of grid lock on the streets in these subdivisions, which is unsafe for everyone. How is further reducing these parking spaces going to affect the occupants of these townhomes?;
- Could there be a survey or count of residents in senior citizen buildings that own a car and need parking spaces to determine if a minimum residential parking requirement of 0.5 spaces per unit is warranted; and
- Has there been any coordination with the department at the City responsible for governing second units to address parking situations?

A response to the correspondence received can be found in Appendix 5.

Corporate Implications:

Financial Implications:

There are no financial implications associated with the proposed Zoning By-law Amendment.

Economic Development Implications:

Economic Development is in support of the proposed parking amendments as they may act as an incentive for more development to occur across the City and will encourage more residents in Brampton to use public transit.

Other Implications:

Brampton Transit is in support of the proposed parking amendments.

No other implications have been identified at this time.

Term of Council Priorities (2019-2022)

The Zoning By-law Amendment aligns with the Strategic Direction – Brampton is a Green City. The proposed amendment is a step in the right direction to building a Green City as it proposes to reduce minimum parking requirements for some residential, commercial and office uses and also introduces new bicycle parking space requirements for apartment uses in the Central Area. This will assist in decreasing the reliance on private automobile ownership and is intended to place more emphasis on utilizing transit and active transportation opportunities.

Living the Mosaic – Brampton 2040 Vision

The Transportation and Connectivity Lens in the Brampton 2040 Vision states, “*In 2040, Brampton will be a mosaic of safe, integrated transportation choices and new modes, contributing to civic sustainability, and emphasizing walking, cycling, and transit.*” In order to achieve this, the priorities in the civic transportation agenda will be: first walking, then cycling, transit, goods movement, and then shared vehicles and private vehicles. With this vision statement in mind, the proposed Zoning By-law Amendment will assist in decreasing the reliance on private automobile ownership and to place more emphasis on utilizing transit and active transportation opportunities.

Conclusion:

This report presents for approval, a City-initiated amendment to the Zoning By-law that will modernize the City’s parking standards to reflect current policies and best practices and to help achieve the City’s long-term land use and transportation goals.

Staff is satisfied that the proposed Zoning By-law Amendment represents good planning, including that it is consistent with the Provincial Policy Statement and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 and the Region of Peel’s Official Plan and Brampton’s Official Plan.

Authored by:

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Appendices:

Appendix 1:	Zoning By-Law Amendment
Appendix 2:	WSP Memo (August 2020)
Appendix 3:	Planning Analysis
Appendix 4:	Public Meeting Minutes – July 6, 2020
Appendix 5:	Summary and Response to Comments Received
Appendix 6:	Correspondence Received



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____

To amend By-law 270-2004, as amended

The Council of The Corporation of the City of Brampton, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, hereby ENACTS as follows:

1. By-law 270-2004, as amended, is hereby further amended:

(1) By deleting Section 10.9.2 in its entirety and replacing it with the following:

“10.9.2 Apartments and Multiple Residential Dwellings

- a) For each dwelling unit in an apartment or multiple residential dwelling, the minimum required parking shall be 1.0 parking space for residents and 0.20 parking spaces for visitors.
- b) For each unit in a senior citizen residence, the minimum required parking shall be 0.50 parking spaces for residents and 0.20 parking spaces for visitors.”

(2) By deleting Section 10.9.3 in its entirety and replacing it with the following:

“10.9.3 For each dwelling unit in a townhouse dwelling that does not have a private garage and driveway, the minimum required parking shall be 1.5 parking spaces for residents and 0.20 parking space for visitors.”

(3) By modifying the table in Section 20.3.1 as follows:

- a) by deleting the text under the column Minimum Parking Spaces Required for an “Office” in its entirety and replacing it with the following:

“Physician, dentist, or drugless practitioner’s office: 1 parking space for each 16 square metres of gross commercial floor area or portion thereof; Other office: 1 parking space for each 30 square metres of gross commercial floor area or portion thereof.”

- b) by deleting the text under the column Minimum Parking Spaces Required for a “Personal Service Shop” in its entirety and replacing it with the following:

“1 parking space for each 25 square metres of gross commercial floor area or portion thereof”.

- c) by deleting the text under the column Minimum Parking Spaces Required for a “Restaurant” in its entirety and replacing it with the following:

“Dining room or Convenience Restaurant: 1 parking space for each 6.5 square metres of gross commercial floor area or portion thereof; Take-Out Restaurant: 1 parking space for each 20.0 square metres of gross commercial floor area or portion thereof”.

- d) by deleting in their entirety the rows for Use and Minimum Parking Spaces Required for “Shopping Centre having a gross leasable commercial floor area of less than 2000 square metres” and “Shopping Centre having a gross leasable commercial floor area of 2000 square metres or more” and replacing them with the following:

Shopping Centre	1 parking space for each 23 square metres of gross commercial floor area or portion thereof
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- (4) By amending Section 20.3.2 Central Area Parking Requirements as follows:

- a) by deleting the Section heading “Central Area Parking Requirements” in its entirety and replacing it with “Central Area – Downtown Parking Requirements”.

- b) by amending Section 20.3.2.1 to add the text “ - Downtown” immediately follow the text “Central Area”.

- c) by deleting Section 20.3.2.1 (d) in its entirety and replacing it with the following:

“(d) For office uses, parking requirements shall be provided in accordance with the following:

- (i) Physician, dentist or drugless practitioner’s office: 1 parking space for each 16 square metres of gross commercial floor area or portion thereof.
- (ii) Other Offices: 1 parking space for each 44 square metres of gross commercial floor area or portion thereof.”

- d) by deleting Section 20.3.2.1 (h) in its entirety and replacing it with the following:

“(h) For an apartment dwelling,— parking shall be provided at a rate of 0.50 parking spaces per dwelling unit and 0.10 visitor parking spaces per dwelling unit. No visitor parking spaces are required for an apartment dwelling that has 12 or fewer dwelling units.”

- e) by amending Section 20.3.2.2 to add the text “- Downtown” immediately follow the text “Central Area”.
 - f) by deleting the phrase “, and for a temporary period expiring June 30, 2024” from Section 20.3.3.”
- (5) By adding Schedule B-7 Central Area - Queen Street Corridor: Special Parking Provisions to Schedule B of the By-law.
- (6) By adding the following new Sections 20.3.4 and 20.3.5 immediately following Section 20.3.3:
- “20.3.4 Central Area – Queen Street Corridor
- (a) The minimum required parking for an apartment dwelling in the Central Area - Queen Street Corridor, as delineated on Schedule B-7, shall be 0.50 parking spaces per dwelling unit and 0.20 visitor parking spaces per dwelling unit.
 - (b) For all other uses the parking requirements of Section 20.3 of this By-law shall apply to the Central Area - Queen Street Corridor as delineated on Schedule B-7.”
- “20.3.5 Surface Parking for Apartment Dwelling Units
- For lands within the areas delineated on Schedules B-5 and B7, the following requirements for surface parking shall apply:
- 20.3.5.1 A maximum of 10% of the total number of parking spaces provided on a lot in conjunction with an apartment dwelling, whether for residents or visitors, are permitted to be provided as surface parking. The remainder of the parking spaces shall be provided in an above-ground or below-ground parking structure.
- (a) Section 20.3.5.1 shall not apply to any loading space.
 - (b) Notwithstanding Section 20.3.5.1, up to 10 parking spaces are permitted to be surface parking spaces.
 - (c) The restriction on surface parking set out in Section 20.3.5.1 shall not apply to an apartment dwelling having less than 25 apartment dwelling units.
 - (d) The provisions of Section 20.3.5 shall not apply to any lands zoned DC1, or to lands zoned DC1 with a special section, in which case the requirements of Section 28.2.3 i) and all other applicable requirements of this By-law shall apply.”
- (7) By adding a new Section 20.3.6 to immediately follow Section 20.3.5.1(d), as follows:

“20.3.6 Bicycle Parking

Bicycle parking for an apartment dwelling located within the lands delineated on Schedules B-5 and Schedule B-7 of this By-law, shall be provided as follows:

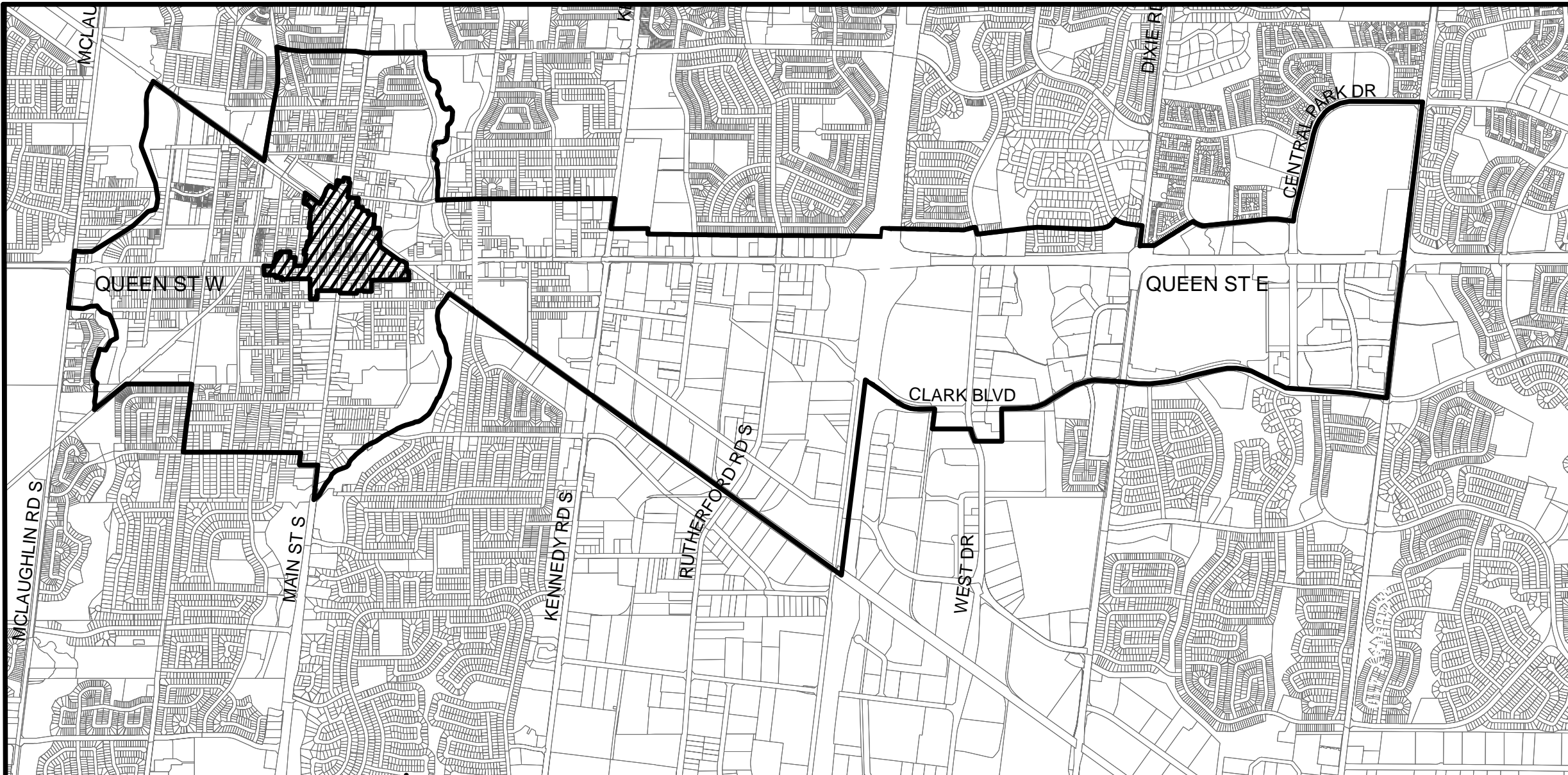
- (a) A minimum of 0.50 bicycle parking spaces shall be provided per apartment dwelling unit.
 - (b) A minimum of 0.10 visitor bicycle parking spaces shall be provided per apartment dwelling unit.
 - (c) A maximum of 50% of the required bicycle parking spaces shall be vertical spaces.
 - (d) The dimensions for required bicycle parking spaces shall be:
 - (i) A horizontal bicycle parking space shall have a minimum length of 1.8 metres and a minimum width of 0.6 metres.
 - (ii) A vertical bicycle parking space shall have a minimum length of 1.6 metres and a minimum width of 0.5 metres.
 - (e) All bicycle parking spaces shall be located on the same lot for which it is required.”
- (8) By deleting Section 28.2.3 i) (ii) its entirety and replacing it with the following:
- “(ii) No portion of a parking space or parking/drive aisle that is located on the ground floor of an above-ground parking garage shall be permitted within 6.0 metres of any exterior wall facing a streetline or within 6.0 metres of any streetline.”
- (9) By amending Section 5 Definitions, as follows:
- a) by adding the following:

“**SURFACE PARKING** shall mean any parking space that is located on the finished ground surface and is not contained or otherwise enclosed in a building or structure, including an above-ground or below-ground parking structure.”
 - b) to re-organize the definitions in alphabetical order accordingly.

READ a FIRST, SECOND and THIRD TIME, and PASSED in OPEN COUNCIL, this day of 2020.

PATRICK BROWN - MAYOR

PETER FAY - CITY CLERK



BRAMPTON
Flower City

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PLANNING AND DEVELOPMENT SERVICES



SCHEDULE B-7 TO ZONING BY-LAW 270-2004, AS AMENDED

Central Area – Queen Street Corridor: Special Parking Provisions

Author: ckovac
Date: 2020/08/04



LANDS NOT INCLUDED IN THIS SCHEDULE
PARKING REQUIREMENT BOUNDARY

MEMO

TO: City of Brampton
FROM: WSP
SUBJECT: Zoning By-law Review - Interim Amendments to the Parking Regulations
DATE: August 12, 2020

PURPOSE OF THIS MEMO

The purpose of this memo is to assess a range of proposed parking standard modifications in the City of Brampton's current zoning by-law. A range of short-term modifications were proposed in the staff report to the Planning and Development Committee, dated January 17, 2020. These modifications are considered appropriate to advance prior to the completion of the comprehensive zoning by-law review, which is ongoing. A more fulsome review of parking standards will be conducted through the zoning by-law review process, which is being conducted to align with the Official Plan Review.

1. REDUCTION OF MINIMUM RESIDENTIAL PARKING FOR APARTMENTS AND MIXED-USE BUILDINGS (WITHIN SPECIFIC INTENSIFICATION AREAS IN THE CITY)

Consideration is to be made to eliminate or reduce the minimum parking rate for apartments and mixed use buildings within various intensification areas of the City.

Currently, the City requires a minimum of 1 parking space per residential apartment unit in the Central Area (Section 20.3.2 (h)). A visitor parking space requirement is not specified. The "Central Area", as referred to in the Zoning By-law, is delineated on Schedules B-1 through B-5. This area appears to focus on the central part of the downtown, rather than the "Central Area" that is designated in the Official Plan. In the Official Plan, the Central Area is more extensive, extending easterly across the Queen Street Corridor and surrounding lands. This encompasses the City's Urban Growth Centre, which is planned for significant intensification in accordance with the Provincial Growth Plan for the Greater Golden Horseshoe. The parking requirements outside of this delineated Central Area is subject to the requirements of Section 10.9.2, which are summarized in Section 2 of this memo.

The elimination or reduction to a minimum parking standard for residential uses in key intensification areas serviced by rapid transit has been applied in some other Ontario Zoning By-laws. However, this reduction is usually limited to urban growth centres or other downtown areas and is not applied extensively across other transit corridors. For example, Table 1 compares some other municipal standards with Brampton's existing requirements.

Table 1: Review of Reduced Parking Rates for Apartments in other Municipalities

MUNICIPALITY	LOCATION	RESIDENT PARKING (MINIMUM)	VISITOR PARKING (MINIMUM)
Brampton	Central Area - Encompassing the downtown core only and not the entirety of the Urban Growth Centre	1.0 per apartment unit	No requirement
Mississauga – Section 3.1.2.1 (See Note 1)	City Centre (CC) Zones – Encompassing Downtown Mississauga	1.0 per dwelling unit	0.15 per dwelling unit
Oakville – Section 5.2.1	Growth Areas (Midtown Oakville and Mixed-Use Zones) – Encompassing various intensification areas within the Town	1.0 per dwelling unit where the unit has less than 75.0 m ² net floor area 1.25 for all other units	0.2 where a minimum of 5 parking spaces are required (See Note 2). In all other cases, no requirement
Kitchener – Section 5.6	Urban Growth Centre (UGC) Zone – Encompassing Downtown Kitchener Mixed-Use (MIX) Zone – Encompassing intensification areas outside of Downtown	No minimum; maximum of 1.0 per dwelling unit No minimum; maximum of 0.9 per dwelling unit	Maximum parking requirement includes visitor parking spaces Minimum 0.1 where 5 or more dwelling units are located on a lot. Maximum of 1.3 per dwelling unit
Burlington – Sections 2.25, 4.5 and 6.2	Downtown Mixed-Use Centre Zones (See Note 3) Uptown Mixed-Use Centre Zones	1.25 per dwelling unit 1.25 per one-bedroom unit 1.5 per two-bedroom unit 1.75 per three or more bedroom units	0.35 per dwelling unit No requirement
Ottawa – Part 4, Sections 102, 103 and 104	Area Z (Near Major LRT Stations) Area Y (Inner Urban Main Streets)	No requirement 0.5 per dwelling unit (See Note 4)	No requirement for the first 12 dwelling units. Greater than 12 dwelling units,

MUNICIPALITY	LOCATION	RESIDENT PARKING (MINIMUM)	VISITOR PARKING (MINIMUM)
*See Note 2	Area X (Inner Urban)	0.5 per dwelling unit where a building contains 12 or more dwelling units. In all other cases, no requirement	0.1 to a maximum of 30
In addition to a “no parking requirement”, the City of Ottawa Zoning By-law also establishes maximum parking requirements for lands within 600.0 m of rapid transit stations. These provisions are established through <u>Section 103 – Maximum Limit on Number of Parking Spaces Near Rapid Transit Stations</u> . The maximum parking requirements are established within four areas of the City: Areas A, B, C and D. The maximum parking requirement applicable to apartment dwellings in Area A is 1.5 and for Areas B, C and D, 1.75. The same maximum parking requirements apply to mixed-use buildings.			

Note 1: Mississauga recently undertook a Parking Master Plan and will be updating its zoning regulations in the near future, using a precinct-based approach. The existing standards for the City Centre are likely to decrease.

Note 1: This rate does not apply to dwelling units with less than 75.0 m² net floor area.

Note 2: The minimum parking requirement for the Downtown High Density Residential (DRH) Zone is 1.0 parking space per dwelling unit and 0.25 visitor parking spaces per dwelling unit. Resident parking is not permitted within surface parking areas (i.e., must be “enclosed”).

Note 3: Lands within Area Y that are zoned TM or AM and are located along Mainstreets are subject to additional parking reductions based on building height.

The intent of this section is to explore the potential to reduce or eliminate the minimum residential parking requirement in the Central Area, as well as other intensification areas. The City has a number of planned and evolving intensification areas that correspond to planned or existing rapid transit. This includes, for example, three GO Train Stations, the future planned Hurontario/Main Street LRT corridor, the 407 Transitway, and the Queen Street BRT. The City’s Official Plan establishes an intensification strategy aligned with its transit plans. However, the intensification strategy is likely to change through the ongoing Official Plan Review, to implement the 2040 Vision, and to implement further detail based on current transit improvement plans. The Region will also need to delineate Major Transit Station Areas which will be implemented in the Official Plan. As such, the extent of delineated intensification areas and the supporting policy could change significantly through the Official Plan Review.

As stated in the staff report, the need for dedicated residential parking can be reliably market driven. The standard may be contributing to the increased cost of housing and reduced availability of affordable units. The cost of providing a structured parking space

varies, but is often in the order of \$50,000 per underground parking stall. This has a very significant implication on the price of each unit.

An elimination or reduction of the minimum parking standard for apartments does not preclude a developer from providing the parking needed to sell or rent the units, based on their understanding of market demand. A unit will not be sold or rented to a person that requires the parking space and is not able to find an alternative place to park their vehicle. Options may exist for someone to rent a parking space elsewhere if not provided for them in the development. Over time, as the Central Area continues to intensify, the need for dedicated parking is likely to decrease further over time, as transit and pedestrian amenities improve, as more amenities and employment opportunities become available in the Central Area, and as alternative transportation models become more common and utilized (e.g., car sharing and ride sharing services). Thus, if the units can be sold or rented initially at the time of development, then they will likely continue to be rented and sold over time without an increase in vacancy.

At this time, it is recommended that a reduction or elimination of minimum residential parking for apartment units be applied within the Central Area of the City, as designated by the Official Plan to encompass both Downtown Brampton and the Queen Street Corridor. The focus of promoting significant intensification in the Central Area will not change through the Official Plan Review, because it is designated as the Urban Growth Centre to implement the Provincial Growth Plan. The area therefore represents a logical starting point for setting out the elimination or reduction of the residential parking standard. This new standard can be monitored over the course of the next two years, and any issues with this modification may be addressed through further changes in the comprehensive zoning by-law review in consideration of ongoing development applications. We note that this change, however, comes with a degree of risk. There may be an increase in vacancy rates in the units or reduced rent due to lack of parking over time. This issue could be mitigated by the City via the provision of public parking in key areas. The City has noted that, at this time, there would not necessarily be parking available publicly for residents. It would also be difficult to increase the rates in the future (i.e., the City may face opposition). Also, the City will lose potential revenue that could be gained through cash-in-lieu of parking.

Based on consultation with staff, the City's preference is to introduce a reduced parking rate, rather than a complete elimination of parking, due to these risks. The City has recommended a standard of 0.5 parking spaces per dwelling unit in the Central Area, plus visitor spaces, which are discussed below. This represents a significant reduction from the current standard of 1.0 parking spaces per dwelling unit.

It would be premature at this time to apply this elimination or reduction of parking within other areas, because the designation and policies for intensification areas are likely to change through the Official Plan Review. The Official Plan Review may also result in parking-related policies which we would not want to preclude through this process. This approach could be applied to other areas through the Comprehensive Zoning by-law Review, which will be aligned with the new Official Plan. Further, it is noted that

development applications in any area would be able to apply for a similar parking reduction subject to a justification and Council or Committee of Adjustment approval.

The lack of an existing minimum visitor parking standard in the Central Area designated by the zoning by-law (Downtown Brampton) must also be considered in light of this recommendation to reduce the minimum residential parking standard. It is assumed that the reason why there is no required visitor parking in the downtown is due to the availability of on-street parking and public parking, and it is likely to help promote and attract more affordable development to this area. This context is unchanged. However, the reduction of the parking standard for residents may precipitate a need to establish a visitor parking rate as there could be increased pressure for public parking to accommodate residents, at least in the interim. It is suggested that a minimum visitor parking rate of 0.10 parking spaces per unit apply within the Downtown area. This is similar to the visitor parking rates used in many other recent Zoning By-laws. It is a rate that is lower than the visitor parking space rate used in other areas of the City, which reflects the Downtown context, where there is a greater range of mobility options and public parking available. As in other municipalities, a threshold can also be established to avoid the need for very small infill developments to have to provide parking as this may be burdensome for minor infill projects. As a starting point, a minimum threshold of 12 dwelling units is suggested as used in Ottawa.

There is relatively limited public parking available within the Queen Street Corridor, where the elimination of minimum parking is also being recommended per the preceding discussion. It is suggested that a minimum visitor parking rate of 0.20 parking spaces per unit should apply within the Queen Street Corridor. This is the essentially the same rate used in other areas of the City and is currently applicable to the Queen Street Corridor. Existing and proposed visitor parking rates are discussed further in section 2 of this memo. An opportunity exists for a developer to vary this standard with a justification. These rates will also be reviewed more holistically as part of the Comprehensive Zoning by-law Review.

This proposed reduction will apply to any stand-alone apartments as well as apartments in mixed-use buildings. This will not affect townhouses. Parking requirement changes for non-residential uses are considered later in this memo.

Finally, it is noted that the areas shown on Schedules B1 - B5 which are referenced as the Downtown portion of the Central Area do not fully align with the designation of the Downtown portion of the Central Area in the Official Plan. The area is smaller than the Official Plan's designation of the Downtown. The City may wish to consider updates to the schedules to implement the parking recommendations consistently in accordance with the Official Plan.

Recommendation: Modify section 20.3.2.1 (h) to indicate there is a minimum parking requirement of 0.5 parking spaces per unit for residential apartments in the Central Area, as requested by City staff. The Central Area will encompass both Downtown Brampton and the Queen Street Corridor for the purposes of this provision and a new schedule will be required to delineate this area. The minimum visitor parking rate is recommended to

be (1) 0.20 visitor parking spaces per dwelling unit for the Queen Street Corridor portion of the Central Area, and (2) 0.10 visitor parking spaces per dwelling unit for the Downtown portion of the Central Area along with a minimum threshold of 12 dwelling units (i.e., developments with fewer than 12 dwelling units do not need to provide visitor parking). We note that these changes come with some risk and are principally based on best practice, as noted above and should be monitored.

2. REDUCED MINIMUM RESIDENTIAL PARKING FOR APARTMENTS AND MIXED-USE BUILDINGS (CITY-WIDE)

Consideration may be made to reduce minimum residential parking requirements for apartments and mixed-use buildings outside of the Central Area. Outside of the Central Area, parking rates for residential uses are regulated by Section 10.9.2 of the zoning by-law. The City's current minimum parking rates vary depending on whether the unit is condominium or rental. The minimum parking rates are slightly lower for rental compared to condominium. Further, the requirements vary based on the number of bedrooms, with higher requirements for a larger number of bedrooms.

The requirement to calculate rates based on the number of bedrooms used to be common in Ontario Zoning By-laws, but newer zoning by-laws provide a simplified blended rate which is easier to administer. Requiring parking based on bedrooms can be cumbersome to administer as it requires recalculations when the developer changes its floorplans which can occur frequently as the developer refines its interior layout and responds to market demand and sales. Furthermore, the City's differentiation of rates based on tenure means that if a rental building is converted to condominium, an additional amount of parking would have to be provided, or the standard would have to be varied or amended.

The existing rates in Brampton for apartments outside of the Central Area designated by the Zoning By-law are summarized as follows:

Table 2: Existing Parking Rates for Apartments in Brampton

	RENTAL APARTMENT UNIT		CONDOMINIUM APARTMENT UNIT		TOWNHOUSE WITHOUT PRIVATE GARAGE AND DRIVEWAY (SEE NOTE 2)	
	Resident	Visitor	Resident	Visitor	Resident	Visitor
Bachelor	1.03	0.20	1.25	0.25	Not specified	Not specified
1 bedroom	1.21	0.20	1.25	0.25	Not specified	Not specified
2 bedroom	1.41	0.20	1.40	0.25	1.30	0.25
3+ bedroom	1.53 (see Note 1)	0.20	1.75	0.25	1.46	0.25

	RENTAL APARTMENT UNIT		CONDOMINIUM APARTMENT UNIT		TOWNHOUSE WITHOUT PRIVATE GARAGE AND DRIVEWAY (SEE NOTE 2)	
Senior citizen rental	0.50	0.25	Not specified	Not specified	Not specified	Not specified
4+ bedroom	Not specified	Not specified	Not specified	Not specified	2.00	0.25

Note 1: A rate is not provided for rental apartment units with more than 3 bedrooms.

Note 2: A separate rate for condominium townhouses without a private garage and driveway is noted as 2.05 spaces per unit and 0.25 spaces for visitors. The requirements in the table are only applicable to rental units.

A review of comparable zoning standards from other municipalities that establish city-wide rates (i.e., parking rates outside of key intensification areas) for apartments are summarized as follows:

Table 3: Review of City-Wide Parking Rates for Apartments in Other Municipalities

MUNICIPALITY	RESIDENT PARKING		VISITOR PARKING
Burlington Zoning By-law 2020	1 bedroom	1.25	0.35
	2 bedroom	1.50	
	3 bedroom	1.75	
Kitchener Zoning By-law 2019-051	1.4 (See Note 1)		0 for buildings containing less than 5 dwelling units
			0.15 for buildings containing 5 to 80 dwelling units
			0.1 for buildings containing 81+ dwelling units
Mississauga Zoning By-law 0225-2007	Condominium Apartment		
	Studio	1.0	0.20
	1 bedroom	1.25	
	2 bedroom	1.40	
	3 bedroom	1.75	
	Rental Apartment		
	Studio	1	0.25
	1 bedroom	1.18	
	2 bedroom	1.36	
	3 bedroom	1.5	
Ottawa Zoning By-law 2008-250	1.2		0.2
Toronto Zoning By-law 569-2013	Bachelor up to 45.0 m ² GFA	0.8	0.2
	Bachelor greater than 45.0 m ² GFA	1.0	
	1 bedroom	0.9	
	2 bedroom	1.0	
	3+ bedrooms	1.2	
Vaughan Second Draft City-wide Comprehensive Zoning By-law	1.0		0.2

Note 1: Kitchener Zoning By-law 2019-051 parking rate applies to the “multiple residential dwelling” use, which includes “cluster townhouse dwellings”, “dwelling unit”, and “multiple dwelling”.

Generally, more recent zoning by-laws do not differentiate between rental and condominium units and do not incorporate standards based on number of bedrooms. This is mainly in the interest of establishing more user-friendly standards. Brampton's rates, overall, are not significantly different than some other municipalities, although some newer Zoning By-laws have introduced relatively lower requirements.

Based on these considerations, it is recommended that a simplified, blended minimum parking rate of 1.0 parking spaces per apartment unit be provided for all residential apartments, regardless of the number of bedrooms and regardless of tenure. This is a reduction and simplification of the current standard. Further, it is suggested that a minimum visitor parking rate be set at 0.20 parking spaces per unit, regardless of the type of unit. The visitor spaces are required to be designated as such. The developer would be able to provide more parking if it is needed based on their understanding of market demand.

It is suitable to retain the City's current standard of 0.50 parking spaces per senior citizen rental unit. This may be expanded to address condominiums. The reason for the lower rate is that there is likely to be a lower rate of vehicle ownership associated with these uses. The visitor parking space requirement of 0.25 spaces per unit may be reduced to 0.20 for alignment with other residential uses as discussed above. It is noted that the comprehensive zoning by-law review will include a thorough assessment of various uses and definitions, so this rate and the use may be subject to further refinement through that process.

Further to this, it is recommended that the provisions of Section 10.9.3, which provide parking standards for townhouses without private garages/driveways, be similarly updated. These standards are summarized in Table 2 of this memo. The current standards are based on bedrooms, which is difficult to administer as previously noted. A suggested blended rate of 1.5 parking spaces per townhouse unit without a private garage/driveway, plus a requirement of 0.20 visitor parking spaces per unit as recommended for other uses above, is suggested.

A developer will continue to have the opportunity to present a justification for a reduction to the applicable parking rate and will also be able to provide more parking if it is warranted based on the nature of the purchasers and tenants. The parking rates will be reviewed through the comprehensive zoning by-law review to assess appropriateness more thoroughly, including consideration for best practice, recent minor variances and zoning amendments.

Recommendation: Delete the content of Sections 10.9.2 and 10.9.3 and replace with a simplified, blended requirement of 1.00 parking spaces per apartment unit, 1.50 parking spaces per townhouse unit (without private garage/driveway) and 0.20 visitor parking spaces per each of these unit types. The senior citizen unit requirement be maintained at 0.50 per unit with the slightly reduced visitor parking rate of 0.20 per unit.

3. REDUCED MINIMUM PARKING REQUIREMENTS FOR COMMERCIAL USES (CITY-WIDE)

Consideration has also been made with respect to the appropriateness of the existing minimum parking requirements for commercial uses, and whether there are necessary obvious changes to bring the City's requirements more into line with other municipalities. It is noted that a more fulsome assessment of rates, in consideration of minor variances and zoning by-law amendments, is being made through the comprehensive zoning by-law review. The updates herein are focused on more urgent and obvious changes that should be made in the short term, based mainly on best practice and input from City staff about which rates are not working well.

The table below compares the existing rates, which apply City-wide, with rates used for comparable uses in other municipalities. Note that the parking rates identified below were modified to implement a format that is consistent with Zoning By-law 270-2004, being "1 parking space per x m² of gross floor area (GFA)" so that the standards can be easily compared to Brampton's. This conversion is subject to a small degree of inaccuracy in comparability, because there would be variation in how each municipality defines gross floor area and some rates have been rounded.

Table 4: Review of Parking Rates for Commercial Uses in other Municipalities

Use	Brampton	Mississauga	Burlington	Kitchener	Ottawa	Toronto
Medical Office	1 per 12.0 m ²	0.78 per 12.0 m ²	0.72 per 12.0 m ²	Minimum 0.63 per 12.0 m ² Maximum 0.80 per 12.0 m ²	0.48 per 12.0 m ²	0.36 per 12.0 m ²
Business Office	1 per 25.0 m ²	0.8 per 25.0 m ²	0.8 per 25.0 m ²	Minimum 0.25 per 25.0 m ² Maximum 1.0 per 25.0 m ²	0.6 per 25.0 m ²	0.38 per 25.0 m ²
Retail	1 per 19.0 m ²	1.03 per 19.0 m ²	1.03 per 19.0 m ²	Minimum 0.57 per 19.0 m ² Maximum 0.79 per 19 m ²	0.64 per 19.0 m ²	No requirement for less than 200.0 m ² 1.5 per 19.0 for 200 m ² to less than 10,000 m ² 3 per 19.0 for 10,000.0 m ² to less than 20,000.0 m ² 6 per 19.0 m ² for 20,000 m ² or more

Use	Brampton	Mississauga	Burlington	Kitchener	Ottawa	Toronto
Shopping Centre	1 per 19.0 m ² for uses under 2,000 m ² 1 per 23.0 m ² for uses over 2,000 m ²	1.03 per 19.0 m ²	0.96 per 19.0 m ²	No comparable permitted use	0.68 per 19.0 m ² (See Note 1)	No comparable permitted use
Hotel/Motel	1 per bedroom plus 1 per 10.0 m ² of other uses	0.8 per guestroom, plus 1 space per 10.0 m ² of non-residential uses as public use areas	1 per guestroom	Minimum 1 per guestroom Maximum 1.3 per guestroom	1 per guest unit	1 per guestroom
Personal Service Shop	1 per 19.0 m ²	1.03 per 19.0 m ²	0.76 per 19.0 m ²	Minimum 0.57 per 19.0 m ² Maximum 0.79 per 19 m ²	0.65 per 19.0 m ²	0.29 per 19.0 m ² (See Note 2)
Restaurant	1 per 6.25 m ² 1 per 16.7 m ² for "take-out"	1 per 6.25 m ²	1.16 per 6.25 m ² 1.68 per 16.7 m ² for "take-out"	Minimum 0.83 per 6.25 m ² Maximum 1 per 5.0 m ²	0.63 per 6.25 m ² 0.83 per 16.7 m ² for "take-out"	No requirement for less than 200.0 m ² 0.19 per 6.25 m ² for between 200.0 m ² and 500.0 m ² 0.31 per 6.25 m ² for greater than 500.0 m ²
Theatre	1 space for each 6 seats	1 per 5 seats of permanent seating or 1 space per 10.0 m ² , whichever is greater	10 per 100.0 m ²	Minimum 1 per 40.0 m ² Maximum 1 per 23.0 m ²	1 per 4 fixed seats	10 per 100.0 m ²

Note 1: The City of Ottawa Zoning By-law establishes this rate based on net leasable area.

Note 2: The City of Toronto Zoning By-law only requires minimum parking for personal service shops if the use is greater than 200.0 m² gross floor area.

Based principally on other municipal zoning approaches as assessed above, the following modifications are recommended. Note that the recommendations are based

solely on best practice to better align Brampton's standards with other municipalities. More detailed analysis of the standards such as the completion of parking utilization surveys or review of historic development applications would benefit the rates. This can be considered through other City initiatives.

- The current parking rate for “medical office” is modestly higher than comparable zoning by-laws. A reduced rate of 1.0 parking spaces per 16.0 m² of gross floor area is recommended.
- The current parking rate for “office” is slightly higher than comparable zoning by-laws. A reduced rate of 1.0 parking spaces per 30.0 m² of gross floor area is recommended.
- The current parking rate for “retail” is slightly higher than comparable zoning by-laws and is considerably different from other municipalities. It is suggested at this time that the rate can be retained until further review can take place through the Zoning By-law.
- The current parking rate for “shopping centre” is appropriate and generally consistent with comparable zoning by-laws. No change to the specific parking rates are recommended. However, based on the review, there may be an opportunity to consider a single parking rate rather than differentiating the rate based on the threshold of 2,000 m². A blended rate of 23.0 m² is supportable at this time, as it is comparable to the rate used in other municipalities. It is also the lower standard, meaning that its adoption will not result in any instances of legal non-compliance.
- The parking rate for “hotel” is generally consistent with comparable zoning by-laws, except for the additional requirement of 1 parking spaces per 10.0 m² gross floor area for non-residential uses. It is noted that this additional requirement is likely administered to satisfy increased parking that uses accessory to a hotel often require, such as public restaurants, convention centres, public halls, and public meeting rooms, among others.
- The current parking rate for “personal service shop” is somewhat higher than comparable zoning by-laws. A reduced rate of 1.0 parking spaces per 25.0 m² of gross floor area is recommended.
- There is variation in the parking rates for “restaurants” based on a review of comparable zoning by-laws. The review shows that parking rates for a “sit down” restaurant are consistently higher than the requirement for a “take-out” or “fast food” restaurant. The City's current parking rates are consistent with other municipalities in this regard. However, there may be an opportunity to consider a reduction to the minimum parking requirement itself. A slight reduction to 1.0 parking spaces per 6.5 m² for a restaurant, and a more modest reduction to 1 parking spaces per 20.0 m² for a take-out restaurant is suggested at this time.
- The minimum parking requirement for a “theatre” is generally consistent with comparable municipal zoning by-laws and in some cases the standard is lower. No change is proposed at this time.

Recommendation: Modest reductions to the minimum parking rates for medical office, office, retail, hotel, personal service and restaurant uses may be considered as outlined above. No change is recommended to the minimum parking rate for a shopping centre or theatre at this time.

4. NO MINIMUM PARKING REQUIREMENTS FOR COMMERCIAL USES IN DOWNTOWN BRAMPTON

Currently, section 20.3.3 of the Zoning By-law includes an exemption for the provision of parking requirements for any commercial uses within a delineated area (the Parking Exemption Area). This provision is temporary, expiring on June 30, 2024. It appears the expiry date has been extended numerous times since its initial enactment in 2004. It would be appropriate to make the exemption permanent as it has continued to be enacted to take effect for a total 20 years.

It is anticipated that the extent of the Parking Exemption area will be explored in the Comprehensive Zoning By-law Review. It may be suitable to expand the area based on the new Official Plan's intensification strategy and policy direction. At this time, however, there is no clear policy basis to expand or otherwise modify the area.

Recommendation: Modify section 20.3.3 to remove the expiry date of the commercial parking exemption in the delineated portion of the downtown. The effect of this change will be to make the exemption permanent.

5. INCORPORATION OF MAXIMUM SURFACE PARKING REQUIREMENTS FOR MULTIPLE DWELLING USES IN THE CENTRAL AREA

In addition to reducing minimum rates, municipalities and jurisdictions outside of Canada are beginning to explore the value in setting maximum parking requirements. This represents a significant shift in the thinking behind transportation planning. It is the opposite of the traditional approach of requiring minimum parking and requiring a justification for any reduction. Instead, a justification would need to be provided for a developer considered to be providing an excessive amount of parking. This approach goes hand in hand with planning for a more balanced modal split and moving away from automobile dependency.

Only several municipalities in Ontario have introduced maximum parking rates, and these requirements have been only recently implemented. The following examples are noted that include maximum parking rates applicable to residential uses within areas planned for intensification:

- The City of Toronto Zoning By-law 569-2013 establishes four different parking rates based on four Policy Areas within the City. The Policy Areas are delineated on a schedule to give effect to the rates. The most restrictive maximum parking rates are

established in Policy Area 1, followed by Policy Areas 2 and 3. There are no maximum parking rates established in Policy Area 4.

- The City of Ottawa Zoning By-law 2008-250 establishes maximum parking rates for lots within a 600-metre radius of rapid transit stations. There are a range of land uses subject to this provision, including residential, commercial, employment, and institutional. The maximum parking rates are calculated based on four “parking areas” within the City, which are established as an overlay through Schedule 1A. Area A establishes the most restrictive maximum parking rates, followed by Area B, Area C and then Area D (being the rural area).
- The City of Kitchener Zoning By-law 2019-051 establishes maximum parking rates for all lands within the City. The most restrictive maximum parking rates are established in the Urban Growth Centre (UGC) Zone. In all other zones, a maximum parking rate does not apply unless 20 or more parking spaces are required. If less than 20 parking spaces are required, the maximum requirement is calculated as the minimum requirement plus five additional parking spaces.
- The North Oakville Zoning By-law 2009-189 establishes maximum parking requirements for certain lands within the Town, including those lands zoned Trafalgar Urban Core (TUC), Dundas Urban Core (DUC), Neyagawa Urban Core (NUC) and Palermo Village North Urban Core (PUC). Maximum parking rates are generally established for a range of uses permitted in those zones, including residential, commercial, employment and institutional. There are some exceptions where additional parking above the maximum is permitted. In these cases, the additional parking spaces are required to be located within a parking structure. Additionally, this provision is only applicable to certain uses.
- The Second Draft City of Vaughan Comprehensive Zoning By-law (January 2020) proposes four tiers of parking rates within the City. Both the Vaughan Metropolitan Centre Zones and the Mixed-Use Zones propose maximum parking rates, with the Vaughan Metropolitan Centre having the more restrictive maximum rate.

As described above, several municipalities in Ontario have introduced maximum parking rates. These parking standards are generally applied to areas that are planned for the greatest amount of growth and intensification and where rapid transit is available. For example, this is evident in zoning by-laws for the City of Toronto (Policy Area A), the City of Ottawa (rapid transit stations), and as proposed in the City of Vaughan (Vaughan Metropolitan Centre). Based on this review, zoning approaches to establish maximum parking rates can generally be achieved through three different ways:

- 1 An overlay approach, similar to that of the City of Toronto;
- 2 A zone-based approach, as is established in the Town of Oakville, the City of Kitchener, and as proposed in the City of Vaughan; and,
- 3 A hybrid approach, as administered through the City of Ottawa Zoning By-law 2008-250, where maximum parking rates are established for specific land uses within a 600 metre radius around rapid transit stations. The maximum parking rates are determined based on the rates that are established in each of the four parking areas, as shown on Schedule 1A.

With regard to restrictions on surface parking areas, there are a number of municipalities in Ontario that have regulated this through a Zoning By-law. The following examples are noted:

- North Oakville Zoning By-law regulates the location of surface parking in the Trafalgar Urban Core (TUC) Zone through Section 5.1.6. The provision restricts surface parking areas to a maximum percentage of the lot frontage or lot flankage (exterior lot line). The provision establishes different standards according to land use. For example, surface parking associated with an office building is restricted to 50% of the lot frontage or lot flankage, whereas commercial buildings are restricted to 20% and hotels are 5%.

Surface parking areas are also restricted through the parking requirements table according to land use. For example, surface parking associated with apartments is only permitted for the required visitor parking spaces. In other words, resident parking is only permitted within a parking structure. A similar provision is established for hospitals, where a maximum of 20% of the required parking spaces are permitted in surface parking areas, and the remainder in parking structures. In the City of Vaughan, the Second Draft Comprehensive Zoning By-law proposed to restrict surface parking to certain yards. For example, in some mixed-use zones, surface parking areas are only permitted in an interior yard and rear yard, effectively prohibiting them in a front yard or exterior side yard.

- The City of Burlington Zoning By-law 2020 prohibits surface parking areas within several Downtown Mixed-Use Centre Zones through Section 4.7. Only temporary parking for drop-off or delivery is permitted. In the Uptown Mixed-Use Centre Zones, “enclosed occupant parking” is required to be provided at a rate of 1.25 spaces per unit for development exceeding a density of 100 units per hectare.

These various approaches reflect a desire to realize an intended built form and achieve density objectives within certain areas, while recognizing that not all areas within a municipality are planned for the same amount of growth and intensification over the planning horizon. While each approach ultimately achieve a similar zoning objective, the various approaches enable a municipality to implement a more fine-grained and contextually appropriate approach to regulating off-street parking.

It is noted that the City currently prohibits surface parking in the DC1 zone, and requires all parking to be provided in the form of structured parking. This is only applicable to those areas where the DC1 zone is applied.

There is also precedent for regulating surface parking areas. This zoning approach is currently administered through the North Oakville Zoning By-law 2009-189 and is proposed in the City of Vaughan. Under the Oakville’s zoning approach, surface parking areas are restricted to a percentage of lot frontage or lot flankage and the percentage varies depending on the land use. There are also restrictions on how surface parking areas can be used, as described previously. In the City of Vaughan, surface parking is proposed to be regulated by restricting the yard in which surface parking is permitted.

This is established through the lot and building requirements and is specific to individual zones.

At this time, it is suggested that a maximum rate be introduced only for surface parking in the Central Area as an appropriate interim shift in the City's approach to regulating parking. This would contribute to the intended built form and density objectives of the Central Area while enabling a developer to provide the parking required. Maximum parking rates in general have only recently been introduced in Ontario's zoning by-laws and this has been a very slow shift. Additionally, the assessment of maximum overall parking should be based on a more fulsome consideration of transit access, mobility, access to public parking, and other factors. However, the restriction on where surface parking is permitted on a lot is common in zoning by-laws, which often direct parking to be permitted only in the rear yard of a lot in intensification areas. The effect of these standards is to reduce the opportunity for surface parking to be provided and contribute to the built form objectives.

Following is a summary of the proposed approach to introduce maximum surface parking for residential uses in Brampton's Central Area. This would only apply to maximum surface parking and would not restrict the total amount of parking provided in a structured format.

- 1 The existing fulsome restriction on all surface parking in the DC1 zone should be retained.
- 2 Maximum surface parking should only be applicable to apartment units, and not to any other unit types or non-residential uses, where permitted. This will focus the requirement only on higher density residential uses at this time.
- 3 Developments with fewer than 25 units is recommended to be exempt from this maximum surface parking requirement, as it may be difficult and financially infeasible for smaller developments to provide parking in an alternative format. Note that consultation with the private sector and City staff based on any historic small-scale developments would be beneficial to inform this threshold.
- 4 It is proposed that the maximum surface parking requirement be established as follows:
 - a A maximum of 10% of the required parking spaces for apartment dwelling units is permitted to be surface parking.
 - b The maximum surface parking rate shall not apply to restrict the provision of any drop-off parking space located within 30 m of a building entrance, provided there is a maximum of 2 drop-off parking spaces per building entrance.
 - c Maximum surface parking will not affect any loading space requirements.
- 5 Maximum surface parking is proposed to be introduced across the entirety of the Central Area, defined in the Official Plan as encompassing Downtown Brampton and the Queen Street Corridor. This will help to contribute to the built form objectives in these areas and particularly support the transformation of the Queen Street Corridor into a vibrant, pedestrian- and cycling-oriented boulevard. It is noted that this restriction would not apply to any existing commercial uses or other types of uses contemplated in Queen Street corridor. The focus is to limit surface parking in

conjunction with multiple dwelling units which are anticipated to be built initially to front onto Queen Street frontage as the corridor intensifies over time.

- 6 The maximum surface parking will not apply to the first 10 required visitor parking spaces. This will enable a degree of flexibility to smaller-scale development which only be required to provide a small number of visitor parking spaces which may not be feasibly be accommodated in a structured format. It is noted that visitor parking would only be required within the Queen Street Corridor area per the discussion under Section 1 previously.

The provisions above help to achieve an appropriate balance of achieving a progressive step forward for introducing a more modern parking regulatory framework while providing regulations that will not cause an overly unreasonable restriction on the provision of affordable housing options. It is anticipated that the recommendations outlined above will be monitored for performance, and further analysis and refinement will be made in conjunction with the Comprehensive Zoning By-law Review.

Recommendation: Amend the By-law to state that the maximum number of surface parking spaces for residential apartment dwelling units be set at 10% of the total number of parking spaces. This will apply only to the Central Area. This will not apply to the first 10 required visitor parking spaces (as required). Further, the maximum surface parking requirement will also not apply to small-scale developments with less than 25 dwelling units. This will also not apply to limit parking that can be provided in a structured format. The existing requirements of the DC1 zone, which completely prohibits surface parking, will continue to apply rather than these recommendations, as the existing standards for the DC1 zone are more restrictive.

6. MINIMUM BICYCLE PARKING REQUIREMENTS IN THE CENTRAL AREA

Minimum bicycle parking rates are commonly being introduced in many municipal zoning by-laws. Some municipalities have applied rates across the municipality whereas other municipalities provide the requirements in targeted areas where there is more extensive transit and cycling infrastructure, such as downtown areas and intensification corridors.

At present, it is noted that the City's Hurontario Corridor Mixed-Use One (HMU1) zone requires minimum bicycle parking at a rate of 0.50 spaces per dwelling unit is required as well as 1 space per 500.0 m² of commercial GFA. Bicycle parking must be located on the same lot. A maximum of 50% may be vertical, and the rest must be horizontal spaces. Further, when the number of required spaces exceeds 50, a minimum of 25% of them must be with a building or structure, secured area or bicycle lockers. Finally, each space must have a parking rack when four or more spaces are provided in a common area. The following are select examples of bicycle parking rates applicable to downtown and intensification areas as required through other municipal zoning by-laws. It is noted that each zoning by-law referenced below requires that bicycle parking be provided on the same lot as the principal use.

- The City of Kitchener Zoning By-law 2019-051 establishes City-wide minimum bicycle parking requirements, including within the Urban Growth Centre (UGC) Zone. In the

UGC Zone, the minimum bicycle parking requirement for multiple residential buildings (including apartments), for a long-term space is 1 per dwelling unit without a garage. The minimum requirement for short-term bicycle parking for a lot containing less than 20 dwelling units is simply 2. The minimum requirement for short-term bicycle parking for a lot containing more than 20 units is 6 spaces.

- The City of Burlington Zoning By-law 2020 establishes City-wide minimum bicycle parking requirements. For both office and retail uses, the minimum requirement is 2 bicycle parking spaces plus 0.1 bicycle parking spaces per 100.0 m² gross floor area. The requirement for restaurants is 2 bicycle parking spaces plus 0.1 bicycle parking spaces per 100.0 m² gross floor area. There is no requirement for residential uses.
- The Town of Aurora Zoning By-law 6000-17 establishes minimum bicycle parking space requirements in the Promenade Downtown (PD1) Zone. The minimum requirement for apartments is 0.2 bicycle parking spaces per 100.0 m² gross floor area. For office, retail and restaurant uses, the minimum requirement is 2 spaces plus 0.1 spaces per 100.0 m² gross floor area.
- The Town of Oakville Zoning By-law 2014-014 establishes City-wide minimum bicycle parking space requirements. The minimum requirement for apartments is 1.0 resident bicycle parking space per dwelling, and a minimum of 0.25 visitor bicycle parking spaces per dwelling. Buildings having less than 20 dwelling units are exempt from a minimum bicycle parking space requirement. For office, retail and restaurants, the minimum requirement is 2 spaces or 0.1 per 100.0 m² gross floor area, whichever is greater.
- The City of Toronto Zoning By-law 2013-569 establishes two “Bicycle Zones” within the City, being Bicycle Zone 1 and Bicycle Parking 2. Bicycle Zone 1 applies to the inner City, bounded by Humber River on the west, Lawrence Ave. on the north, Victoria Park Ave. on the east and Lake Ontario on the south. This is the area experiencing the most intensification. The following minimum requirements apply to Bicycle Zone 1:
 - a For dwelling units, the minimum requirement is 0.9 per dwelling unit and the minimum short-term requirement is 0.1 per dwelling unit. Note that in Bicycle Parking zone 2, the minimum requirement for dwelling units is 0.68 with 0.07 spaces for short-term.
 - b For retail uses, the minimum short-term bicycle parking requirement is 3 plus 0.3 bicycle parking spaces per 100.0 m² gross floor area. The long-term rate is 0.2 per 100.0 m² gross floor area.
 - c The bicycle parking rates for offices are the same as the rates for retail uses.
 - d For restaurant uses, the minimum short-term bicycle parking requirement is 3 plus 0.3 bicycle parking spaces per 100.0 m² gross floor area. The long-term rate is 0.2 per 100.0 m² gross floor area.

There is considerable variation in the standards for bicycle parking used by municipalities. Requirements for dwellings can range from some fraction of a space required per dwelling unit to 1 space per dwelling unit. Some municipalities include

provisions for visitor bicycle parking. Further, some municipalities include requirements around the location or access of bicycle parking.

On a pilot basis, it is recommended that new minimum bicycle parking standards be introduced within the Central Area, inclusive of Downtown Brampton and the Queen Street corridor, using the existing Hurontario Corridor Mixed-Use One (HMU1) zone as the basis. This will help to complement some of the parking reductions proposed previously in this memo. Consideration can be made to refine or broaden the requirements to other areas of the City in conjunction with the Comprehensive Zoning By-law Review which will reflect the new Official Plan's intensification strategy. It is noted that some municipalities also include a threshold for bicycle parking (i.e., exempting small-scale developments) and this can be considered in the Central Area.

Recommendation: Incorporate new minimum bicycle parking spaces for new residential uses in the Central Area (Downtown Brampton and the Queen Street Corridor) at a rate of 0.50 spaces per unit and integrating the locational requirements of the Hurontario Corridor Mixed-Use One Zone. Bicycle parking for non-residential uses will be considered through the Comprehensive Zoning By-law Review as it requires more fulsome review.

7. HOUSEKEEPING UPDATE TO THE DC1 ZONE

Staff have noted that provision 28.2.3 (i) (ii) requires a minor housekeeping amendment to clarify the intent of the provision. The purpose of the provision is to regulate the location of parking garages with respect to the streetscape.

Recommendation: Address the required clarification to Section 28.2.3 (i)(ii) as it is of a housekeeping nature.

Appendix 3 – Planning Analysis

Matters of Provincial Interest (Planning Act – Section 2)

The proposed Zoning By-law amendment related to parking standards has regard to, among other matters, the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians (Section 2 q)). Reducing the minimum parking requirements for some residential and commercial uses also assists in mitigating greenhouse gas emissions, which helps to protect the environment and the health and well-being of residents in the Province. (Section 2 h), o) and s)).

The purpose of the proposed amendment is to to modernize the Zoning By-law's off-street parking standards to achieve the City's long-term transportation goals and transit-oriented design objectives and to support the development of affordable housing, which are all matters of provincial interest.

Provincial Policy Statement (PPS), 2020

The PPS (2020) provides policy direction on matters of provincial interest related to land use planning and development that support our collective well-being, now and in the future, which are intended to be complemented by local policies addressing local interests.

The vision for Ontario's land use planning system includes carefully managing land uses to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns. Efficient development patterns optimize the use of land, resources and public investment in infrastructure and public service facilities. These land use patterns promote a mix of housing, including affordable housing, employment, recreation, parks and open spaces, and transportation choices that increase the use of active transportation and transit before other modes of travel.

The proposed Zoning By-law amendment supports the following policy objectives of the PPS:

1. Decreases the reliance on private automobile ownership;
2. Promotes utilizing transit and active transportation opportunities, which assists in achieving the City's long-term transportation goals and rapid transit investments; and,
3. Supports the development of affordable housing.

Specifically, the proposed Zoning By-law amendment is consistent with the following PPS policies:

1.1.1 Healthy, liveable and safe communities are sustained by:

- e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns,

optimization of transit investments, and standards to minimize land consumption and servicing costs.

1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the *impacts of a changing climate*;
- e) support *active transportation*; and
- f) are *transit-supportive*, where transit is planned, exists or may be developed.

1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the *impacts of a changing climate* through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;
- b) promote the use of *active transportation* and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas.

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

The Growth Plan encourages compact development that reduces the rate at which land is consumed and emphasizes that communities in larger urban centres need to grow at transit-supportive densities, with walkable street configurations. Compact built form and intensification efforts go together with more effective transit and active transportation networks and are fundamental to where and how we grow and also supports reduced air pollution and improved public health outcomes.

A part of the vision for the Greater Golden Horseshoe is that “getting around will be easy”. To achieve this vision the Growth Plan identifies the following:

- public transit will be fast, convenient, and affordable;
- automobiles will not be the only mode of transportation;
- a variety of effective and well-used choices for transportation will be provided; and

- transit and active transportation will be practical elements of the urban transportation systems.

The proposed Zoning By-law amendment conforms with the following Growth Plan policies:

- 2.2.1.4 e) provide for a more *compact built form* and a vibrant *public realm*, including public open spaces
- 2.2.1.4 f) mitigate and adapt to climate change impacts, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability.
- 2.2.5.4.1 In planning for employment, surface parking will be minimized and the development of *active transportation* networks and *transit-supportive* built form will be facilitated.
- 4.2.10.1 Upper- and single-tier municipalities will develop policies in their official plans to identify actions that will reduce greenhouse gas emissions and address climate change adaptation goals, aligned with other provincial plans and policies for environmental protection, that will include reducing dependence on the automobile and supporting existing and planned transit and *active transportation*.

The proposed Zoning By-law amendment will assist in minimizing land consumption and support the development of compact built form by ensuring that an over supply of parking is not being required for developments across the City. Reducing parking requirements also eases the dependence on the automobile, encourages active transportation and supports existing and planned transit, which are all policy objectives of the Growth Plan.

Region of Peel

The over-arching theme of the Region of Peel's Official Plan is sustainability, which refers to meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The Region in conjunction with the area municipalities plays a significant role in creating healthier and sustainable communities. Air quality can be improved by the Region through the land use and infrastructure planning processes and through leadership in reducing emissions associated with corporate operations. Policies to improve air quality are also valuable in mitigating the effects of climate change, as both issues require changes to land use, minimizing use of fossil fuels, decreasing auto modal share and shifting towards alternative energy sources.

Active transportation offers an alternative to trips made by automobile, especially for trips covering short distances. Active transportation, in the form of walking, is a component of most trips made using transit. The Region of Peel's Official Plan stresses the importance of increasing our reliance on active transportation, by itself or in combination with other

sustainable modes, to help reduce the strain on the transportation system. In addition, increasing the share of trips made by active transportation would help increase the sustainability of the transportation system, reduce transportation related pollutant emissions, provide health benefits and increase peoples' connection to their communities.

The proposed Zoning By-law amendment conforms with the following Region of Peel Official Plan policies:

- 1.3.6.4 To support growth and development which takes place in a sustainable manner, and which integrates the environmental, social, economic and cultural responsibilities of the Region and the Province.
- 2.2.3.2.1 To improve local air quality and reduce greenhouse gas emissions.
- 5.3.1.5 To achieve an urban structure, form and densities which are pedestrian friendly and transit-supportive.
- 5.5.3.1.1 To achieve compact and efficient urban forms.
- 5.5.3.1.5 To reduce dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian friendly urban environments.
- 5.9.10.1.1 To increase the share of trips made using active transportation.

The proposed Zoning By-law Amendment conforms to the Region of Peel's Official Plan and support its goals of developing sustainable and healthy communities.

City of Brampton's Official Plan

The principle of sustainable development represents the foundation of the Official Plan as it continues to guide Brampton's growth. Sustainable development promotes a holistic approach to planning to achieve a balance between the social and economic needs of the community, and environmental and cultural conservation.

The Official Plan acknowledges that the continued evolution and design of Brampton's urban form must address sustainability, demographics, natural environment, human need, land use and transportation. A number of urban design policies in the Official Plan promote a pedestrian-friendly, transit-sensitive streetscape design along arterial roads (Section 4.11.3.3.5). Mixed-use development shall cater to all modes of travel but priority shall be given to transit and walking (Section 4.11.3.4.4).

The Official Plan encourages transit-oriented design in mixed-use development that ensures direct pedestrian linkages to transit facilities; includes park and ride facilities; includes amenities for cyclists; encourages shared parking; and, allows for a lower parking requirement to encourage use of alternative modes including transit, walking and cycling (Section 4.11.3.4.5).

The Transportation policies (Section 4.5) of the Official Plan encourage that the City move towards decreasing the dominance of roads and our reliance on private automobile as the City's primary means of transportation as it is not sustainable. The Official Plan states, *"Although the automobile enables greater mobility, there is increasing awareness that our dependency on the automobile is affecting human health and the environment. Increasing travel times, trip lengths, parking demand, congestion, increased fuel consumption and the high costs of transportation infrastructure are all matters for serious consideration."* The Official Plan fosters a major shift from automobiles to transit use and active transportation and, therefore, the proposed amendment is a step in the right direction to building a Green City by proposing to eliminate minimum parking requirements for second residential units. The proposed amendments to the City's parking standards and the introduction of bicycle parking space requirements will assist in decreasing the reliance on private automobile ownership and is intended to place more emphasis on utilizing transit and active transportation opportunities.

It is recommended that the parking amendments be supported in order to achieve the sustainable development, urban design and transportation policy objectives of the Official Plan.

Appendix 4 – Virtual Public Meeting Minutes – July 6, 2020

Members Present via Electronic Participation:

Regional Councillor M. Medeiros – Wards 3 and 4 (Chair)
Regional Councillor P. Fortini – Wards 7 and 8 (Vice-Chair)
Regional Councillor P. Vicente – Wards 1 and 5
Regional Councillor R. Santos – Wards 1 and 5
Regional Councillor M. Palleschi – Wards 2 and 6
Regional Councillor G. Dhillon – Wards 9 and 10
City Councillor D. Whillans – Wards 2 and 6
City Councillor J. Bowman – Wards 3 and 4
City Councillor C. Williams – Wards 7 and 8
City Councillor H. Singh – Wards 9 and 10

Staff Present:

D. Barrick, Chief Administrative Officer

Planning, Building and Economic Development:

R. Forward, Commissioner
A. Parsons, Director, Development Services
R. Conard, Director of Building, and Chief Building Official
B. Bjerke, Director, Policy Planning
E. Corazzola, Manager, Zoning and Sign By-law Services
C. Crozier, Manager, Development Planning
D. VanderBerg, Manager, Development Planning
M. Gervais, Policy Planner
N. Mahmood, Policy Planner
M. Michniak, Development Planner
S. Dykstra, Development Planner
N. Jagtiani, Development Planner
S. Swinfield, Development Planner

Corporate Services:

A. Wilson-Peebles, Legal Counsel

City Clerk's Office:

P. Fay, City Clerk
C. Gravlev, Deputy City Clerk
S. Danton, Legislative Coordinator

Members of the Public Present:

None

Appendix 5 - Summary and Response to Public Comments

There were five (5) pieces of correspondence that were received from members of the public with respect to the proposed City-Initiated Zoning By-law Amendment to the parking standards. Below is a summary and a response to the comments that have been received.

Comment (in support)

The proposed parking rate for an apartment dwelling in the Central Area will be helpful in reshaping the outlook of downtown Brampton, help promote development and the realization of the “Downtown Reimagined” vision.

Comments:

- More progressive parking rates should be proposed for residential and commercial uses across the City;
- Recommend that the proposed parking rates be extended beyond apartment dwellings and multiple residential dwellings, commercial and office uses, and senior citizen residences;
- Provide more ambitious bicycle parking space requirements that would include commercial and office uses;
- Harmonizing parking for apartments down to 1.0 per unit is a step in the right direction, but it is still much too high;
- Buildings built within 400 metres of the parking garages in downtown should be completely exempt from minimum parking requirements;
- The parking garages in downtown are not full and this indicates downtown is oversupplied in parking spaces;

Response:

The proposed parking amendments are limited in scope and are determined to be appropriate to advance prior to the completion of the Comprehensive Zoning By-law Review to better align Brampton’s parking standards with other municipalities in the short-term.

The proposed parking rates that are being considered in advance of the Comprehensive Zoning By-law Review are based solely on best practice and a more fulsome review of the City’s on-street and off-street parking and bicycle standards will be considered through the City-wide Parking Strategy. The City-wide Parking Strategy will help to inform the parking standards and bicycle parking requirements that will be included in the Comprehensive Zoning By-law. There will be opportunities through the City-wide Parking Strategy and Comprehensive Zoning By-law Review process for the public to comment on the City’s parking standards and bicycle parking requirements.

Comments:

- The proposed parking requirement of 1/19 square metres per gross leaseable commercial floor area is too high for a shopping centre and should be reduced to encourage site design that is more walkable and pedestrian-friendly.

- The push for denser communities that are well connected, and which have multimodal transportation integrated in and around them means that people have a choice for how to get there and therefore the demand for parking in a shopping centre should be lower than what the proposed standards require.

Response:

Staff has considered the comments received at the Public Meeting and have amended the proposed parking rate for a shopping centre from 1 per 19.0 square metres to 1 per 23.0 square metres. The rate of 1 per 23.0 square metres will provide an adequate amount of parking for a shopping centre while at the same time ensuring that land is being used more efficiently.

Comment:

Surface parking maximums could hinder redevelopment along the Queen Street Corridor, and developers should be permitted to exceed them if they include a credible phasing plan showing the surface parking being used.

Response:

There may be circumstances where the proposed maximum surface parking requirements can not be met. An owner has the right to seek a minor variance to the maximum surface parking requirements. Appropriate justification will be required to be provided that demonstrates how the City's urban design objectives for the Central Area are still being met.

Comment:

How will stacked bicycle parking work?

Response:

Stacked bicycle parking will be reviewed in greater detail through the site plan approval process.

Comment:

The benchmarking that was used in WSP's memo is not a good comparison of best practices.

Response:

The benchmarking that was completed by WSP is based on municipalities in Ontario who have amended their parking standards in the last couple of years. Staff are of the opinion that the benchmarking that was completed to help inform the proposed Zoning By-law amendments is a good comparison of best practices in Ontario.

Comment:

Reducing parking will affect the purchase decisions of most buyers and will also affect the resale value of the unit for the sellers, as buyers look for adequate parking that is usually free when purchasing the unit.

Response:

The proposed rates are only minimum parking rates. Based on what the demand is for parking when the owner is proceeding through the development approval process, the owner can provide more than the minimum required residential and visitor parking requirements. There are no maximum parking rates being proposed at this time.

A change in property value is not a planning consideration that can be evaluated pursuant to the requirements of the *Planning Act*.

Comment:

0.5 bicycle parking spaces per apartment unit seems to be high. It is recommended that this minimum rate be reduce to 0.2 spaces per unit and increase the minimum number of vehicle parking spaces.

Response:

The goals and objectives of the City's Official Plan and the Brampton 2040 Vision is to encourage residents to utilize other modes of transportation (i.e. transit, bicycling). This report recommends a minimum 0.5 bicycle parking spaces per apartment unit to meet the sustainable land use and transportation objectives of the Central Area.

Comment:

Townhouses do not have adequate residential and visitor parking. Most visitor parking lots are full and this causes a lot of grid lock on the streets in these subdivisions, which is unsafe for everyone. How is further reducing these parking spaces going to affect the occupants of these townhomes?

Response:

The proposed change to the minimum parking rate are for those townhouses that do not have private garages/driveways.

Comment:

Could there be a survey or count of residents in senior citizen buildings that own a car and need parking spaces to determine if a minimum residential parking requirement of 0.5 spaces per unit is warranted.

Response:

The proposed parking amendment related to a senior citizen building is not amending the minimum residential parking rate. A further assessment of the minimum residential parking rate for a senior citizen building will be reviewed through the City's on-going Comprehensive Zoning By-law Review.

Comment:

Has there been any coordination with the department at the City responsible for governing second units to address parking situations?

Response

On June 24, 2020 Brampton City Council approved a Zoning By-law amendment that removes the requirement to provide an additional parking space for the creation of a second unit. The general residential provisions of the Zoning By-law will continue to require that a minimum two (2) parking spaces be maintained on each residential lot.



June 30th, 2020

Planning and Infrastructure Services
City of Brampton
2 Wellington Street West, 3rd Floor
Brampton, ON L6Y 4R2

Attention: Michelle Gervais, Policy Planner

RE: City's Comprehensive ZBL Review – Proposed Amendments to the Parking Standards

Dear Ms. Gervais,

On behalf of our clients represented by Glen Schnarr & Associates Inc., please accept our comments related to the Information Report – Comprehensive Zoning By-law Review: Proposed Amendments to the City's Zoning By-law Parking Standards (I35/2020).

Firstly, we support the City's initiative to consider reducing the parking standards in the Downtown/Central Area and throughout the City to reduce carbon footprint and facilitate walkable City.

We have reviewed the Information Report and various amendments to the City of Brampton Zoning By-law 270-2004 and respectfully submit a request for re-consideration as it relates to the follow proposed amendment:

- The single parking rate for “shopping centre” to be amended to one parking space per 19.0m² gross floor area compared to previous differentiating rate divided by the 2,000m² threshold.

The City of Brampton Zoning By-law defines *Shopping Centre* “to mean the premises upon which a group of at least five separate commercial uses have been developed and are managed as a unit by a single owner or tenant, or by a group of owners or tenants”(City of Brampton Zoning By-law 270-2004).

We request City staff and Councillors to re-consider the “shopping centre” Amendment to maintain the existing rate for retail/commercial uses less than 2,000m². As stated in the report, the current parking rate for “shopping centre” is appropriate and generally consistent with comparable zoning by-laws. As Downtown Brampton and the Central area continue to intensify, retail/commercial spaces less than 2,000m² are increasingly common in mixed-use buildings or smaller commercial plazas providing amenities to tenants within the building or residing nearby. Mixed-use developments are encouraged in the City and are often accessible via public transit and pedestrian pathways connecting users to end destinations without the use of the private automobile.

Retail/Commercial spaces larger than 2,000m² are often located in areas with high-order roads that serve a broader community primarily accessible by a private automobile or public transit.

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The existing parking rate supports the development of different forms of retail/ commercial space, with smaller locations servicing a neighbourhood level compared to larger locations servicing a community level. The existing rate maintains flexibility for developers wishing to provide on-site retail/ commercial services to create a more desirable place to live or diversify a neighbourhood characterized by predominantly residential land uses.

If the City is desirous of having one-tier parking standard for a shopping centre, we suggest that the new parking standard be less than one parking space per 19.0m² gross floor area. Reducing the parking standard for shopping centres will encourage site design that is more walkable and pedestrian-friendly and utilize greater opportunity for additional retail space translating into more municipal taxes and jobs.

Thank you for your time and consideration in this matter.

Kindest Regards,

GLEN SCHNARR & ASSOCIATES INC.

Colin Chung, MCIP RPP
Planner

CC: Terri Brenton, Legislative Coordinator, City of Brampton
Members of Planning Committee

Comments on the Proposed Parking Standards

Current Situation:

The City of Brampton is currently experiencing a dire housing crisis, caused by problems on both supply and demand. On the supply side, the City is experiencing a dire shortage of smaller units, caused by the City banning new second units in 2006, effectively impossible lodging house rules, and pervasive expensive planning requirements that make small units financially infeasible. On the demand side, the City has grown massively, major increases in numbers of international students, and shifting demographic trends towards smaller households across Canada.

The skyrocketing demand, and limited supply of smaller primary rental sector units has resulted in skyrocketing. The City taking until 2015 to unban second unit construction while the number of international students skyrocketed resulted in major increases in prices in the primary rental stock, and widespread construction of secondary rental housing, such as second units built outside of the building code to help fill the gap. When combined with the Federal government deciding to increase the number of international students significantly, and the increase coming disproportionately from India, where the number of students has quadrupled in four years to over 200k, we now have a rooming house situation spiraling rapidly out of control. With a dozen or more people living in a house design for four or five, with substantial not to code renovations, the City of Brampton has successfully achieved having crowding reminiscent of slums in developing countries pervasive throughout the city. While many major cities have an area of extremely poor housing, such as a Skid Row, Brampton likely has the dubious distinction of having horrific crowding distributed throughout the city

To make rent on a 20 hour work visa cap, international students have been forced to turn to under the table work, where they are exploited, and an increasing number of female students have been forced to turn to prostitution to be able to pay rent.

Proposed Amendments

Central Area

1 & 2) Even with a reduction of parking for all apartment units to 0.5 with 0.1 visitor parking for a combined total of 0.6 per unit, this cost is still likely to add up to 10% or more of a one bedroom unit's cost. This is acceptable as an interim measure

Buildings built within 400 metres of the parking garages downtown should be completely exempt from minimum parking requirements, there will still likely be some parking required, and if there is not enough parking for their demand, they can use the city garages. Contrary to the Consultant report, the City is not at risk of running out of parking downtown, it manages to be oversupplied at rock bottom rates. Underground parking in an area like downtown would likely

require \$600 a month per stall to break even financially, instead the City charges \$308 per year, yet still does not have full garages, this indicates downtown is oversupplied, and the City is spending millions of dollars a year on subsidizing parking. If demand did rise to such a level that 80%+ occupancy was normal, the City could significantly raise rates for monthly and annual passes before needing to adjust daily rates which affect. If the City was unwilling to raise rates fearing political blowback, the City could set up a municipal corporation which is delegated with taking care of parking, including setting rates, such a corporation is explicitly permitted in provincial regulation.

3) Surface parking maximums could hinder redevelopment along the Queen Street Corridor, and developers should be permitted to exceed them if they include a credible phasing plan showing the surface parking being used. The area between Kennedy and the 410 is extremely car dominated currently, with walkability still being limited, a phasing plan allows them to build development helping shift the modal split, while not leaving the development with enormously expensive stranded assets in the form of structured parking.

Given the increasing shift to ridesharing, and the advent of autonomous vehicles in the next couple decades, limiting them to two drop off spaces could be very problematic in the long term

4) The bike parking requirements should be clarified to explain how stacked bike parking works. In areas with high bike usage it is common to have stacked bike parking, which uses a mechanism to allow a bike to be easily stacked above another.

City Wide Amendments

1) Harmonizing parking for apartments down to 1.0 per unit is a step in the right direction, but it is still much too high. Of the comparator cities selected, only Kitchener and Ottawa have recently updated their parking by-laws significantly, and they range from a range of 0 to 0.5 per unit, with Kitchener furthermore setting out a parking maximum, which in certain cases is lower than the proposed minimum. Furthermore the proposed changes completely fail to take advantage of the City of Brampton having already created significant good transit. Ottawa uses 600 metres from rapid transit to provide a parking exemption, it would not be difficult for the City of Brampton to ask Brampton Transit which locations they identify as having good transit, and create an exemption for parking minimums within 300 metres of said stops. As exemptions for parking in areas with good transit range from 400 metres to 800 metres, 300 metres would be a reasonable interim distance.

3) What WSP calls best practices are not good, it isn't even good benchmarking, it is mediocre at best, and terrible planning at worst. If this method was employed in a US city in 1965 it would conclude that racial segregation should form a significant part of municipal governance. It may sound harsh to compare zoning to racial segregation, but in fact, urban planning and zoning was an instrumental part of racial segregation in the United States, and zoning from then has resulted in American cities being significantly racially segregated in 2020, because such zoning is pervasive throughout the US, and when they do benchmarking, other cities have zoning like that, and if one applied WSP's "best practices", one would conclude that maintaining urban planning policies that enforce racial segregation is a "best practice".

Medical Office Space: Of the 5 comparators, the proposed new parking requirement is only a hair below Mississauga, which is currently redoing its parking minimums, and higher than the other 4, with it being more than 50% above Ottawa and Toronto.

Business Office Space: The City's proposed new parking minimum converted back to a per 25m² base is 0.833, which is higher than all five comparators, more than double that of Toronto, and more than triple that of Kitchener. In practice what this means is an office building does not pencil out basically anywhere in Brampton. A business office building must be either located in greenfield areas where vast parking lots are economical, or in the downtown area where the parking is exempt. The problem is an office building needs a reasonable catchment area in terms of time, and there just isn't the cheap land available that meets agglomeration economy needs, so that doesn't work. Then there is the downtown, but the area of Downtown that the City considers acceptable for non-residential is a small area, requires substantial lot assembly (expensive), and the City has plowed so much money into the area, that landowners are going to want more than developers are willing to pay for such a terrible location (floodplain restrictions are very expensive). Yes, the City spent so much money on downtown that it is currently too expensive to be worth anything. Ottawa's parking minimum is 1 per 42 square metres, consider that instead.

Building enough structured parking to satisfy the proposed parking requirements would cost in excess of four times the total development charges for office space.

Retail: Brampton has significantly higher minimums for retail than Kitchener and Ottawa, even being higher than Kitchener's maximum by 25%. Keep in mind that counting drive aisles and screening from the street for surface parking, or pillars for structured parking, the area per parking space is in excess of 30 metres. The parking minimum in effect is 1.5 metres of parking per 1 metre of usable space. This functionally blocks mixed use.

Shopping Centres: Brampton has a significantly higher parking minimum than the one of five cities that has more recently reviewed parking, and made the utterly baffling choice to harmonize the parking minimums upwards for both sizes of shopping centres. The reason smaller shopping centres had lower parking minimums is relatively straightforward, smaller shopping centres tend to be neighbourhood retail with shorter trips and a lower population to be serviced, the larger ones tend to be more regional shopping centres, with larger catchment areas and long visit times. When you see the number 1 per 19 metres and 1 per 23 metres, it is a red flag that this standard is over 40 years old like a 454 gram block of butter, because this is a metricated Imperial number. In the case of 19 metres, this is the closest approximate to 5 parking spots per 1000 square feet, and 23 metres is equivalent to 4 parking spots per 1000 square feet, with it being rounded so as to not result in this increasing the number of parking spots.

Restaurants, Sit down: While major cities across North America are seeking to build food halls, so residents can taste culinary diversity, what Brampton residents get to taste is failure, from a thousand restaurants snuffed out by the City's asphalt fetish. On Kennedy Road South, it tastes like a toxic brew of leaked fluids from the battered cars being sold and repaired along the strip, symbolic of the blight and decay. This is the result of Brampton parking requirements, which are significantly higher than Los Angeles and Houston. Finding yourself with significantly higher parking minimums than cities widely reviled for sprawl is like finding yourself alone sobering up at a Tims at 3 am, on a weekday, it is strongly worth reflecting on how you ended in such a situation.

Changing it from 6.25 square metres to 6.5 square metres is enough to say you've changed it, but not enough for it to really matter, it will still substantially block redevelopment, and still harm restaurants. In recent years, there has been rapid growth in the delivery business due to apps, and COVID ending dine in temporarily is likely to substantially accelerate this trend. What takeout and delivery need is loading spaces, not parking spaces. Furthermore, allowing patios on parking spaces was something the City should have allowed years ago, but was never able to happen because nearly all the strip malls are already sitting right at their parking minimums.

Restaurants, Takeout: Takeout restaurants even more exhibit the shift to app based delivery because remote ordering further cuts time off how long someone will be at the location, and has an even stronger case for ending parking minimums and encouraging loading zones. They would also benefit even more in the long term from being able to have patio spaces

Financial Implications: Increasing development by reducing unnecessary construction costs that do not meaningfully affect assessment value enhances the financial wellbeing of the Corporation.

Economic Development Implications

Reducing onerous and unnecessary regulations makes Brampton a more desirable place to do business, furthermore, minimum parking requirements pose significant costs to housing and employment. Slashing residential minimum parking requirements is an effective way for the City to improve housing affordability for new stock. Slashing minimum parking requirements for offices is an effective way to signal Brampton is open for business by reducing costs per square foot significantly.

The report notes Economic Development was consulted on transit, yet does not mention Brampton Transit, how much and how was Brampton Transit consulted on transit ridership implications? It is not very difficult to ask Brampton Transit for which bus stops they would consider to have good transit, and how far people would walk to the aforementioned transit, and also include a selection of locations where they believe adding development near would benefit transit ridership. As the City of Brampton already has bus stop data in a format for ArcGIS, it would be relatively straightforward for a GIS tech to select the bus stops provided by Brampton Transit and using the network analysis tool generate walksheds, in a format that can be provided as a map and a GIS layer.

July 6, 2020

Mr. Richard Forward
Commissioner, Planning and Development Services
City of Brampton
2 Wellington Street West,
Brampton, Ontario
L6Y 4R2

Attn: Mr. Richard Forward, Commissioner, Planning and Development Services

Re: City of Brampton Public Meetings July 6, 2020

**Information Report – Comprehensive Zoning By-law
Review: Proposed Amendments to the City’s Zoning By-law Parking
Standards, City Wide, (I35/2020)**

and

**Information Report – City Initiated Amendments to the
Zoning By-law, City Wide, (I44/2020)**

I represent the Fifth Avenue Group, the owner of 83 Wilson Avenue, and 14 & 16 Centre Street North, Part of Lots 44 & 45, Wellington Block, Registered Plan BR-5, City File: PRE18-027, which is being prepared for a Zoning By-law amendment submission in the next month. We are working to bring Brampton a 9 storey, 82-unit, mid-rise building at the south-east corner of Centre Street and Wilson Avenue (*view of project rendering below*).

This letter is provided in response to two Public Meeting reports from Michelle Gervais, Policy Planner, Planning, Building and Economic Development Department, items 5.1 and 5.2, titled ***Information Report - Comprehensive Zoning By-law Review: Proposed Amendments to the City’s Zoning By-law Parking Standards, City Wide, and Information Report*** and ***Information Report - City Initiated Amendments to the Zoning By-law, City Wide.***

With regards to item 5.1, we fully support the initiative to reduce the parking standards for the Central Area, however, we are proposing a parking standard that is below the one provided in the *Report*. We are in the process of reviewing the *Report* to determine how it might affect our proposal. We look forward to discussing this matter with staff.

With regards, to item 5.2, we are reviewing the proposed changes to the balcony standards and how they might affect our proposal and again, look forward to discussions with staff.

We request that we be notified of any future meetings related to these Public Meetings and By-law Amendments.

Thank you for your consideration.

Respectfully submitted,

Dan Kraszewski

Dan Kraszewski, R.P.P. M.C.I.P., OALA

cc. Fifth Avenue Group
Michelle Gervais, Policy Planner
Peter Fay, City Clerk



Proposed City-Initiated Amendments to the Zoning By-law - July 6 2020 Public Meeting
From: Mitch Talesk < >
Sent: 2020/07/02 6:34 PM
To: Gervais, Michelle
Cc: Mark Jepp; Tara Gollish
Subject: RE: [EXTERNAL]RE: Proposed City-Initiated Amendments to the Zoning By-law - July 6, 2020 Public Meeting
Attachments: New Standard for City-Wide Comm and Retail.png; Brampton Proposed Amendments to the Parking By-law.pdf

Good Evening Michelle,

I hope things are well there. As per the voicemail I left you a little earlier, I was looking to touch base with you on the Information Report posted on the City's website for the comprehensive zoning by-law review (parking standards), which will be going in front of PDC this coming Monday the 6th.

Although I am certainly happy to see that (overall) there has been a downward shift in the amount of parking required across the board, there was one section in particular I wanted to discuss, which relates to Shopping Centres with a Gross Leasable Floor Area of 2000m² or more (which I would imagine captures a lot of applications). I have gone through the process on a couple of site plans over the last two years on plazas that fit within that standard and have advocated that the parking standard of 1 space per 19m² is too much parking. In both cases I ended up seeking Minor Variances with a parking reduction of around 12% and succeeded. I think there are a number of reasons for this:

* With the diversity of uses in a plaza of that size, people come and go all day and I don't believe that it is fair to assume that the parking lots will always be crowded or full, or will be totally congested in peak times. It is our experience that they are usually not.

* The push for denser communities that are well connected, and which have multimodal transportation integrated in and around them, to me, means that people have a choice for how to get there and the demand for parking should be lower than what the standards

Proposed City-Initiated Amendments to the Zoning By-law - July 6 2020 Public Meeting
(which are very old) require.

* Lastly, and connected with the point above, vast amounts of parking does not, in my opinion, discourage people from driving to the corner store, which is ultimately the behaviour we should be trying to curb.

I am not sure what the process looks like in front of us for the approval of these new standards, but I would be interested to know. I am really hoping that the City can continue to look at the standards and be more aggressive. Given the investments in transit, path networks, and the better planning we do with every plan, I am hoping that we can tighten up the standards even further, get people out of their cars, and make our sites more green and efficient.

As I mentioned, feel free to call my cell 416 268 4672 or keep this email chain going.

Speak soon and enjoy the evening!

Mitch

From: Gervais, Michelle <Michelle.Gervais@brampton.ca>
Sent: June 11, 2020 11:28 AM
To: Mitch Taleski >
Cc: Humble, Jeffrey <Jeffrey.Humble@brampton.ca>; Mark Jepp <mark@paradisedevelopments.com>
Subject: RE: [EXTERNAL]RE: Proposed City-Initiated Amendments to the Zoning By-law - July 6, 2020
Public Meeting

Hi Mitch,

Doing ok. I hope you are well.

The Information Report and the draft by-law related to the proposed parking standards will be available to the public when the July 6 Planning and Development Committee agenda is published on June 26.

Thanks.

Michelle Gervais, MCIP, RPP
Policy Planner, Planning, Building and Economic Development Department

Correspondence Regarding CITY INITIATED AMENDMENTS TO COMPREHENSIVE ZONING BY-LAW 270-2004

From: Danton, Shauna
Sent: 2020/07/06 2:09 PM
To: Gervais, Michelle
Subject: FW: [EXTERNAL]Correspondence Regarding: CITY INITIATED AMENDMENTS TO
COMPREHENSIVE ZONING BY-LAW 270-2004

Hi Michelle,

FYI - correspondence that will be circulated prior to the meeting tonight.

Thanks,
Shauna

From: City Clerks Office <City.ClerksOffice@brampton.ca>
Sent: 2020/07/06 10:48 AM
To: Danton, Shauna <Shauna.Danton@brampton.ca>
Subject: FW: [EXTERNAL]Correspondence Regarding: CITY INITIATED AMENDMENTS TO
COMPREHENSIVE ZONING BY-LAW 270-2004

From: Kevin Montgomery
Sent: 2020/07/03 11:24 PM
To: City Clerks Office <City.ClerksOffice@brampton.ca>
Cc: Bowman, Jeff - Councillor <Jeff.Bowman@brampton.ca>; Medeiros, Martin -
Councillor <Martin.Medeiros@brampton.ca>; Brown, Patrick - Mayor <Patrick.Brown@brampton.ca>
Subject: [EXTERNAL]Correspondence Regarding: CITY INITIATED AMENDMENTS TO
COMPREHENSIVE
ZONING BY-LAW 270-2004

Hello.

Copying Councillors Bowman and Medeiros, and Mayor Brown on this email also.

Emailing to express my support for the proposed amendments to the comprehensive zoning bylaws. While I agree with any effort to reduce the minimum parking requirement city-wide, I would have rather it be extended beyond apartment dwellings and multiple residential dwellings, commercial and office uses, and senior citizen residences.

I'm also happy to see a proposed maximum surface parking requirement for an apartment dwelling in the Central Area.

And of course, bicycle parking requirements are a must. Again, I would have preferred

Correspondence Regarding CITY INITIATED AMENDMENTS TO COMPREHENSIVE ZONING BY-LAW 270-2004
to see something more ambitious, with minimum requirements established for
commercial and office uses also.

Regards from Ward 3,
Kevin Montgomery R.G.D., C.X.D.

Michelle Gervais, Policy Planner
City of Brampton
Planning and Development Services
2 Wellington St. West
Brampton, Ontario
L6Y 4R2

Dear Michelle,

I am writing today in support of the Proposed Amendments to the City's Zoning By-Law Parking Standards City-Wide report which you are championing. Recently, we have acquired property in downtown Brampton, located at the address of 31-33 George Street North and 28 Elizabeth St. North. Our intention is to build a high density residential rental building on the premises and believe the current parking requirement needs to be amended.

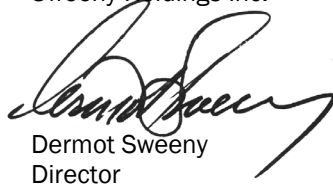
The City of Brampton has a vision to revitalize the downtown with projects that include a potential university campus, the Innovation Centre and Library at the corner of Nelson and George St., as well as the Phase 2 extension of the Hurontario LRT connecting to Brampton GO Station, to name a few. I and my team believe in this vision and vow to develop a beautiful building at our site which should spur on further development and help that vision become reality. With all these projects in the pipeline of development in the downtown of Brampton, we believe that this will only discourage the use of cars and motorized automobiles further. A more walkable downtown with more attractions, storefronts, commerce, and pedestrian designated areas will lessen the need for cars. In addition, the increased scheduling for GO Trains as well as the LRT and potential BRT along Queen St. should reduce the need for cars even further.

The single greatest cost to development in downtown Brampton as we have found through extensive due diligence is the construction of parking. Construction costs have increased exponentially in the past few years and the only way we together with all other Developers can achieve any returns on investment is to minimize any onsite structured parking. We believe that in the near future, the need for a car will greatly diminish, with all the transit projects listed above together with creative technologies and ideas such as Auto Share, Uber, Home delivery Services, On-Line shopping etc. the extremely expensive individual vehicle ownership will dramatically reduce very soon and continue to do so over time. reducing the need for a car as well, such as Uber, auto share programs, home delivery services, etc. This along with Brampton downtown destined to become a Place to Live, Work, Learn and Play as a more walkable destination with greater emphasis on long travel needs, more cycling and walking we firmly believe in and encourage the significant decrease in the minimal parking requirements for all higher density housing and especially rental accommodation. We would support eliminating parking minimums all together and allowing the market demands for parking dictate the need for parking to be constructed in each project.

Today there remains a need for cars in the downtown of Brampton, but we are brainstorming creative solutions to reduce parking over time as that demand decreases within our projects. We would also encourage the City of Brampton to strongly support well designed above grade structured Parking that is designed to be utilized for Office, Education, Health care, Service and additional commercial uses or residential uses over time. We are glad to see the

City of Brampton push forward ideas of reducing car dependency and encourage creative ways to decrease that dependency over time. The future of our planet may depend on it and we look forward to working together with the City to resolve future parking restraints as well. We need to be much more forward thinking these days as we should have been in the past. We greatly support any initiative that reduces car dependency and builds better Urban Communities.....

Yours truly,
Sweeny Holdings Inc.

A handwritten signature in black ink, appearing to read 'Dermot Sweeny', written over the printed name and title.

Dermot Sweeny
Director

From: Shenali De Mel
Sent: 2020/08/15 6:45 PM
To: Gervais, Michelle
Cc: Majeed, Malik
Subject: Re: [EXTERNAL]BREB Input on City's Zoning By-law Parking Standards, City Wide, (I35/2020)

* Hello Michelle,

The BREB's Govt. Relations Committee (GRC) met this week. While we agree that the impact on the environment would be good, our experience in the field with selling and buying real estate has raised some concerns. Thus, we would appreciate if this list of questions and concerns were addressed in the proposed amendments

1. Proposal to reduce Residential Parking in Central downtown apartment dwellings.

- * Is this for buildings with owned units?
- * Reducing parking will affect the purchase decisions of most buyers.
- * It will also affect the resale value of the unit for the sellers, as buyers look for adequate parking that is usually free when purchasing the unit.
- * So, if a unit did not have an assigned parking space, it would not fetch as high of a sale price as one that included parking.

2. Incorporating Bicycle parking spaces for apartment dwellings

- * 0.5 bicycle parking spaces per unit seems to be high as, from our Realtor experience, most apartment dwellers have cars that need underground or surface parking, than those who use their bikes for a daily commute.
- * With the incorporation of more Bike lanes in Brampton, this might be a good idea, but how about reduce it to 0.2 per unit and increase vehicle parking spaces in those same buildings?

3. For parking at City wide Apartments and Townhouses.

- * From our Realtor experience we have noticed that townhouses do not have adequate residential and visitor parking. Most visitor parking lots are full and this causes a lot of grid lock on the streets in these subdivisions, which is unsafe for everyone.

* Currently, we see people extending driveways, most of them illegally. How is further reducing these parking spaces going to affect the occupants of these townhomes?

4. Parking at Senior Homes

- * Assuming these are buildings for independent living seniors and NOT long term care facilities, 0.5 residential parking per unit might be appropriate.
- * Could there be a survey or count of residents that own a car and need parking spaces to determine if the 0.5 assessment is warranted.

Parking External Comments

5. One of the major impacts of reduced parking would be on second-unit dwellings.

* Currently, Brampton has a large amount of unregistered illegal basement units. Those residents need adequate parking.

* Illegal extension of driveways by residents can be unsafe, especially concerning Fire hazard and City snow removal.

* Has there been any coordination with the department at the City responsible for governing second units to address parking situations?

We look forward to hearing back re: these. Do keep us posted if you require our participation at any Planning meetings if we can be of any assistance.

Thank you,

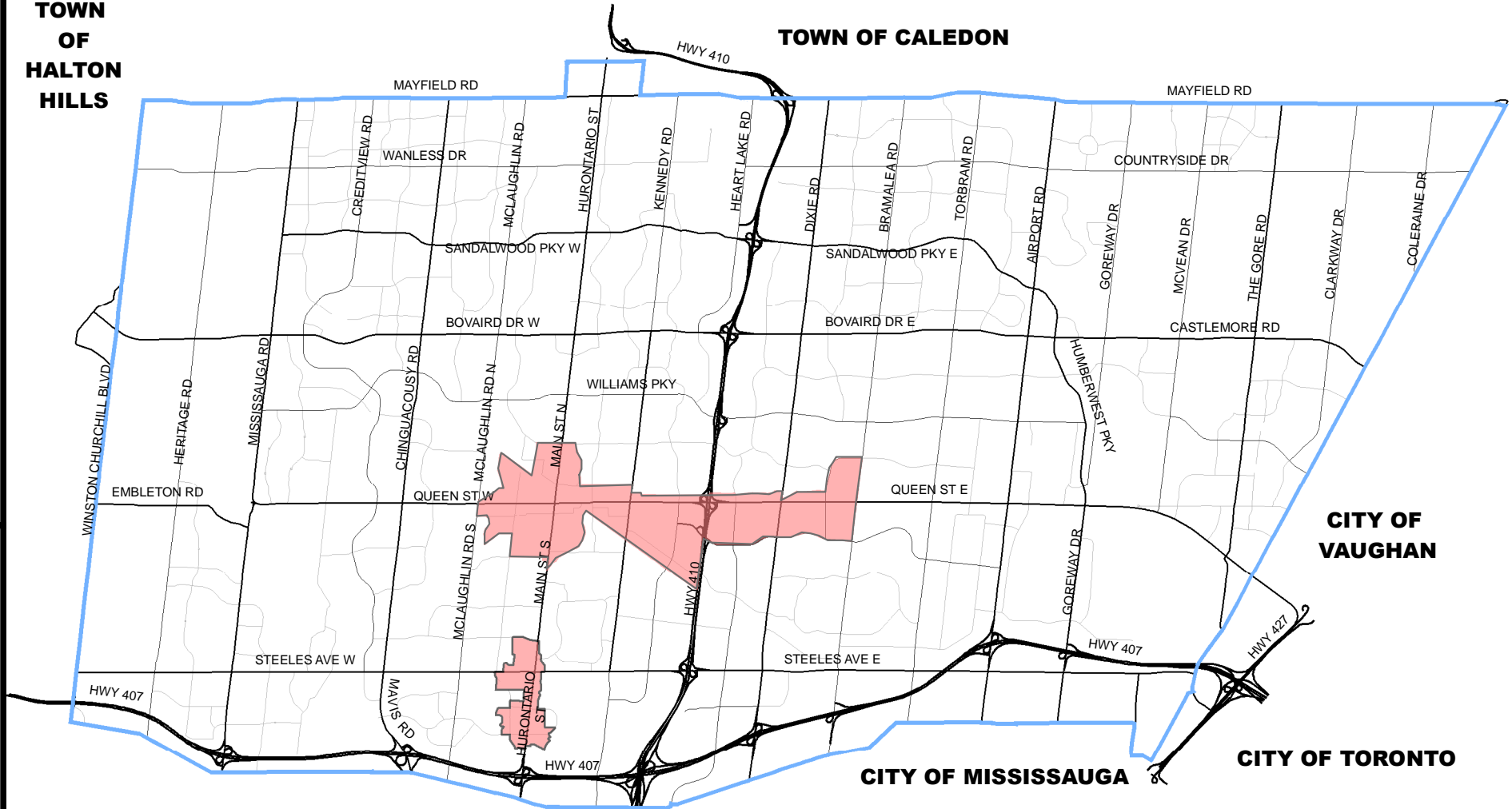
Shenali De Mel
Sales Representative

www.rltrgrl.ca
Director - Brampton Real Estate Board (BREB)
Chair - BREB Government Relations Committee

APPENDIX 1

**TOWN
OF
HALTON
HILLS**

TOWN OF CALEDON



PLANNING AND DEVELOPMENT SERVICES

0 1 2 3 4



Kilometres



BOUNDARY OF PROPOSED ELIMINATION OF MINIMUM PARKING REQUIREMENTS

Date: 2020-11-04

Subject: Recommendation Report - Residential Driveway Widenings Review and Recommendations.

Contact: Rick Conard, Chief Building Official, Director, Building Division, 905-874-2440, rick.conard@brampton.ca

Report Number: Planning, Building and Economic Development-2020-375

Recommendations:

1. **THAT** the report from Rick Conard, Chief Building Official, Director, Building Division, Planning, Building and Economic Development Department, dated September 14, 2020, to the Planning and Development Committee of December 7, 2020, re: **Recommendation Report – Residential Driveway Widenings Review and Recommendations**, be received;
2. **THAT** City Council repeal Driveway Permit By-law 105-2019, as amended;
3. **THAT** City staff undertake a comprehensive education and awareness campaign to heighten public knowledge and understanding of homeowners and contractors, regarding the rules and regulations that apply to driveways, driveway widening and the installation of paved walkways in the front yard;
4. **THAT** Business licensing By-law 332-2013, as amended, be further amended to remove the definition of “permit” and include provisions for the collection and dispensation of securities, a required Driveway Paving Training Course related to the City’s Zoning requirements and circumstances for revocation or suspension of licenses for Driveway Paving Contractors
5. **THAT** the comprehensive review of the Business Licensing By-Law include further review of this process in 2021 to address any required amendments at time of consideration;
6. **That** By-law Enforcement Staff, with respect to driveway widths and compliance with the Zoning By-law, continue with suspended enforcement until June 1st, 2021;

Overview:**Overview:**

- At its May 22, 2019 meeting, Council passed a Resolution and enacted by-laws to implement a Driveway Permit Program, to come into effect on July 2, 2019. An amendment to the by-law was later passed to extend the effective date to November 22, 2019 with a further amendment extending implementation of the permit program to January 2, 2020.
- Earlier this year, Council directed staff to defer the implementation of the driveway permit program to the end of November 2020 and report back to the Planning and Development Committee on options to simplify the application process and address the inquiries and questions from the public and paving contractors, including possible amendments to the driveway permit program.
- The requirements for a permitting program were met with concern from the paving industry around the viability to submit applications and receive permits in a timely fashion.
- This report provides a response to Council's direction and brings forward:
 - recommendations to repeal the Driveway Permit By-law and increase regulation of the industry through the Business Licensing By-law.
 - a plan to engage in a broad-based education and awareness campaign with respect to driveways, including updates to the City's website.
 - a recommendation to continue to hold driveway-related enforcement requests in abeyance until June 1st, 2021 to allow residents to become familiar with regulatory requirements.
- A copy of the previous report, including the implementing By-laws approved by Council, is attached as Appendix 1.
- A copy of the previous Driveway Permit Program reports are attached as Appendix 2.
- A copy of the amending by-law for Business Licensing By-law 332-2013 is attached as Appendix 3

Background:

On May 22, 2019, Council passed a resolution and enacted by-laws to implement a driveway permit program that, as a result of subsequent amendments, was anticipated to come into force and effect January 2, 2020.

In response to concerns raised by paving contractors and residents, Council passed a resolution (C052-2020) directing staff to “report back to Planning and Development Committee on options to simplify the application process and address the inquiries and questions from the public and paving contractors, including possible amendments to the driveway permit program”.

This report provides a response to the direction of Council and considers that the root concern of Council is that home owners may unknowingly be victims of non-conforming driveway installations carried out by paving contractors.

Council has also highlighted an interest in differentiating driveways from walkways and providing incentives for permeable driveway installations. These two items will be discussed in the “Future Actions Related to Driveways” section of this report.

Current Situation:*Comprehensive Business License Review*

The City of Brampton requires certain businesses to be licensed, by the City, prior to conducting business within the boundaries of the City. The requirements for licensing, including qualifications, fees and securities are outlined within the Business Licensing By-Law.

Business Licence By-law 332-2013 will require some amendments to Schedule 9 relating to Driveway Paving Contractors for consideration of the requirements to obtain and maintain a license as a paving contractor, the potential for collecting securities, the circumstances in which the securities could be drawn upon and completion of a Driveway Paving Information course by the contractor and their applicable staff with respect to the City’s Zoning requirements related to driveways. The Legislative Services Department is currently undertaking a comprehensive review of the Business Licensing By-law which is anticipated to finalize by the end of 2021 which will provide for an opportunity to review this program after the first season of implementation (Q2 & Q3 2021) and further make any changes to the licensing requirements as may be needed to address any matters..

This report recommends that the amendment to the Business Licensing By-law include the following provisions in order to regulate paving contractors and protect residents against costly repairs to their driveways where the requirements of the zoning by-law have been ignored:

1. *That, prior to receiving a license to operate as a paving contractor in the City of Brampton, the contractor must deposit a letter of credit in the amount of \$15 000;*
2. *That the Business Licensing By-Law establish the conditions whereby the City may draw upon the securities in order to enforce against non-compliant driveway installations by the Contractor;*
3. *That the Business Licensing By-Law establish the conditions whereby the license may be revoked or suspended for non-compliance with the zoning and/or licensing by-laws;*
4. *That the Business Licensing By-law include a provision for completion of a Driveway Paving Information Course for all contractors, and applicable employees, with respect to the City's zoning requirements;*
5. *That the Business Licensing By-law require that any paving work being completed at a location requires an employee of the contractor to be on-site who has completed the Driveway Paving Information course and*
6. *Deletion of the definition of "Permit"*

Staff would also recommend that the City Clerk provide a public list on the City's website of all Persons that apply for and receive a Driveway Paving Contractor license under the Business Licensing By-law 332-2013.

Repeal the Driveway Permit Program

A driveway permitting system implemented by the City of Brampton, although a viable solution, creates significant administrative overhead for both the City and the industry. The cost/benefit analysis, from the perspective of the author of this report, would be a negative return and; therefore, a burden to the tax payer.

The Business Licensing By-Law, on the other hand, presents an opportunity to compel contractors (through the posting of securities and risk of license revocation) to proactively seek to install driveways/walkways that are in compliance with the zoning by-law. This will ease enforcement efforts and provide opportunity for the taxpayer to ensure that the contractor has met the minimum requirements established by the City.

In light of the stringent and enforceable requirements of the Business Licensing By-Law; this report recommends that the Driveway Permit By-law 105-2019 be repealed.

Update on Education and Awareness Campaign

Previous recommendation reports on the Driveway Permit Program included a recommendation that City staff engage in an education and awareness campaign with respect to driveways in light of the implementation of this permit program.

In addition to the aforementioned improvements to the City's website, an information ticket will be added to the City's homepage to coincide with the in-effect date of the Business Licensing By-law amendment (to be determined). Strategic Communications will also be introducing an information pamphlet that will be distributed to residents with their property tax bill.

Future Actions Related to Driveways

The Business Licensing Program is one aspect of the City's approach to managing driveways in an effort to provide properties with appropriate stormwater drainage, protect neighbourhood aesthetics and reduce the number of vexatious by-law enforcement complaints.

Other matters related to driveways, including zoning requirements and engineering matters, will be more appropriately addressed through a City initiated amendment to the Zoning By-law, including requirements related to soft landscaping, walkways that run parallel to driveways, the use of permeable pavers and a more in-depth examination of driveways by Engineering as it relates to stormwater drainage and potential surcharges.

In regards to by-law enforcement, Enforcement staff will resume enforcement activity to encourage compliance with the Zoning By-law on June 1 of 2021. This will include those enforcement requests held in abeyance since September 2018.

Corporate Implications:

Financial Implications:

The recommendations of this report have no significant financial implications to the City.

Other Implications:

2019 – 2022 Term of Council Priorities

This report and proposed recommendations aligns with the "Brampton is a well-run City" theme. The proposed actions will aid in providing awareness of driveway regulations to residents and contractors, support enforcement and make residents and contractors accountable in terms of complying with City regulations. The Business Licensing program will assist in ensuring that driveways remain balanced as part of a residential lot and streetscape and that the City's neighbourhoods remain attractive places to live.

Conclusion:

In accordance with the direction provided at the February 26, 2020 Council meeting, staff are presenting a set of recommendations for Council's consideration and to strengthen public awareness and contractor accountability as it relates to driveway regulations.

Authored by:

Reviewed by:

Rick Conard, C.E.T., CBCO, CRBO
Chief Building Official, Director
Building Division,
Planning & Development Services

Rick Conard, C.E.T., CBCO, CRBO
Chief Building Official, Director
Building Division,
Planning & Development Services

Approved by:

Submitted by:

Richard Forward, MBA, M.Sc., P.Eng.
Commissioner
Planning, Building and Economic
Development

David Barrick
Chief Administrative Officer

Attachments:

Appendix 1: March 2019 Driveway Update Report
Appendix 2: April 2019 Driveway Update Report
Appendix 3: May 2019 Driveway Update Report
Appendix 4: Schedule 9 – Final Proposed Amendments

Date: 2019-03-15

File: G.DX.

Subject: **Recommendation Report**
Residential Driveway Widenings Review and Recommendations

Contact: Bernie Steiger, Manager, Development Services, 905-874-2097,
 bernie.steiger@brampton.ca

Recommendations:

1. **THAT** the report from Bernie Steiger, Manager, Planning and Development Services Department, dated March 15, 2019, to the Planning and Development Committee of April 8, 2019, re: **Recommendation Report – Residential Driveway Widenings Review and Recommendations, File: G.DX.**, be received;
2. **THAT** staff be directed to prepare amendments to the Licensing By-law, including revising the requirements upon which the City may revoke or refuse to renew a license and adding compliance with the Zoning By-law as a requirement of the licensee, to be generally in accordance with the amendments found in Appendix 9 to this Report;
3. **THAT** staff be directed to prepare a Driveway Permit By-law, requiring residential homeowners to obtain a permit for any driveway installation, construction, resurfacing, expansion and alteration, to be generally in accordance with the draft by-law attached as Appendix 11 to this Report;
4. **THAT** staff be directed to prepare an amendment to the User Fee By-law to charge a fee for an application and permit under the Driveway Permit By-law equivalent to the current fee charged for permits for alterations to curbs and driveway works in the right of way;
5. **THAT** City staff undertake a comprehensive education and awareness campaign to heighten public knowledge and understanding of homeowners and contractors, regarding the rules and regulations that apply to driveways, driveway widenings and the installation of paved walkways in the front yard;

7.1-2

6. **THAT** the standard notice clause related to widening of driveways imposed as a condition of draft approval for new residential subdivisions be revised to make reference to the requirement to obtain a driveway permit; and,
7. **THAT** the City Clerk provide a public list on the City's website of all Persons that apply for and receive a license under the Business Licensing By-law 332-2013, including all licenses for Driveway Paving Contractors.

Overview:

- In July of 2018 Council directed staff to review matters related to driveway widenings and front yard paving, including the rules related to “grandfathering” and the potential for requiring permits for driveway widenings and to raise awareness of by-law requirements to ensure work meets City regulations.
- In September of 2018 a verbal update was provided to Council which set out a workplan and identified a number of options that would be looked at as part of staff's work. This report provides a discussion on these matters and a summary of the recommended actions.
- The recommended actions are:
 - As part of the Comprehensive Zoning By-law review currently underway, provide clarity to improve understanding of the requirements and restrictions of driveway widths. The review should also assess what changes could be made to ensure that a portion of the lot retains permeable landscaping, in particular the areas facing a street.
 - Amend the Licensing By-law to expand the requirements and regulations applicable to Driveway Paving Contractors, including the requirement that all work performed by such contractors must comply with the Zoning By-law.
 - Provide a public listing of licensed Driveway Paving Contractors, who are required to comply with the City's By-laws as a condition of maintaining such license.
 - Introduce a Driveway Permit By-law and process, requiring all homeowners (or contractors on their behalf) who are undertaking a widening or resurfacing of a driveway to obtain a permit from the City. It is proposed this by-law come into effect on June 1, 2019. If approved, residents will be able to begin making applications starting May 15, 2019.

7.1-3

- **Engage in a broad-based education/awareness campaign with respect to driveways.**
- **Update the standard notice clause in subdivision agreements and Homebuyers' Information Maps for new subdivisions to reflect the new requirements related to driveways.**
- **Enforcement staff will resume enforcement activity to encourage compliance with the Zoning By-law, including those enforcement requests held in abeyance since September 2018.**

Background:

Council Direction

At the July 11, 2018 Council meeting, subsequent to a delegation by a resident related to an enforcement matter to their driveway, Council directed staff to undertake a review of the regulations related to driveways and consider the potential for a permitting process. This resolution (C194/18 (-see also Appendix 1)) reads in part:

“...Therefore be it resolved, that staff be directed to continue its work on a vexatious complaints policy and present to council at a future meeting for consideration. That staff bring a report and recommendations on how to best mitigate historical property modifications (i.e. conditions and rules for grandfathering), and investigate the potential for development of a permit process for minor property modifications (e.g. driveway widening) to ensure residents and contractors are aware of the by-law requirements and to ensure that any work completed adheres to all applicable requirements and restrictions inclusive of any financial and staffing resource implications.”

Previous Staff Update

At the September 12, 2018, Council meeting staff presented a verbal update with regard to driveway widenings along with a general workplan that outlined the matters that would be reviewed. This included:

1. Confirm minimum/maximum thresholds and other requirements of the Zoning By-law;
2. Assess options for a surcharge for driveway widenings or a charge through the Committee of Adjustment;
3. Feasibility of charging contractors for contravening the Zoning By-law vs. homeowners;

7.1-4

4. Consider the impact of “legal non-conforming” status as it relates to any changes to the zoning regulations. Generally assess how “grandfathering” should or would apply;
5. Ongoing work with “Vexatious Complaints” policy;
6. Implement an education/awareness campaign; and,
7. Feasibility of implementing a permit process.

Multi-disciplinary Team Reviewing this Matter

A team consisting of staff from Public Works and Engineering, Legal Services, Zoning Services, Development Services, By-law Enforcement, Property Standards and Strategic Communications has considered the matters identified in the September 2018 presentation to Council and established the recommended course of action.

Current Situation:

This report provides information and recommendations in relation to the items noted in the September 2018 presentation to Council. The report is mainly structured as per the categories that were referenced from Staff's September 12th 2018 update, as noted above. To more fully accommodate the range of issues addressed, the categories have been broadened into the following:

1. Zoning By-law Requirements
2. Assess Options for Surcharge for Driveway Widenings/Charge through Committee of Adjustment
3. Feasibility of Charging Contractors (Licensees) vs. Homeowners
4. “Legal Non-Conforming” Status for Changes to Zoning By-law/Application of “Grandfathering”
5. Policy for Prioritization of Complaints (“Vexatious” Complaints)
6. Education/Awareness
7. Feasibility of Implementing a Driveway Permit Process

Each of these sections includes discussions on the issues and a summary of the recommended actions.

1. Zoning By-law Requirements

The September 2018 presentation identified that staff would confirm the minimum/maximum thresholds, requirements and guidelines for the Zoning By-law.

How the Zoning By-law Defines a Driveway

Definitions for both “residential driveway” and “residential landscaping” are included in the Zoning By-law to provide a clear understanding and interpretation of what surfaces constitute a driveway. These definitions do not apply to certain other zones such as

7.1-5

those for the Estate Residential lots and lands zoned “Agricultural”, where driveway width is regulated as a factor of minimum requirements for front yard landscaping.

The “Residential Driveway”

The By-law provides a definition for a residential driveway (see Appendix 4). Under this definition, any hard-surfaced area abutting the driveway (i.e. walkway) is considered to be part of the driveway if a vehicle can park on it (i.e. it is generally at the same level and there is no physical barrier preventing a vehicle from parking in that area). The width of the walkway is measured as part of the combined overall driveway width when applying the provisions of the Zoning By-law. Appendix 3 shows numerous instances that depict what would generally be considered a concrete “walkway” beside the “driveway”, but no physical barriers are in place to prevent vehicles from parking on that surface. In many instances resident can and do park on that that extended surface. In terms of assessing the suitability of a barrier, staff requires as a minimum that such a barrier be at least two feet in height and is permanently affixed to the ground.

What constitutes “Residential Landscaping”

The remainder of the yard that is not permitted to be used as the driveway is required to be what is defined in the By-law as “Residential Landscaping”. This definition is also provided in Appendix 4. The by-law does not prescribe an amount of “soft” (i.e. vegetation) in a yard. As such, a front yard could be primarily hard-surfaced (e.g. patio, walkway, steps, retaining wall) so long as the definition is met and it is divided from the area defined as “residential driveway” and provided that the required 0.6 metre of permeable landscaping is provided along the side lot line.

The by-law sets out that driving and parking of motor vehicles on the required “residential landscaping” is not permitted.

How the Zoning By-law Regulates a Driveway

The Zoning By-law regulates driveways through two measures. The general background to the development of these regulations is found in Appendix 2. The first measure regulates the maximum permitted width of the driveway (including any walkways that run parallel to the driveway and are capable of being parked upon) based on the width of the lot. The lot width ranges and corresponding permitted driveway widths are as follows:

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Lot Width	Driveway Width	Parking Accommodated	% of Lot width for Driveway
<8.23m (27ft)	4.9m (16 ft)	1 car and a walkway, 2 cars may fit side-by-side	59%
>8.23m (27ft) <9.14m (29.9ft)	5.2m (17 ft)	2 cars could fit side-by-side	63%-57%
>9.14m (29.9ft) <15.24m (50 ft)	6.71m (22 ft)	2 cars side-by-side and a walkway	73%-44%
>15.24m (50ft) <18.3m (60 ft)	7.32m (24 ft)	2-cars, side-by-side, potentially 3 and a generous walkway	48%-40%
>18.3m (60ft)	9.14m (30 ft)	3 cars side-by-side and a walkway	50% or less

The second measure requires a 0.6 metre permeable landscape strip between the driveway and the side lot line. Therefore, where driveways are paired (i.e. driveways are located along the same lot line), a 1.2 metre (4 foot) landscape area is available as a separator between driveways. The 0.6 metre requirement is intended to help preserve the function of the swales that run along property lines. It is also useful in:

- Helping to preserve the function of the drainage swales that run along property lines;
- Defining a common separation space;
- Allowing for snow storage area in winter and water infiltration during the spring melt; and,
- Preventing issues such as a resident parking right up on the property line and then using their neighbour's property to access their vehicle.

Appendix 3 shows images of properties where both portions of this landscape area have been removed and the large expanse of uninterrupted paved area which results from such a circumstance. It is noted that even if eliminating the permeable requirement were considered, the area would still have to be shaped in a form to support drainage. There likely would still be compliance issues in this regard.

What constitutes "permeable" area is set out in the By-law and the definition can be found in Appendix 4. Further information related to engineering aspects of the 0.6 metre swale and general lot drainage design is found in Appendix 5.

Relationship to Official Plan and City Development Design Guidelines

The Zoning By-law requirements implement the Official Plan policies related to driveway control and maintaining attractive neighbourhoods. This regulatory framework is further

supported by the City's Development Design Guidelines which set out guidelines related to driveway and garage design.

Driveway Related Policies in Official Plan

Through the City's Official Plan, Council has expressed that it is important to build and maintain attractive neighbourhoods and balance the impacts of accommodating parking on a property with achieving attractive streetscapes/communities. Applicable policies and objectives in the Official Plan related to the design of residential neighbourhoods, and specifically driveways, include:

- Section 4.2 Residential promotes well planned, well designed and well-built residential areas that will enhance the sense of place for residents as well as visitors (Section 4.2 vi);
- Policy 4.2.1.14 sets out a number of “key elements of design for residential areas” including garage placement, driveway design and lot widths related to attached garages (Section 4.2.1.14 –(iii));
- Section 4.2.7 (Design) deals with aspects of the design of residential areas including the objective to avoid excessive parking of vehicles in the front yard on driveways and to promote a realistic driveway design that is complementary to the house and lot size (Section 4.2.7, tenth bullet); and,
- Policies in the Urban Design section set out the various aspects that make up the public realm of the City, such as streetscapes, public squares and landmarks, edges and gateways, among others. One of the objectives of this section is to deemphasize the importance of driveways, cars, and garages on the streetscape.

In new development areas much effort goes into the design of the subdivisions to, amongst other things, minimize the visual impact of garages - a key element in maintaining the attractiveness of Brampton's neighbourhoods.

Issues

Violations to the Zoning By-law regulations for driveways appear to be widespread. Further discussion on this is found in Appendix 6. In addition, the City receives numerous applications for minor variance for driveway widenings. Historically, staff has recommended refusal of the majority of these applications. Specific details with regard to the position taken by staff on such minor variance applications, as well as that of the Committee can be found in Appendix 7. Appendix 7 also provides some overview of the staff's considerations in evaluating these variance requests.

It appears that the definition of “Residential Landscaping” is not sufficient in terms of limiting the amount of hard-surfaced area in a yard. This creates concerns, in particular

7.1-8

from a streetscape perspective, where a certain amount of vegetation should be provided in a yard.

There will be a continued tension between a desire by residents to accommodate as many vehicles on a property as possible and the need to maintain the attractiveness of our residential neighbourhoods. These tensions are also likely a result of broader trends/realities such as:

- an increasing number of second units (both registered and illegal) found in the City;
- the general lack of alternate affordable or rental housing to offset the demand for rental units being fulfilled by second units;
- the need by homeowners to rent out a portion of their dwellings to support their mortgages;
- availability and viability of alternate transportation options;
- the low percentage of the City's residents that work within Brampton;
- the extent/reality of multi-generational families living in the same home; and,
- generally denser residential development resulting in smaller lots, combined with a demand for larger houses (or as large a house as possible on a lot).

Recommended Action

A review of the Comprehensive Zoning By-law is underway. This project will result in a new by-law that replaces the one currently in force. As part of this process the driveway regulations are being reviewed. Given that the current definition of "Residential Landscaping" would allow for the entirety of the front yard (or exterior) to be hard-surfaced (except for the required 0.6 metre permeable strip along the side lot lines), the by-law review should assess what changes could be made to ensure that an appropriate amount of permeable landscaping is retained on a lot, in particular the areas facing a street.

As noted in this report, through the Official Plan, Council has expressed that it is important to build and maintain attractive neighbourhoods and balance the impacts of accommodating parking on a property with achieving attractive streetscapes/communities. Any changes to the current regulations will be undertaken in a manner where the nature of the dwellings on such lots and the relationship of the house, yard and garage on a lot is fully understood, to ensure that undesirable situations are not created.

Staff will assess whether adjustments can be made to the regulations to aid enforcement. However, adding a Driveway Permit process may resolve some of these issues (e.g. determining compliance on-site) as the first step in the compliance process would be to ascertain if a driveway permit had been obtained - a simple yes or no answer.

2. Assess Options for Surcharge for Driveway Widenings/Charge through Committee of Adjustment

Option for Surcharge for Driveway Widening

The option of applying a charge to a property based on the overall impervious cover on a lot, including the driveway, is being assessed by the Public Works and Engineering Department. Staff is preparing a report to Council with regard to the potential for implementation of a stormwater charge for properties in the City. This report is expected to be brought forward in May/June of 2019.

Charge/Reduction of Fee for Minor Variance Application

A reduced minor variance application fee may actually act as an incentive for widenings. Furthermore, applications for driveway widenings are often bundled with other variance requests, or are added to an application for other variances as a result of the required site inspections by staff, which would complicate fee requirements. Finally, it would in a manner constitute a tacit signal that the City supports such widenings, whereas staff has generally not been supportive of minor variance applications for driveway widenings.

Similarly, some form of additional charge on minor variance applications for driveway widenings would be seen as a signal that there would be some level of support for such a request provided the additional fee is paid.

Either a charge or a fee reduction could be seen as fettering staff's review and that of the Committee of Adjustment itself. A variance request should be dealt with in a similar manner to other variances. There is no particular reason to have a different charge.

There are more suitable mechanisms to address implications of increased impervious cover to City infrastructure. The upcoming report related to the potential for a stormwater management charge will look at one such mechanism.

Recommended Action

A report to Council on the matter of a stormwater charge for impervious cover to properties in Brampton is being addressed by the by the Public Works and Engineering Department and is expected to be brought forward in May/June of 2019.

Applying some form of fee reduction or charge for minor variance applications related to driveway widenings is not recommended.

3. Feasibility of Charging Contractors (Licensees) vs. Homeowners

The City can enforce against a Driveway Contractor under the Licensing By-law and against the Driveway Contractor or the Homeowner under the Traffic By-law (where no curb cut permit is obtained, if needed) or for a Zoning By-law violation.

7.1-10

There is difficulty in enforcing violations solely against contractors unless sufficient evidence that a specific contractor did the work is obtained (e.g. catch them in the act). Therefore, enforcement against homeowners is often the only viable option.

It should be noted that although the current Business Licensing By-law prohibits Driveway Paving Contractors from performing work without a permit, it does not require compliance with Zoning regulations. Additional details regarding the existing Licensing By-law requirements for driveway paving contractors is set out in Appendix 8.

Recommended Action

Enhancements to the Business Licensing By-law, and the introduction of a Driveway Permit process would assist in the ability to charge licensees.

Staff is proposing to amend the Business Licensing By-law to add a requirement that any work performed by Driveway Paving Contractors comply both with any necessary permit and with the City's Zoning By-law. With the recommended introduction of a Driveway Permit By-law, a Driveway Paving Contractor would thus need to ensure a Driveway Permit has been obtained prior to commencing driveway paving work.

These proposed amendments, which are set out, in part, below will also permit enhanced enforcement of these requirements by making it a chargeable offence, and allow the City to revoke a licence if a licensee performs work without a necessary permit or in contravention of the City's Zoning By-law.

The specific key amendments being proposed to the Business Licensing By-law are detailed below:

- Amendments to permit the City to refuse to renew, revoke or suspend a license if:
 - The Applicant or Licensee has failed to comply with any condition or direction of the Licence Issuer or Inspector or has failed to permit any investigation by the Licence Issuer or Inspector;
 - The Applicant or Licensee has failed to comply with the requirements set out in any of the Schedules referenced in subsections 5(1)(a) to and including 5(1)(aa) applicable to the Applicant or Licensee.
- Amendments to Schedule 9 of the Business Licensing By-law to prohibit a Driveway Paving Contractor from:
 - Performing any work that requires a permit unless the permit is displayed in view of the public;
 - Perform any work that is not in compliance with the City's Zoning By-law 270-2004, as amended, or any other of the City's by-laws, unless a valid permission, supporting decision or approval required by law is obtained prior to the commencement of any work.

A draft of the proposed amendment to the Licensing By-law is attached as Appendix 9.

4. “Legal non-conforming” status for changes to Zoning By-law/Application of “Grandfathering”

Several aspects to “grandfathering” were reviewed:

- Potential options related to the legal non-conforming status to driveways from a Zoning By-law perspective;
- How legal non-conforming status would apply to any potential changes to the Zoning By-law;
- How “grandfathering” would apply to the proposed Driveway Permit By-law; and,
- Not proceeding with enforcement activity on enforcement requests held in abeyance since September 2018.

Zoning By-law and Legal Non-conforming Status

Staff considered the application of a legal non-conforming status under the Zoning By-law (in this case it relates to a legal non-conforming driveway). A driveway that at one point complied with and then, due to regulation changes under the Zoning By-law, no longer complies has legal non-conforming status under the By-law itself and Provincial planning legislation. Conversely; one cannot apply a legal non-conforming status to (or “grandfather”) a driveway, regardless of the length it has existed, if it was constructed as, and remains, non-compliant. No further action on this matter is recommended as doing so would contravene legal principles and the *Planning Act*.

In general terms, when revisions to the Zoning By-law are made, it affects the zoning status of existing situations. As such, if changes to the Zoning By-law related to driveways are made, it potentially affects the zoning status of some existing driveways, depending upon the change as follows:

- It could result in a driveway that once did not conform, now conforming to the new regulations. In such a situation, there would be no enforcement issues. If there has been ongoing enforcement activity, such activity may be discontinued.
- If a driveway previously did conform to the Zoning By-law and would no longer conform under any new regulations, it would have legal non-conforming status.

Application of “Grandfathering” under Proposed Driveway Permit By-law

The proposed Driveway Permit By-law would apply to any proposed work requiring a permit subsequent to the date it comes into force.

- Where enforcement or prosecution action has already begun on an existing widened driveway that was widened prior to the by-law, the owner would not be required to obtain a permit.

7.1-12

- Further, where a driveway that was widened before the permit by-law was enacted, but an enforcement action was carried out after the passing of the by-law (or a variance application was sought after), a permit would not be required as part of those matters. In these circumstances, the Order to Comply issued by Enforcement or the approved variance would specify the requirements that would need to be met by the owner.

Enforcement Activity held in Abeyance since September 2018

Since Council's direction to staff was to hold all enforcement requests received, between September 2018 and December 2018 in abeyance of enforcement action. By-law Enforcement had received 151 complaints and has successfully closed 105 of those as they were found not to be in violation. Of those 151 calls, 46 driveway investigations are on hold. An estimated 20 additional investigation requests were received in December 2018.

In order to ensure consistency in its approach to enforcement activity, Enforcement staff will move forward with dealing with the enforcement requests held in abeyance since September 2018. Continuing with the enforcement activity also serves to reinforce the importance and legitimacy of the City's Zoning By-law as a tool in implementing the Official Plan policies related to regulating driveways and ensuring Brampton's neighbourhoods remain attractive places to live.

Recommended Action

Of the matters related to "grandfathering" and legal non-conformity no further action is recommended. As it relates to enforcement action held in abeyance, Enforcement staff intends on proceeding with dealing with the enforcement requests.

5. Policy for Prioritization of Complaints ("Vexatious" complaints)

Responding to complaints for service in a timely manner is a priority of the Enforcement Division. Staff has identified several circumstances that involve complaints made against multiple properties from single complainants, who were the subject of a complaint themselves, and have chosen to survey their street or neighbourhood for other potential violations. These complaints, while possibly valid, often have limited or no impact on the complainant themselves and appear to be made in an effort to frustrate Enforcement staff's resources and service delivery commitments. In response to these bulk requests for enforcement, staff has drafted and are currently reviewing a new proposed Complaint Priority Policy which will be brought forward to Committee of Council by way of an Information Report. The Complaint Priority Policy would prioritize complaints based on various criteria such as safety, effect on surrounding properties,

urgency, etc. therefore affording a more appropriate allocation of resources. The report is anticipated to be presented in April 2019.

Recommended Action

Implementing a policy for the prioritization of complaints will be addressed through a separate report being brought forward to Committee of Council in April 2019.

If a driveway permit process is implemented, as recommended by staff, Enforcement and By-law Services will work with Zoning Services, Public Works and Engineering and other staff to establish an action plan that will address complaints and the responsibilities of each section to respond to complaints of driveway alterations without a permit.

Other actions Enforcement staff will undertake:

- While on patrol for general offences, actively investigate contractors on site and property owners for driveway alterations if no permit has been issued.
- Continue to respond and investigate complaints of driveway alterations without a permit.
- Enforce permit requirements including potential licensing and zoning violations.
- Assist and enforce driveway alterations from a licensing and zoning perspective. Where permits are obtained, staff will be able to confirm alterations were conducted in accordance with the permit and ensure licensing and zoning requirements are met. Further, staff will actively investigate illegal driveway alterations where permits have not been issued and are currently under construction.

6. Education/Awareness

Currently information regarding driveway widths is principally relayed in the following manner:

- For new homebuyers in new subdivisions a notice is included on the Homebuyers' Information Maps indicating that driveways are regulated by the Zoning By-law and residents should first check with the City before proceeding with any widening.
- A warning is also included on title via the subdivision agreement. This provision has been in place for a number of years, therefore many new developments have this clause in their agreements. As the subdivision agreement is registered on title, it "runs with the land" and all future owners are subject to it.
- The City's website also contains information related to driveway widenings in a number of locations under the Roads and Traffic, By-law Enforcement and Building Permits-Zoning pages.

Issues

The clause related to driveway widenings in the subdivision agreement is part of an often lengthy list of warnings and may be overlooked by residents. As such, while staff recommend the practice continue, it is likely not the best method of informing the public with respect to driveway regulations.

Currently information related to driveways is found in several locations on the website. Improvements can be made to the City's website to consolidate information onto one page with links from other locations. The list of licensed paving contractors is currently not public information.

Furthermore, the current approaches (i.e. homebuyers map, clause on property title, website) are either limited and/or passive in nature. A more active and broad-reaching campaign to have residents understand the requirements related to driveways would be beneficial.

Recommended Action

The following actions are proposed:

- Publishing a list of Licensed Driveway Paving contractors;
- Undertake a broader public awareness campaign;
- Updating the standard subdivision notices if a driveway permit process is approved; and,
- If a driveway permit process is approved, staff will investigate the potential of making certain information (E.g. property, date issued, contractor info) related to driveway permits that have been issued available online via the City's Open Data source.

Publication of List of Driveway Paving Contractors

There are currently fifteen Driveway Paving Contractors licensed with the City. Staff is proposing that the name and business contact information of all licensed Driveway Paving Contractors be made available on the City's website, so that residents can easily confirm that the contractor they are considering hiring is licensed with the City. By making information regarding licensed Driveway Paving Contractors easily available to the public it is hoped that additional contractors will seek to become properly licensed by the City and encourage compliance with the City's licensing, zoning and permitting requirements. This will in turn benefit and better protect the interests of the City's residents. Other municipalities, such as the Town of Oakville and the City of Toronto, currently provide their residents with access to this information, either in the form of a list or online look-up system.

Comprehensive Awareness Campaign

Staff will work closely with Strategic Communications to develop and implement a public education strategy that supports the new permit requirements. The strategy will include, but will not be limited to, City website, translated materials, social media, digital

advertising, corporate and councillor newsletters, and information sent to local contractors.

Update to Warnings in Subdivision Agreements

If a Driveway Permit process is approved by Council, staff can also update the standard warnings included in the subdivision agreement and Homebuyers' Information Maps to reflect the new requirement.

Make Driveway Permit Information Available Online

If a Driveway Permit process is approved by Council, staff will investigate the potential of making certain information related to the permits that have been issued available online. This would be dependent on how the applications are entered and tracked within the City's databases and whether that information can be readily made accessible online, among other things.

7. Feasibility of Implementing a Driveway Permit Process

Staff has investigated the potential for implementing a Driveway Permit process. Such a process exists in some other municipalities such as Burlington, Vaughan, Collingwood and Toronto (details of which are found in Appendix 10).

A permit process would provide for a further means to enforce compliance to the City's Official Plan and Zoning By-law requirements including:

- aid enforcement, as the first step in understanding compliance would be a simple "yes/no" as it pertains to whether a permit has been obtained. A violation can simply be determined by absence of the required permit, followed by investigations of any violations of the Zoning By-law;
- "close the loop" with respect to the Licensing By-law by requiring contractors (or homeowners) to obtain a permit that requires compliance with the Zoning By-law.

Recommended Action

Staff is recommending that Council implement a Driveway Permit process that would require a permit for the following activities, excluding driveway repairs:

- Resurfacing (but not sealing)
- Construction (e.g. replacement of driveway)
- Expansion and alteration (e.g. widening including the addition of curbs and walkways)

The proposed By-law (draft attached as Appendix 11) sets out details relating to:

- Submission requirements (plans drawings, any other related permits)
- Compliance requirements (e.g. Zoning By-law, off-sets to utilities, street trees, light poles)
- Requirement for notification of completion of work

7.1-16

- When a permit may be refused or revoked or renewed
- Allows the potential to require securities, if deemed necessary
- Requirement of payment of a fee for the permit
- Parameters related to enforcement and inspection (e.g. an officer may enter onto the property to carry out an inspection)
- The ability to issue orders to comply
- How contraventions are handled (constitutes an offence for which charges may be laid under the *Provincial Offences Act*) and penalties for violations of the by-law)

In terms of implementation, staff anticipates that the by-law can be forwarded to Council for approval to be effective as of June 1, 2019. This would allow time for an awareness campaign to be launched to help raise public understanding of the new requirement. It will also allow time for staff to complete the necessary administrative changes to prepare for the new process (such as preparation of application forms and permit document).

It is recommended that the current fee that is required for permit applications for curb cuts and driveway works in the right-of-way be applied to Driveway Permits (currently \$50). A revision to the City's User Fee By-law is required in this regard.

For those residents seeking to undertake work after June 1, 2019, staff will be prepared to start accepting applications by May 15, 2019, to minimize any delays where residents may have already scheduled work.

Corporate Implications:

Financial Implications

The introduction of a Driveway permitting system will likely have administrative and financial impacts. This includes potential increased staffing requirements for the Public Works and Engineering Department that will take in, circulate and review the applications, as well as for other departments that would also be involved in the review of such applications.

Current staffing levels should be sufficient to process a reasonable uptake in applications and the associated service requests and investigations, while still meeting customer service levels. While it is anticipated that the permitting process can initially be administered with current staff levels, uptake will likely increase as general awareness of the requirement grows across the City.

Should the increase exceed anticipated capacity or impact the overall level of service to the customer, a review of the personnel resources would be needed and brought forward in the 2020 operating budget submission, pending Council approval.

Other Implications**Strategic Plan:**

This report and its recommendations align with the “Good Government” theme of the Strategic Plan. One of the goals is to “Practice proactive, effective and responsible management of municipal assets and services”. The proposed actions will aid in providing awareness of driveway regulations to the residents and contractors, aid in enforcement, and make residents and business operators accountable in terms of complying with City regulations.

In this regard, it would assist in ensuring that driveways remain balanced as a part of a residential lot and streetscape and that the City’s neighbourhoods remain attractive places to live.

Living the Mosaic-2040 Vision

This Report has been prepared in full consideration of the overall vision that the people of Brampton will ‘Live the Mosaic’.

Conclusion:

In order to ensure that Brampton’s residential neighbourhoods remain attractive places to live, that balance the provision of landscaping and vegetation in the streetscape with that of accommodating vehicles and vehicular parking, it is important to maintain a multi-faceted regulatory system. The current framework includes supportive Official Plan policies, zoning by-law regulations and licensing requirements for contractors. Despite this, violations of driveway regulations are widespread, which may be driven, in part, by broader factors facing Brampton.

Staff is making a number of recommendations that would enhance or improve this regulatory system with an aim to also improve compliance. These are:

- Updating the licensing by-law;
- Introducing a driveway permit requirement with June 1, 2019 being the date it becomes effective. Staff will undertake all tasks necessary to implement the new permit process for this date. Residents will be able to make applications for driveway permits beginning May 15, 2019;
- Undertaking a public awareness campaign in anticipation of the new requirement coming into effect;
- Review the Zoning By-law provisions as a part of the City’s comprehensive Zoning By-law review. The by-law review should assess what changes could be made to ensure an appropriate amount of permeable landscaping is retained on a lot, in particular facing the street.; and,

7.1-18

- Update the subdivision notice clause to reflect the new driveway permit requirement.

It is acknowledged that even with these changes in place, violations are likely to continue. However, the recommended changes would allow staff to better inform the public and contractors of the requirements related to driveways and enhance enforcement, including against contractors. Appendix 12 provides a “homeowners” perspective with regard to how the changes would impact them.

Approved:

Allan Parsons, MCIP., RPP.
Director, Development Services
Planning and Development Services

Rick Conard,
A/Commissioner,
Planning and Development Services

Attachments:

- Appendix 1: Council Resolution 194/2018
- Appendix 2: Background to Current By-law Standards for Driveway Regulations
- Appendix 3: Images of Driveways in Brampton
- Appendix 4: Zoning By-law Definitions: Permeable, Residential Driveway and Residential Landscaping
- Appendix 5: 0.6 metre Permeable Swale and Residential Lot Drainage Design
- Appendix 6: General Observations with Regard to Compliance with Zoning By-law
- Appendix 7: Minor Variance Statistics and Planning Considerations for Minor Variances
- Appendix 8: Details of Current Business Licensing By-law-Driveway Paving Contractors
- Appendix 9: Draft Amending By-law to Licensing By-law
- Appendix 10: Benchmarking of Municipal Regulation of Driveway Paving and Widening
- Appendix 11: Draft Driveway Permit By-law
- Appendix 12: The Homeowner’s View -How will the Changes Affect Homeowners

**Minutes
City Council**

those complaints currently before the court, but are deemed not to be causing a drainage issue, are placed on hold.

Council discussion on the motion included:

- concerns about exempting any properties from the requirements of City by-laws
- advice from staff about making decisions on matters for which there is no staff report

The mover of the motion proposed an amendment to delete reference to “and all those complaints currently before the court”.

The motion was split and considered as follows.

C194-2018 Moved by Regional Councillor Sprovieri
Seconded by City Councillor Fortini

Whereas, Brampton continues to face significant population growth; and

Whereas, City Council has endorsed an Environmental Master Plan; and

Whereas, City staff continue to update and ensure conformance to the zoning by-law;

Whereas, it is imperative that the City demonstrate clarity and strengthen its consistency in how growth and property modifications are completed as it pertains to the zoning bylaw;

Whereas, a group of City staff comprised of enforcement and bylaw, building and legal services are working collaboratively on a vexatious complaint policy;

Therefore be it resolved, that staff be directed to continue its work on a vexatious complaints policy and present to council at a future meeting for consideration.

That staff bring a report and recommendations on how to best mitigate historical property modifications (i.e. conditions and rules for grandfathering), and investigate the potential for development of a permit process for minor property modifications (e.g. driveway widening) to ensure residents and contractors are aware of the by-law requirements and to ensure that any work completed adheres to all applicable requirements and restrictions inclusive of any financial and staffing resource implications.

Carried

The current zoning requirements related to driveway widenings were established in 2006. At the time driveway widths were not directly regulated in the by-law. What was regulated was the minimum amount of landscaping in the front/exterior yard. This was expressed as a percentage of the yard. The difficulties noted at the time included:

- Calculating the percentage of landscape same in the yard was difficult, in particular for irregular yards
- the calculation could not be undertaken on-site, which meant By-law enforcement could not determine at the property whether a driveway was in compliance
- the nature of the definition of front yard, meant that portions of the yard were in certain cases not included in the calculation.
- there were disputes as to whether a walkway was to be included in the open space calculation.

The review also noted some issues raised by the public including:

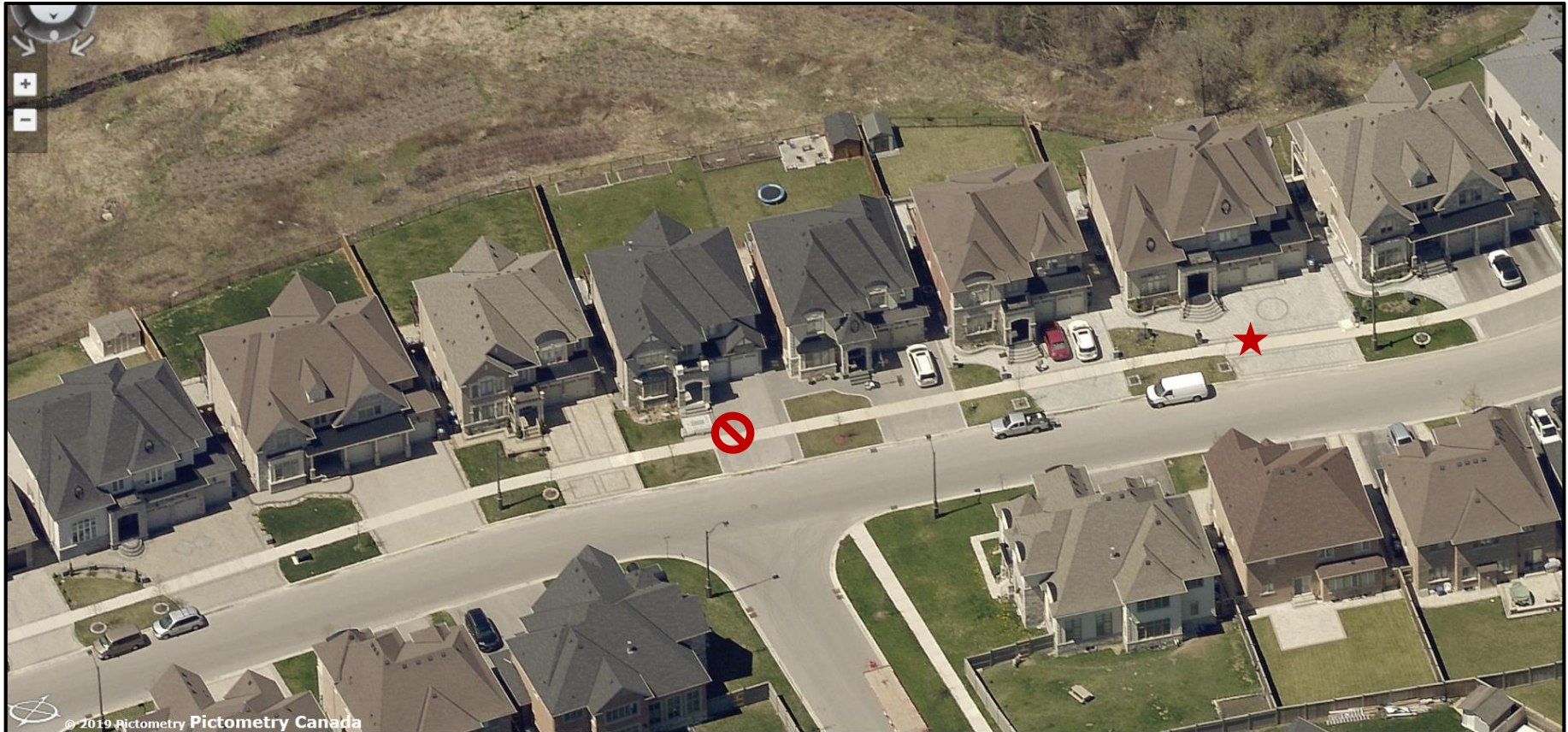
- The desire to park vehicles side-by-side
- Cost impacts of having to remove portions of a widened driveway (in particular where the installation used decorative materials/concrete) even if they only intended to park two vehicles side by side
- Concern of people having too many vehicles parked in their front yards
- Garages are too small to park cars (or people use them for storage)

The principles that provided the basis for the eventual by-law included.

- Generally, allow widths that would provide for the ability to park two cars side by side plus a walkway
- On the smallest lots (<8.23 metres (27ft)) two vehicle side by side parking may not be possible, or if so, with no allowance for a walkway. The amount of space consumed by the driveway would allow insufficient space for landscaping.
- Generally on lots in the 9.14 to 18.3 metres (30-60ft) range, allow for driveways that would enable two cars to be parked side by side, plus a walkway. The resulting by-law split this range into two, allowing for larger driveways on lots 15.23 metre (50ft) to 18.3 metre (60ft) range.
- Permit wider driveways for lots greater than 18.3 metres (60ft.); to allow 3-car wide parking, but not more.
- Clearly define the driveway in the by-law so there is no confusion as to what constitutes part of the driveway (i.e. an area that can be parked upon by a motor vehicle
- Define what is soft landscaping
- Define the driveway to include that portion within the public right-of-way

The By-law that was passed set out 5 lot ranges with a maximum width for each.

1. Streetscape: Impact of Series of Non-complying Driveways, removal of 0.6 metre permeable strip



Series of dwellings on Degrey Drive, most do not comply, driveways and paving is so extensive that hard-surfaced areas connect even though driveways are not “paired”. 0.6m permeable strip mostly removed. Many lots have little soft landscaping left on the private side.

These are large lots, without paired driveways, zoning compliance with retention of 0.6m permeable strip should be achievable

Lot widths: approximately 15-21/22 metres

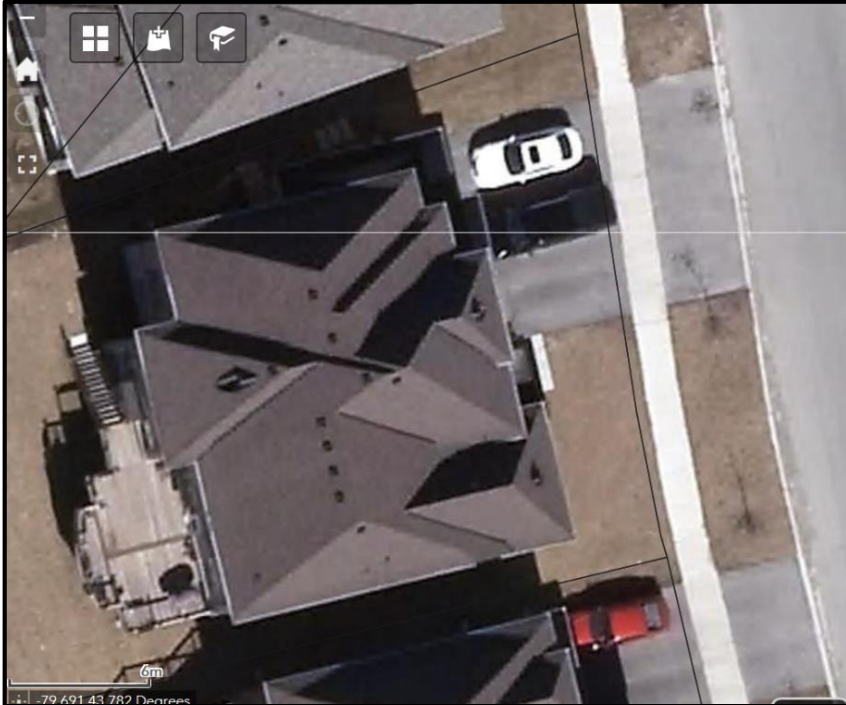
Allowable driveway width: 6.71 metres (15 metre lots), 9.14 metres (21 metre lots)

This driveway appears not to comply, is approx. 10.9 metres, if not wider, 0.6m appears to have been removed.

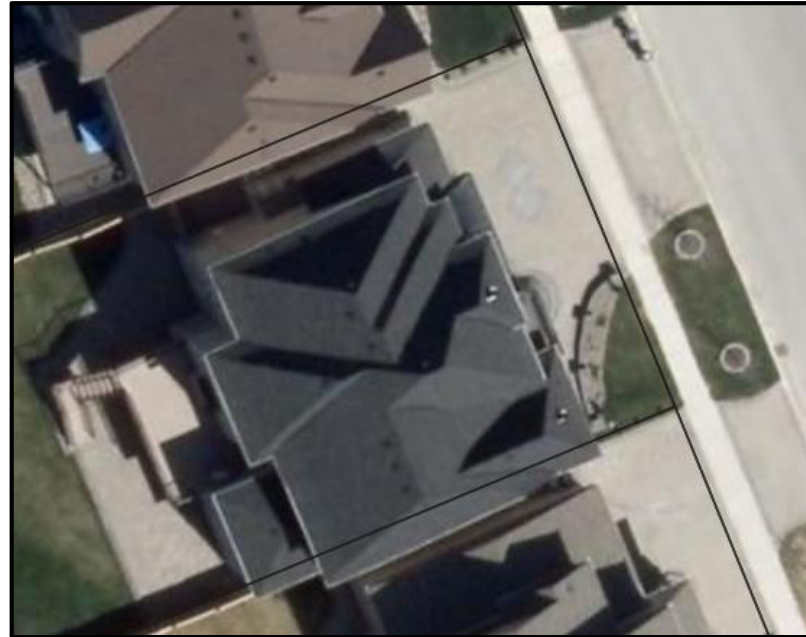
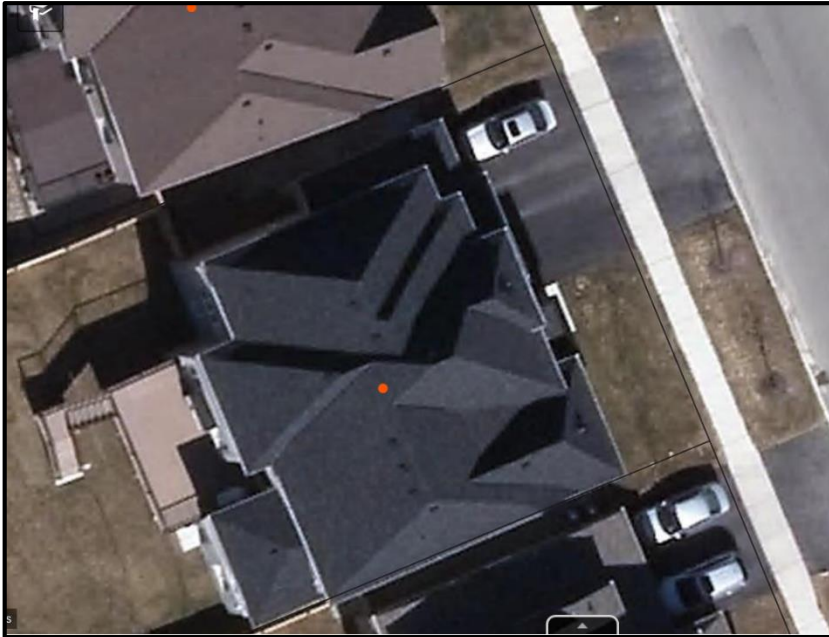
This driveway appears not to comply, is approx. 6.79 metres, 0.6m permeable appears to have been removed.



1.1 Images of as-built driveway vs. widened, Degrey Drive



Approx. 22 metre lot on Degrey Drive, original driveway approximately 9.00 metres, accommodates 3 cars side-by-side.



Approx. 19.8 metre lot on Degrey Drive, original driveway approximately 8.75 metres, current 10.9 metres, 0.6m permeable removed. Columns and planter may actually be in right-of-way. 9.14 metres is the maximum driveway width.



15.0 metre lot on Degrey Drive, original driveway approx. 5.75 metres. The house design/siting would likely not allow this property to have a driveway widened to the maximum allowable width.

1.2 Degrey Drive, Streetscape where driveways widened to lesser degree

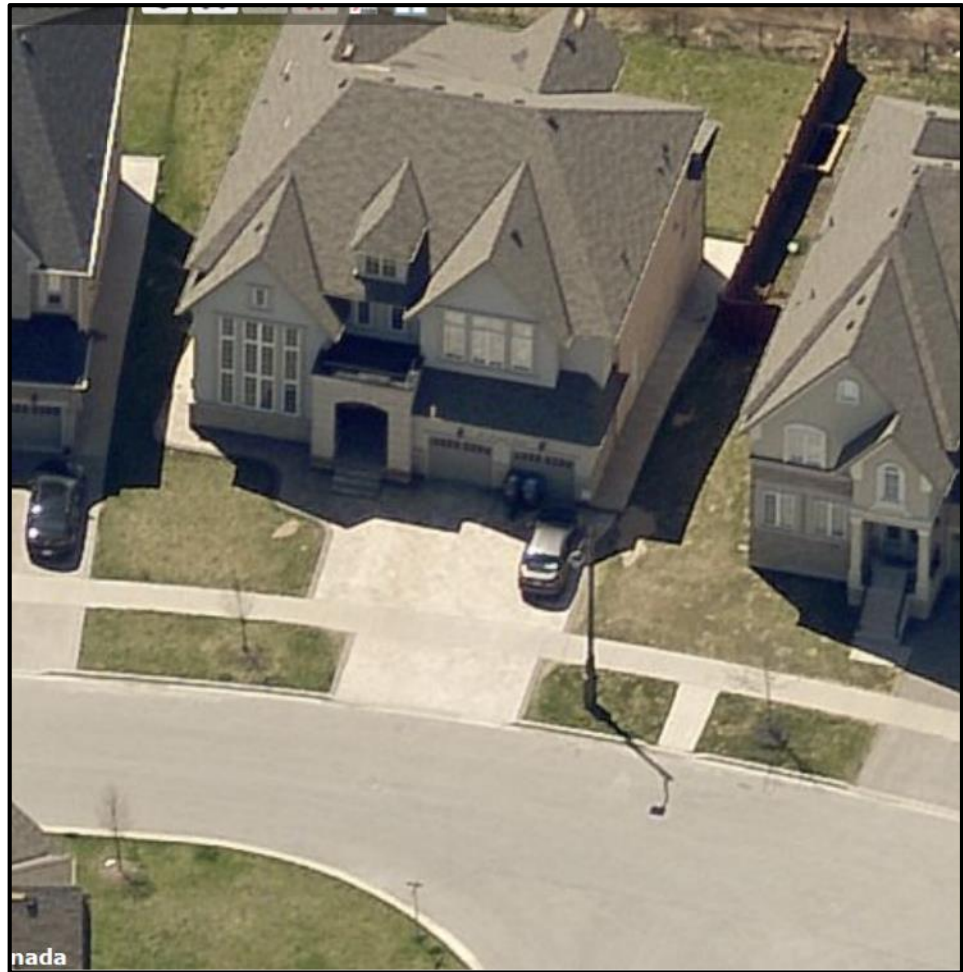
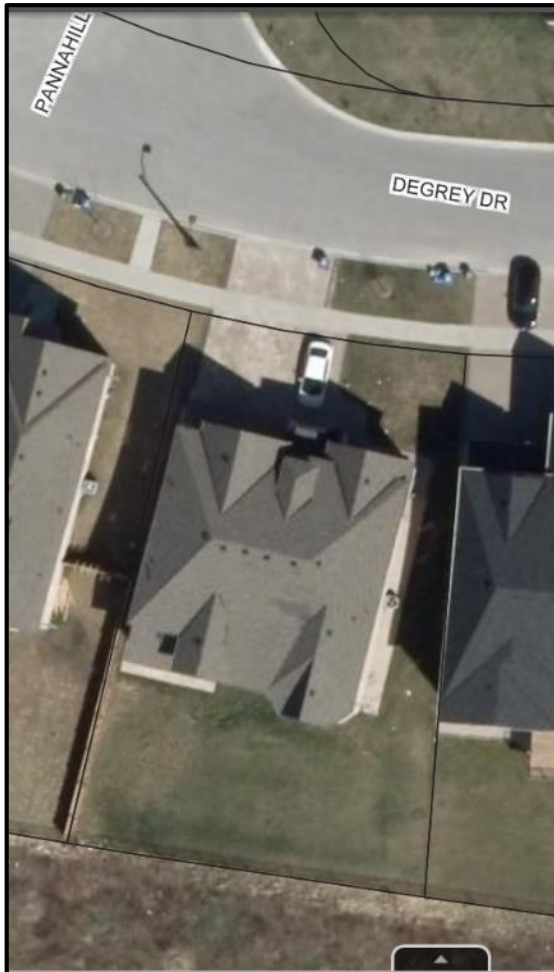


Further along Degrey Drive, driveways have not been widened out to the same degree; less hard-surfaced area and 0.6m permeable strips have not been removed to same degree. Some of these lots could have 9.14 metre driveways, even though they only have double-car garages, although house design (protruding steps) may prevent this.

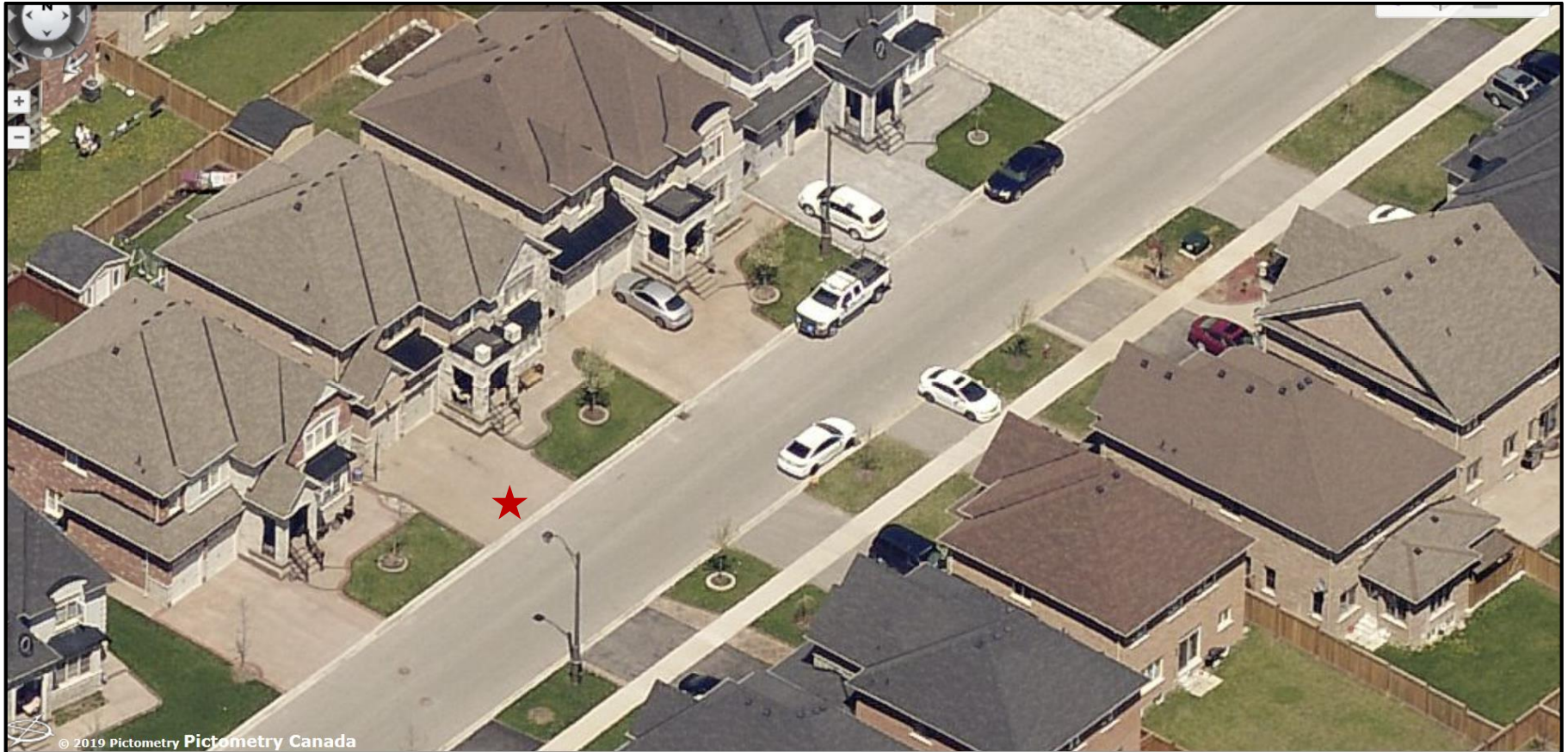
- ★ Lot width approx.: 15-19 metres
Allowable driveway width: 6.71 metres (15 metre lots), 7.32 metres (18 metre lots), 9.14 metres (>18.3 metre lots)
- ★ This driveway appears to comply, is approx. 6.2 metres in width. 0.6m permeable is retained.
This driveway may not comply. It is approximately 9.8 metres in width, 2-car garage design. In this case there may be sufficient space to allow car to be parked in front of door (6.0 metre depth - meets by-law) (see airphoto below). Which is aesthetically questionable.

1.3 Widened Driveway on Degrey Drive

Approx. 18.9 metre lot on Degrey, noted above. 2-car garage but 3-wide parking. "Birds-eye" view seems to show 0.6m permeable removed. If 0.6m reinstated, could likely comply although is parking in front of the porch/dwelling entrance desirable?



2 Streetscape, 0.6 metre permeable removed



On Compassion Crescent (in same neighbourhood as Degrey Drive), hard-surfaced areas, 0.6m removed, drainage swale on both property side lot lines impacted.

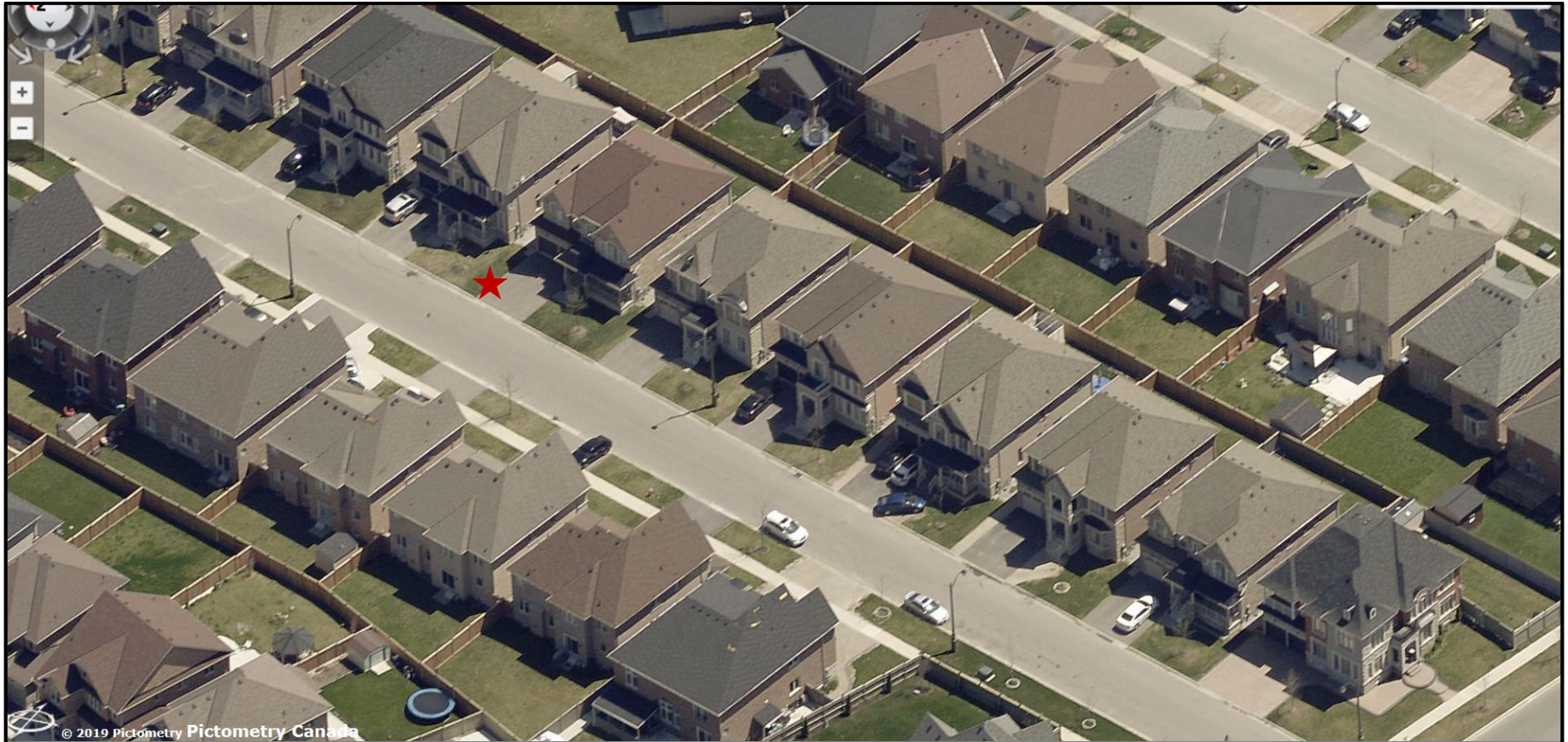
Lot widths approx.: 15.5 metres

Allowable driveway width: 7.32 metres



The width here is approximately 6.58 metres, however, the 0.6m wide permeable strip is not retained. The house design/siting would not allow this property to have a driveway widened to the maximum allowable width.

2.1 Streetscape, 0.6 metre permeable retained



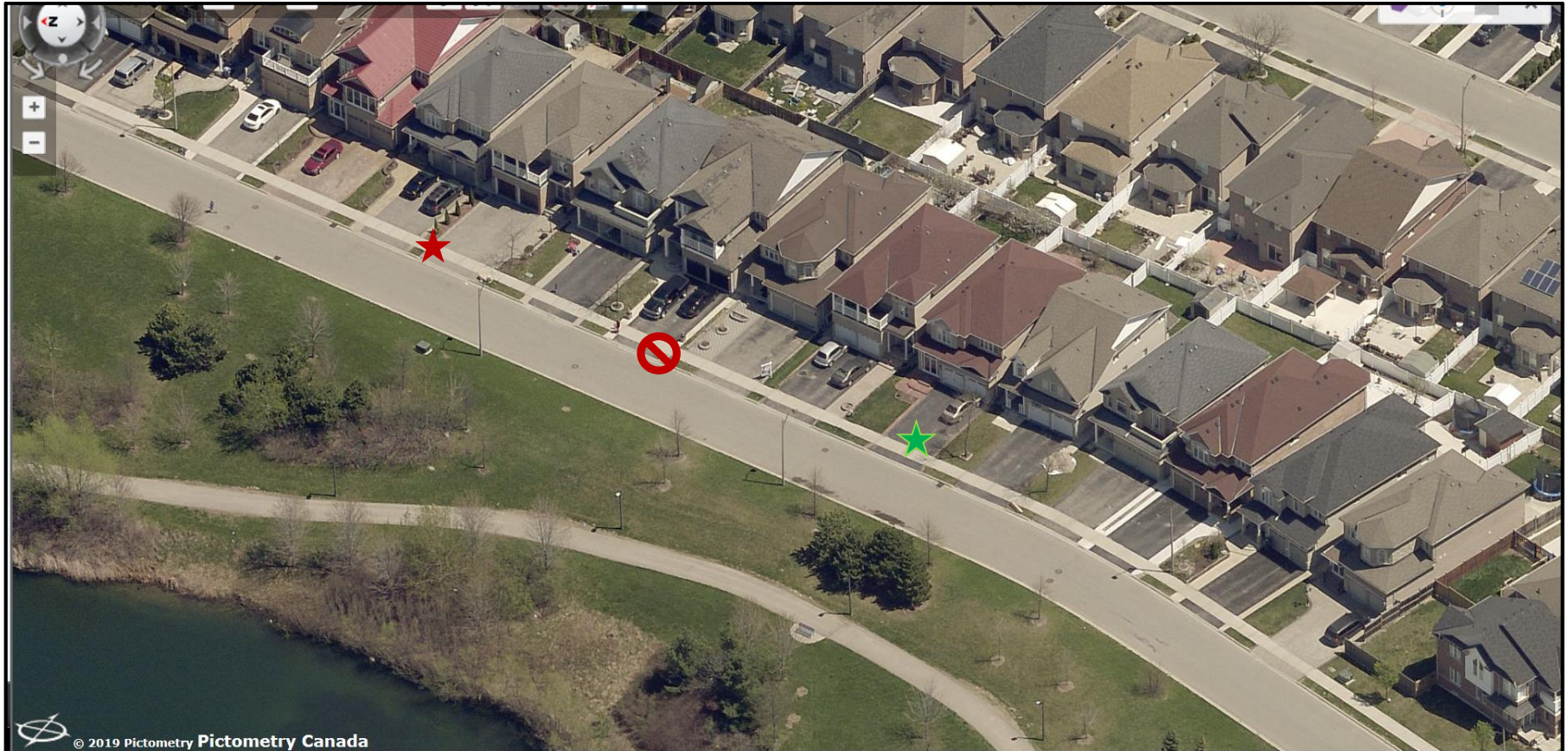
On nearby Decorso Drive where widenings, removal of landscape has not occurred on a lot of the lots. The 0.6 metre permeable appears to be mostly intact.

Lot widths approx. 15.0 metres

Allowable driveway 6.71 metres

★ This driveway appears to comply. The width is approximately 6.0 metres wide. The house design/siting would likely not allow this property to have a driveway widened to the maximum allowable width.

3.0 Smaller Single Detached lots



Fountainview Way (south of Bovaird Drive, east of Torbram Road). Most of the driveways have been widened and most of the 0.6m permeable strips removed. The extent of “soft” landscaping in the streetscape is low.

Lot widths approx. 9.8-10.4 metres

Allowable driveway 6.71 metres



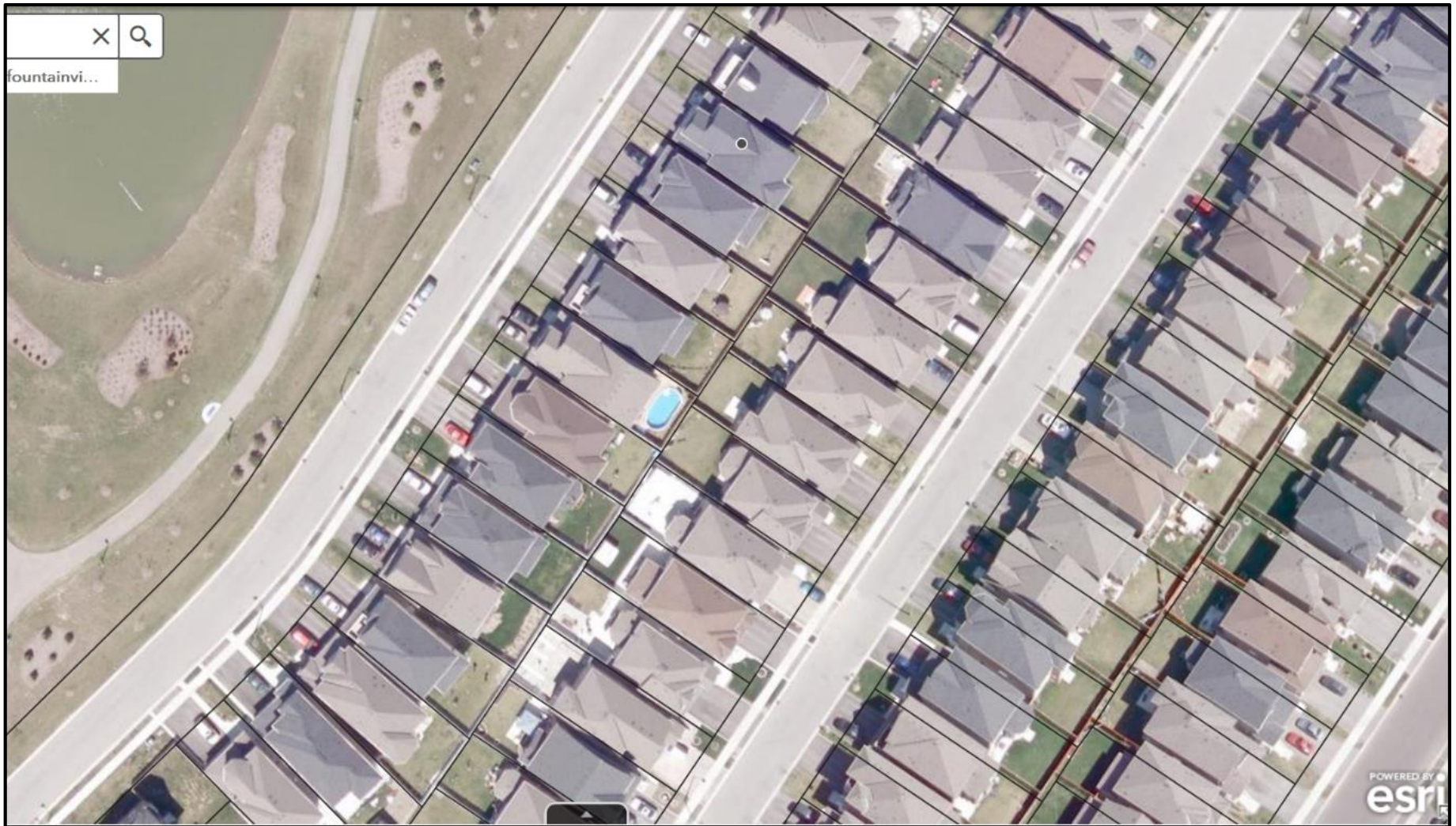
This driveway appears to not comply, driveway is approx. 9.0 metres.



This driveway appears to comply, driveway is approx. 6.0 metres. 0.6m permeable strip retained.



This driveway appears to not comply, driveway is approx. 7.3 metres. 0.6m permeable appears to be retained.



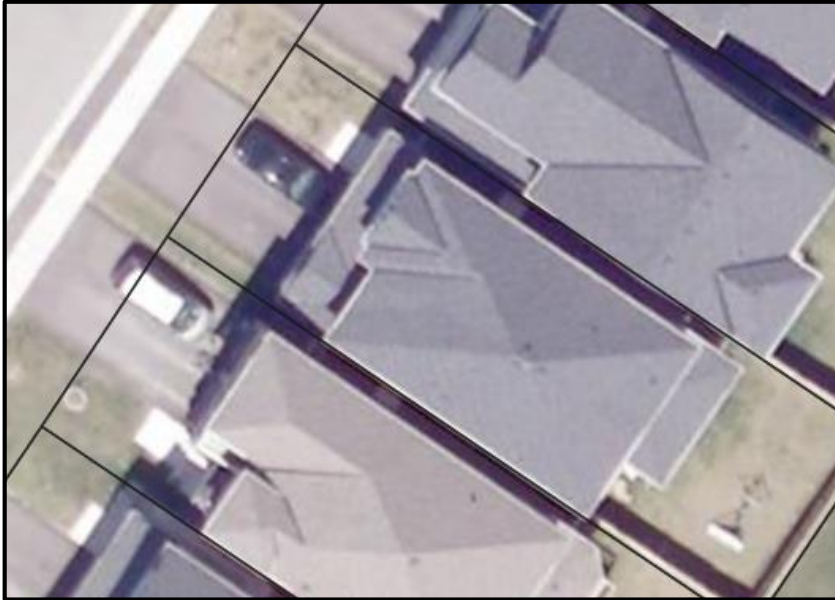
2007 airphoto of Fountainview (when subdivision was new). It appears most driveways are as-built and not yet widened.

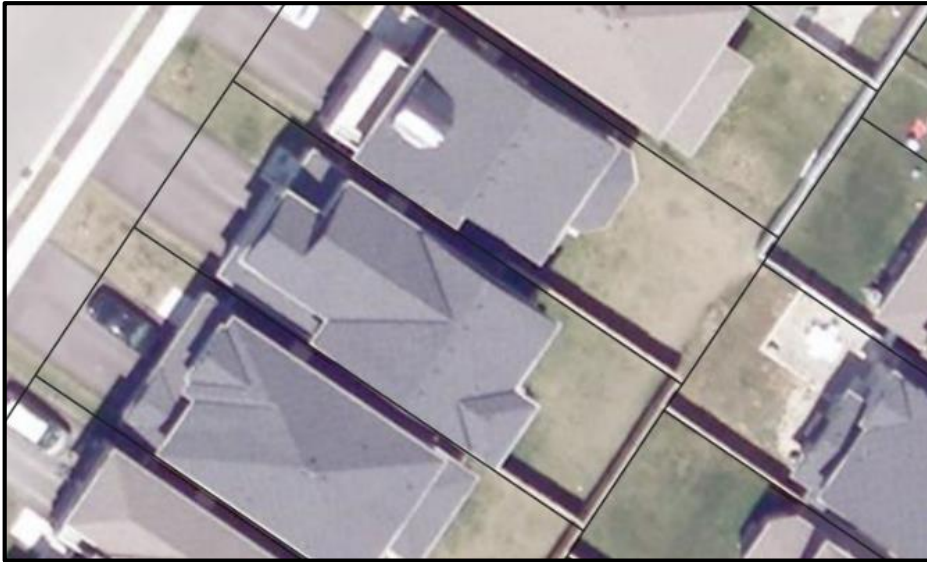
3.1 Images of as-built driveway vs. widened, Fountainview Way



10.4 metre lot on Fountainview Way, original width of driveway approx. 6.7 metres.

3.2 10.4 metre lots on Fountainview Way, very little “soft” landscaping remains





10.4 metre lot, neighbouring property to previous image.

4. Streetscape: Maintaining the 0.6 Metre permeable strip. (and generally, driveway width)



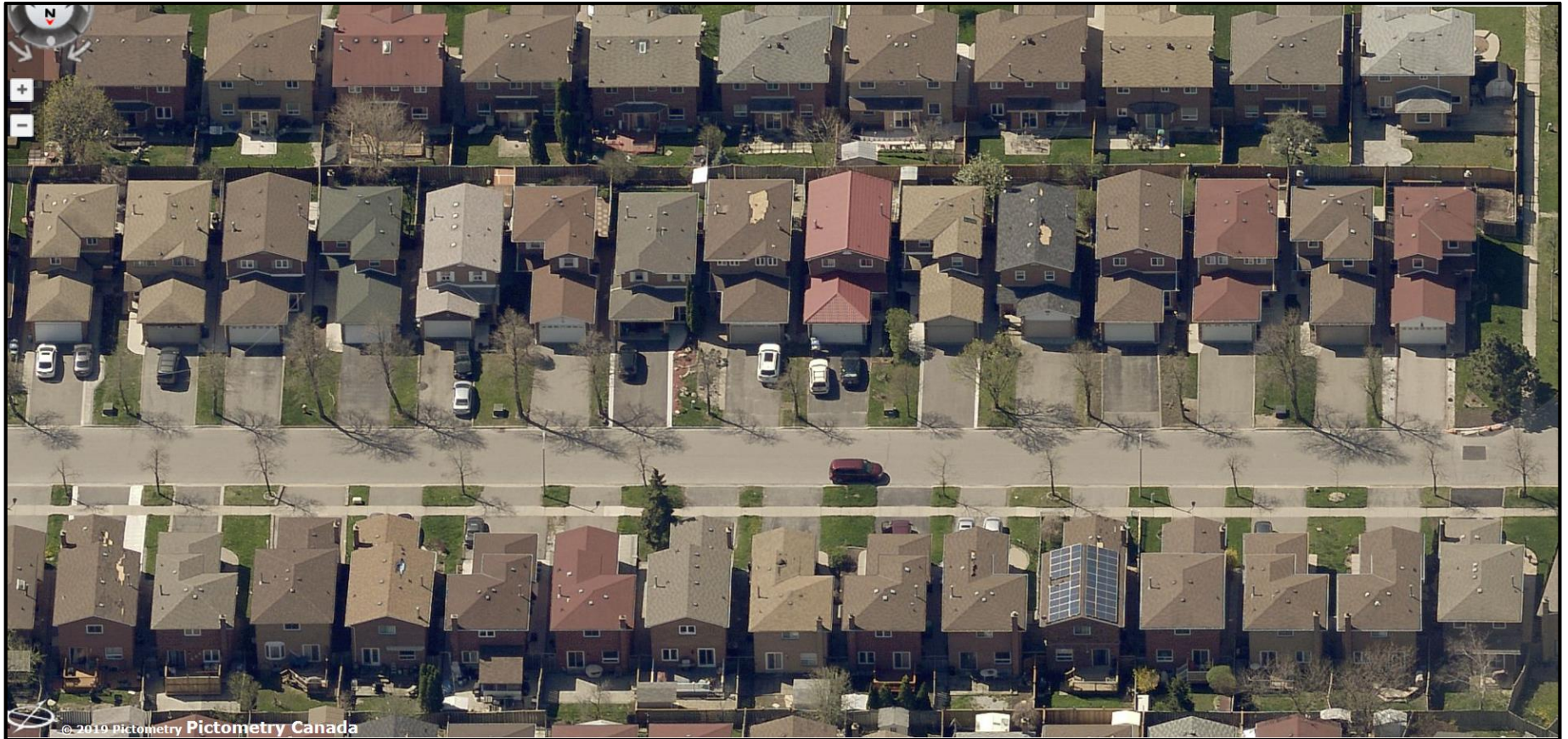
Alabaster Drive. These lots are approx. 9.15 metres wide, where generally the permeable strip has been retained, even where driveways are paired. These strips appear to be greater than the 0.6m minimum (1.2m combined). They appear to be 2.0 metres wide (combined). The driveways that are the exact width of the garage are approximately 5.2 metres wide

Lot widths: approx. 9.15

Allowable driveway width: 6.71 metres (5.2 metres if they are less than 9.14 metres wide).

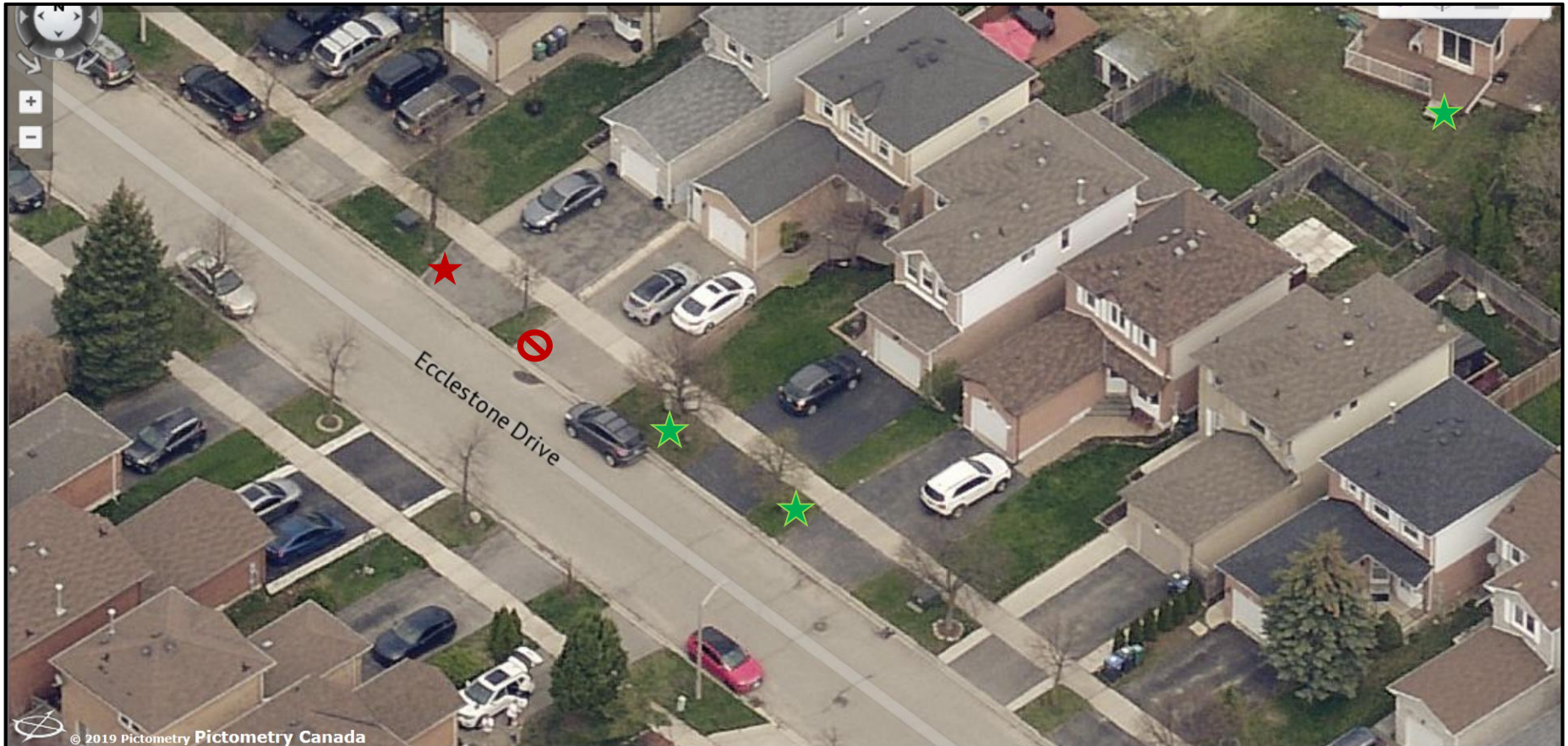


This driveway is approximately 7.2 metres wide, which exceeds the by-law maximum.



Other side of Alabaster Drive.

4.1 Ecclestone Drive, comparison where lots maintain strip and meet driveway, versus non-complying



Lot widths approx.: 9.0 metres

Allowable driveway width: 5.2 metres



This driveway appears to not comply, driveway is approx. 6.8 metres wide. No permeable strip retained.



These driveways appear to comply, driveways approx. 5.2 metres wide. Permeable strip retained.

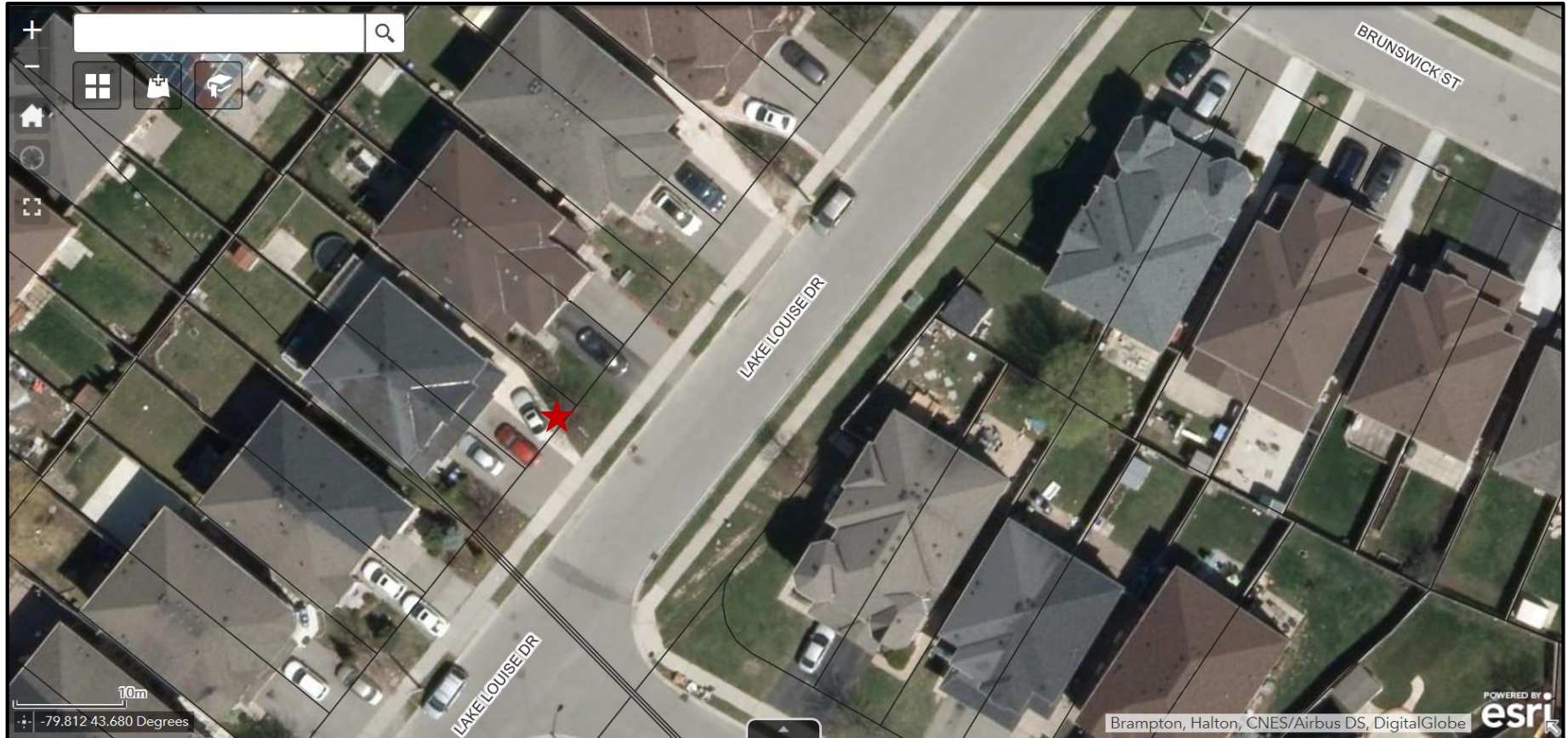


This driveway appears to not comply, driveway is approx. 6.3 metres wide. No permeable strip retained.

5. Streetscape: Semi-detached dwellings



Lake Louise Drive, north of Williams Parkway, west of Chinguacousy Road.

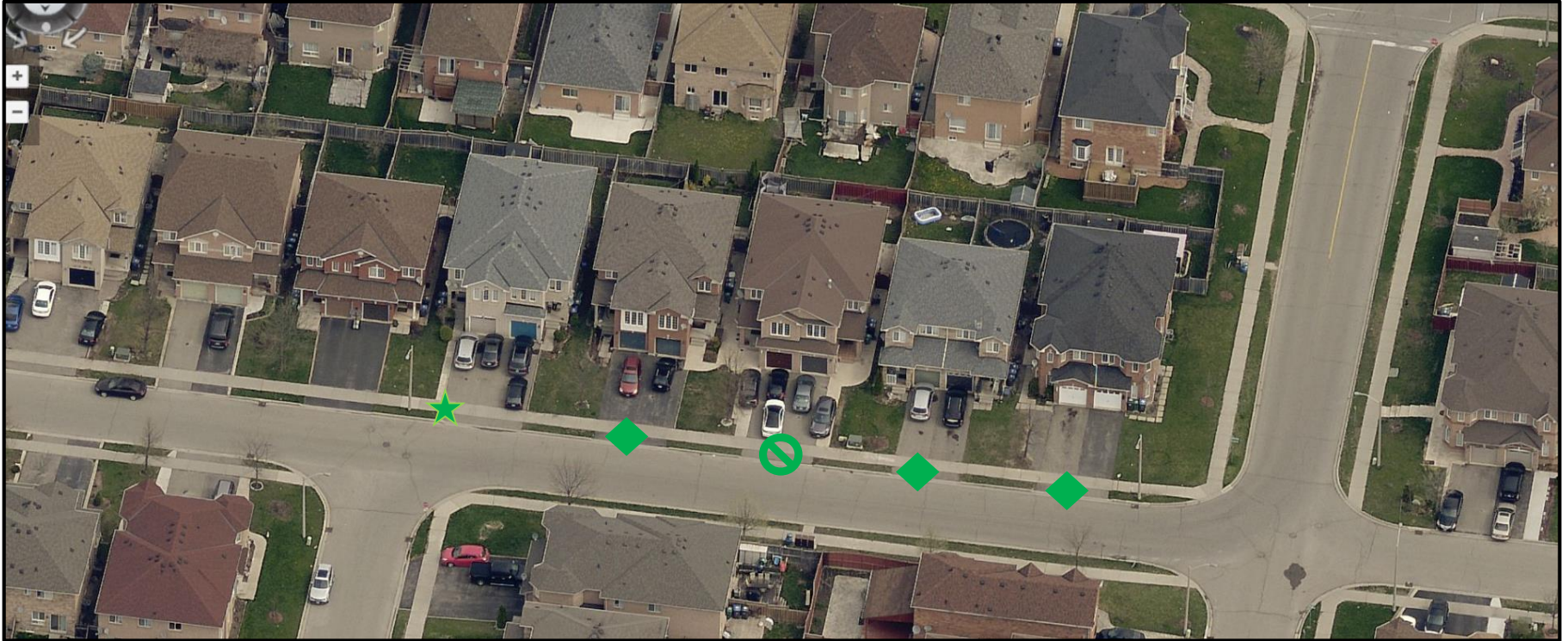


Lake Louise Drive, north of Williams Parkway, west of Chinguacousy Road. Semi-detached lots, driveways widened out in front of entrances. Vehicles parked on angles, in front of porch/entrance.

Lot widths: approx. 6.85 metres (13.7 metres for total semi-detached lot (both sides))
Allowable driveway width: 4.9 metres

★ This driveway is approximately 7.2 metres wide, which exceeds the by-law maximum. It also appears that the drainage swale along the side lot line has been impacted by the paving, which appears to go right to the property line by the entrance to the house (and along the interior side yard).

5.1 Semi-detached, comparison of un-widened vs widened



This image provides a good comparison between lots that appear un-widened, those that are widened and comply, and those that are widened and do not comply.

Lot widths: approx. 6.85 metres (13.7 metres for total semi-detached lot)

Allowable driveway width: 4.9 metres



This driveway is approximately 5.0 metres wide, slightly above the maximum permitted. Technically this allows 2 side-by-side parking on a narrow lot with a single car garage.



Each of these driveways are approximately 4.8 metres wide, within by-law limits. This results in 4-wide parking on a combined semi-detached lot with garage. Having cars parked in front of the entrance area of the house does detract from the aesthetics of the area. Given this, the by-law can be seen as being quite permissive.

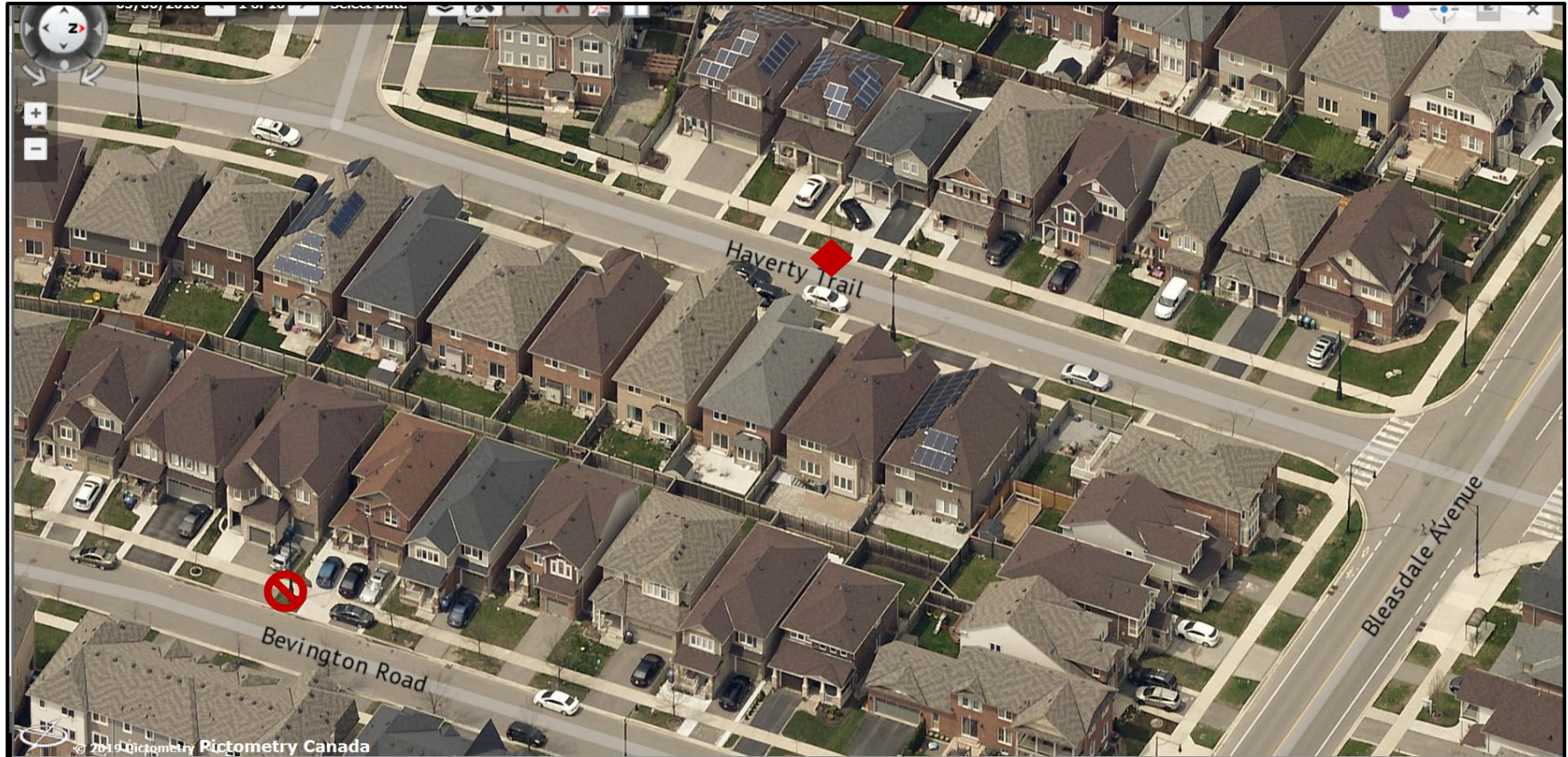


These driveways appear to be in their original as-built width. They are approx. 3.0 metres wide. The amount of remaining "soft" landscaping is noticeably greater than on lots with widened driveways (even those that are legal).

6. Lots in Mount Pleasant Village area



- ⊘ This is a 13.72 metre lot, a 6.72-metre wide driveway is permitted, the driveway is approximately 12 metres wide (effectively the whole front yard is paved). A vehicle is parked essentially perpendicular across the front yard in front of the entrance and porch. This lot has space for 2 cars in the garage and 2 in front of the garage in its un-widened configuration.
- ◆ This is similar situation to the above. This lot is 13.73 metres in width, the driveway approx. 9.5 metres (6.71 permitted). The vehicle is parked in front of the entrance to the dwelling. Virtually no “soft” landscaping is left. The adjacent property (40-metre-wide lot, 7.9-metre wide driveway - which may actually be permitted due to the width of this irregular lot) has an extended driveway and also has a hard-surfaced front yard. The result is two adjacent front yards with the area essentially hard-surfaced and the vast majority of the area dedicated to car parking. This does not constitute a balanced streetscape.



- ◆ This is a 9.15 metre lot in Mount Pleasant Village area. Essentially the whole lot has been paved. A car is parked at an angle in front of the porch and entrance. A 6.71-metre wide driveway is permitted (if the lot were 9.13 metres, a 5.2-metre wide driveway would only be allowed). A 6.71-metre wide driveway could likely not be achieved on this lot due to the front porch design which does not provide the required depth for a parking stall. Even where one could be achieved for lots with a single-garage design such as these (as may be possible on the neighbouring property to the south with the solar roof panels), this is not seen as desirable from a neighbourhood design perspective. Some municipalities restrict parking to only in front of the garage portion.

These siting and dwelling designs in Mount Pleasant Villages were intended to support a pedestrian-oriented, walkable community with more prominent (and sometime protruding) front porches to emphasize the dwelling entrance, smaller

setbacks to bring the entrance area closer to the street. Among other things, this is intended to help support neighbourhood interaction (e.g. people on porch talking with neighbours walking along street) found in older neighbourhoods. This creates challenges where modal split has not shifted sufficiently such that household vehicle ownership decreases.

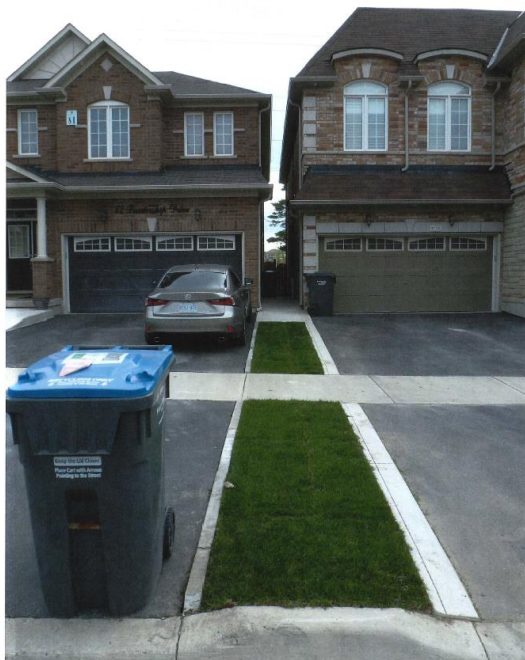


This is also a 9.15-metre wide lot. The whole front yard has been paved. Four vehicles are seen parked on the property and driveway apron.

7. 0.6 metre permeable strip, removed and reinstated



0.6 metre permeable strip removed



After reinstatement. The green strip does help break up impression of an expanse of asphalt/concrete.

Appendix 4:
Zoning By-law Definitions:
Permeable, Residential Driveway and Residential Landscaping

The by-law defines “permeable” as:

“.. shall be maintained as only a permeable landscaped surface such as grass, trees shrubs, flowers or other plants or any other surface that permits the infiltration of water into the ground, but may include a portion of a noise wall or retaining wall that is not permeable”

The by-law defines a residential driveway as:

“DRIVEWAY, RESIDENTIAL shall mean the hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone) on detached, semi-detached or townhouse dwelling lots, and that hard and level surface on the road right-of-way to the street edge, upon which vehicles drive and park, and such hard and level surface includes a surfaced walk situated parallel to the Residential Driveway in a manner capable of being parked or driven upon by part or the whole of a motor vehicle. The width of the Residential Driveway is measured parallel to the front of an attached garage or in the case of a lot where there is no garage or there is a detached garage, the driveway width is measured perpendicular to the direction in which motor vehicles drive and park on the driveway.”

Residential Landscaping is defined as:

“LANDSCAPING, RESIDENTIAL, shall be either, or any combination of both, of the following surfaces on detached, semi-detached and townhouse dwelling lots: 1) the soft surface (level or otherwise) capable of supporting the growth of vegetation (such as grass, trees, shrubs, flowers or other plants), or 2) the rough or irregular surface that permits the infiltration of water into the ground (such as rocks and stones) that is not capable of being parked upon by part of the whole of a motor vehicle. Residential Landscaping may include nonpermeable portions of noise and retaining walls or non-permeable patios and walks not situated parallel to the Residential Driveway in a manner capable of being parked or driven upon by part of the whole of a motor vehicle. Residential Landscaping may also include non-permeable stairs or stepped surfaces not capable of being parked or driven upon by part or the whole of a motor vehicle.”

The 0.6 metre permeable landscape strip includes the drainage swale for a lot. Swales are engineering features used around the house to capture and convey drainage for minor storms. The grading design of the subdivision will dictate the number of lots that can drain into a particular swale.

The City subdivision engineering design guidelines limit the number of lots that can drain to a rear yard swale to four.

There are two main lot grading drainage designs.

- **Rear to Front Drainage:**
With this design stormwater is collected in the rear yard swales and conveyed to the municipal right of way via the side yard swales. A rear to front design requires a 1.2 metre swale on a property.
- **Split Drainage:**
With a split drainage design, half of the lot is drained to the back into a rear lot swale ending up in a rear lot catchbasin, and the other half is drained to the municipal right of way via the side yard swale. A split drainage design requires a 0.6 metre swale along the side lot line.

The 0.6 metre/1.2 metre combined swale is seen by the City's Development Engineering section as the minimum width to ensure an appropriate swale is provided. With a maximum 3:1 slope a 1.2-metre wide width allows for a depth of 0.2 metres in the swale. Reducing the size of the swale reduces the depth and thus its effectiveness.

Violations to the Zoning By-law regulations for driveways appear to be widespread. In certain areas, entire sections of streets have driveways which were widened. In other areas, in particular on smaller lots, vehicles are parked almost entirely across the front yard, including in front of the steps/entrance area to the dwelling. Appendix 3 shows images of typical conditions in Brampton. On larger lots, elaborately designed driveways are installed that include expanses in front of the house and walkways up to the entrance. As there is no physical barrier that would prevent parking on this expanded surface, the complete area is included in the calculation of driveway width as required by the Zoning By-law. Most often there is a design solution, and likely one that would work well with the homeowner's vision for the driveway and walkway. In terms of assessing the suitability of a barrier, staff requires as a minimum that such a barrier be at least two feet in height and is permanently affixed to the ground (e.g. secured with bolts). However, reconfiguring a driveway installation is difficult, particularly when a portion of the paved surface must be removed to reinstate the required permeable landscaped strip adjacent to the side lot line(s). Ideally, the homeowner would consult with Zoning Services staff to ensure compliance for the proposed works before construction is commenced. In this regard, better education of the public with respect to driveways and a requirement for obtaining a permit would help reduce these situations.

However, even where the installation is of high quality, there is a negative impact in that the amount of "soft landscaping area" or green space in the front yards and streetscape is significantly reduced. Further, where the widened driveway is non-complying, it still enables the excessive parking of vehicles in the front yard (and when vehicles are parked, the "decorative" driveway is no longer visible). This aesthetic impact is multiplied where a series of overly wide driveways have been constructed along a street. Appendix 3 provides such images.

Appendix 7:
Minor Variance Statistics
And Planning Considerations for Minor Variances

Staff deals with many variances for driveway widenings. Often these are not a specific variance request but are identified by staff on their site inspections for an application associated with another variance request on the property (it is City practice to identify and address all required Zoning non-compliance matters with an application, not just the variances sought by the applicant). The City received the following number of applications which included variances to existing or proposed widened driveways (and/or the 0.6 metre permeable strip requirement):

Year	# of Applications involving existing/proposed widened driveways and/or variance requests to 0.6 metre permeable strip requirement
2015	6
2016	20
2017	24
2018	23

Of these staff recommended refusal of 41, supported 13 and supported 9 in part (e.g. a reduced width).

The Committee of Adjustment refused 30 applications, supported 15 and supported 18 in part (e.g. permitted a variance to a different extent).

Of applications that involved the required 0.6 metre permeable landscape strip (either reduction or elimination), staff recommended refusal of 28, supported 6, supported 3 in part. The Committee of adjustment refused 22, supported 7 and supported 8 in part.

11 applications were appealed. The Ontario Municipal Board/Local Planning Appeal (OMB/LPAT) Tribunal refused 6 and supported 1. One is still in progress and 3 were withdrawn. Of the applications that were appealed, 8 involved a variance related to the 0.6 metres of permeable landscaping. 3 of these were dismissed/refused by the OMB/LPAT, 1 was supported, 1 was supported in part and 3 were withdrawn.

In assessing variance applications staff considers, among other things:

- whether the widening would allow excessive parking of vehicles in the front yard (such as parking vehicles three across where the intent was to allow only two-across parking);
- how the parking is configured relative to the house design and siting (e.g avoid parking in front of the door/porch area and restrict it to the garage area);
- whether sufficient parking (e.g on a lot with a double-car garage, the two spaces in the garage and the two in front is seen as sufficient in balance against other objectives such as maintaining an attractive streetscape); and,
- whether drainage is impacted (in the case of a requested reduction in the 0.6 metre permeable strip).

The City currently licenses Driveway Paving Contractors under Business Licensing By-law 332-2013, which defines Driveway and Driveway Paving Contractors as follows:

“Driveway” means a defined area that is paved, treated with a stable surface or constructed with interlocking stones, that provides access for motor vehicles from a public or private street to a property;

“Driveway Paving Contractor” means a Person engaged in the business of paving, repairing or sealing driveways, lanes, roadways and parking areas situated on privately owned property which may include municipal boulevards adjacent to such private property.”

The Business Licensing By-law currently sets out a number of requirements and prohibitions in relation to driveway paving, including the following:

- Prohibits any person (which includes an individual or a corporation) from engaging in the business of a Driveway Widening Contractor without having a valid licence issued by the City (s. 5(1)(ii) and 5(4));
- Prohibits a person from publishing and holding themselves out as being licensed by the City as a Driveway Paving Contractor if they are not in fact licensed by the City (s. 5(6) and 5(7));
- Requires all Driveway Paving Contractors to have their licence with them when they are engaged in driveway work (s.35(2));
- Requires a Driveway Paving Contractor to sign a written contract before any work is commenced and requires the contract to describe and itemize prices for materials and services, identify any warranties or guarantees (if applicable) and provide an estimated completion date (Schedule 9, section (3)(d));
- Requires that a second or additional contract be entered into prior to extra or additional work being performed (Schedule 9, section 4(a)); and,
- Makes it an offence for a Driveway Paving Contractor to perform work without a permit (Schedule 9, section 4(c)).

There are currently approximately 15 paving contractors licenced with the City. It is well known that many more undertake paving works in Brampton and are thus in contravention of the City’s Licensing By-law.



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number ____ - 2019

A By-law to Amend Business Licensing By-law 332-2013, as amended

WHEREAS By-law 332-2013 provides for the licensing of businesses in the City of Brampton;

AND WHEREAS the Council of The Corporation of the City of Brampton deems it desirable to amend By-law 332-2013,

NOW THEREFORE the Council of The Corporation of the City of Brampton **ENACTS** as follows:

1. By-law 332-2013, as amended, is hereby further amended by deleting paragraph 23(l) and replacing it with the following:

“23(l) Any fee payable by the Licensee pursuant to this By-law has not been paid.”

2. By-law 332-2013, as amended, is hereby further amended by adding the following subparagraphs after paragraph 23(m):

“(n) The Applicant or Licensee has failed to pay an administrative monetary penalty imposed by the City or a fine or fines imposed by a Court for convictions for breach of this or any other City by-law.

7.1-50

- (o) The Applicant or Licensee has failed to comply with any condition or direction of the Licence Issuer or Inspector or has failed to permit any investigation by the Licence Issuer or Inspector.
 - (p) The Applicant or Licensee has failed to comply with the requirements setout in any of the Schedules referenced in subsections 5(1)(a) to and including 5(1)(aa) applicable to the Applicant or Licensee.”
- 3. By-law 332-2013, as amended, is hereby further amended by deleting the reference to “and including (m)” at the end of paragraph 24 and replacing it with “and including (p)”.
- 4. Schedule 9 of By-law 332-2013, as amended is hereby further amended by deleting the definition of “Driveway” and replacing it with the following and capitalizing the word Driveway throughout Schedule 9:

“Driveway” means an area of hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone), including a surfaced walkway and any hard and level surface that is capable of being parked or driven upon by part or the whole of a vehicle.”
- 5. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following definition of “Driveway Paving Work” and replacing all references to “work” or “driveway paving” in Schedule 9 with the words “Driveway Paving Work”:

“Driveway Paving Work” means any work on a Driveway, including installing, constructing, paving, resurfacing, sealing, repairing, expanding or altering a Driveway, lane, roadway or parking area.
- 6. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following definition of “Permit” and capitalizing all references to “permit” in Schedule 9:

““Permit” includes a permit required by the Driveway Permit By-law _____ or any other City By-law.”
- 7. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following subparagraphs after paragraph 4(c):
 - “(d) perform any Driveway Paving Work that requires a permit unless the permit is displayed in view of the public in the area in which the work is being performed;

7.1-51

(e) perform any Driveway Paving Work that is not in compliance with the City's Zoning By-Law 270-2004, as amended, or any other City by-law, unless a valid permission, supporting decision or approval required by law is obtained prior to the commencement of any work."

READ a FIRST, SECOND and THIRD TIME and PASSED in OPEN COUNCIL this day of _____, 2019.

Approved as to
form.

Patrick Brown, Mayor

Approved as to
content.

Peter Fay, City Clerk

Appendix 10

Benchmarking of Municipal Regulation of Driveway Paving and Widening

Municipality	Licensing of Driveway Paving Contractors	Public Posting of Licensed Pavers	Driveway Paving Permit	Driveway Widening Permit	Driveway Widening Permit and/or Curb Cut Permit Application Details
Brampton	Yes	No	No	Yes, curb cut only. Traffic By-Law 93-93, section 36, requires permits for curb cut.	<p><u>Application Process:</u></p> <ol style="list-style-type: none"> 1. Submit Application for Driveway Widening/Curb Cuts 2. Road Occupancy & Access Permit will be granted if application is approved <p><u>Required drawings/ materials:</u></p> <ul style="list-style-type: none"> ✓ Completion of diagram (provided) with labelled metric measurements ✓ Legal lot survey <p><u>Associated Fees:</u> Road Occupancy & Access Permit: \$50</p> <p><u>Approx. Time to Issue Permit:</u> A few weeks</p>
Toronto	Yes	Public Look-Up for all Business Licensees, but not by category of license (i.e. not able to get list of contractors, need to have name of contractor to search if licensed).	Yes. City advises residents to contact Zoning Department to ensure compliance with zoning requirements.	Yes.	<p><u>Application Process:</u></p> <ol style="list-style-type: none"> 1. Apply for a Preliminary Project Review with Toronto Building to ensure compliance with Zoning By-law 2. Apply for a widening permit with Transportation Services, Right-of-Way Management, for the portion of the driveway on City property 3. Apply for Street Occupation Permit with Transportation Services, Right-of-Way Management <p><u>Required drawings/ materials:</u></p> <ul style="list-style-type: none"> ✓ Drawings of the proposed driveway design and location, drawn to metric scale ✓ Submission of financial securities to ensure that the driveway is constructed according to the approved plans ✓ Confirmation that the vehicle access driveway complies with the dimensions specified in any applicable Zoning By-law ✓ Separate sketch associated with Occupation Permit <p><u>Associated Fees:</u> Street Occupation Permit: \$153.46</p> <p><u>Approx. Time to Issue Permit:</u> 2 weeks</p> <p>Note: Could not locate any information exclusive to curb cuts.</p>

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Vaughan	Yes	Could not locate any.	No	Yes	<p><u>Application Process:</u></p> <ol style="list-style-type: none"> 1. Submit drawing and application to Public Works Department, Roads Division in person 2. Public Works will visit the site prior to approval <p><u>Required drawings/ materials:</u></p> <ul style="list-style-type: none"> - Drawing using a copy of property survey showing existing and proposed driveway width (metres) <p><u>Associated Fees:</u> Driveway Widening Permit: \$130 Curb Cut Fee for up to 4 metres (incl. DW permit): \$225 Each additional metre: \$23.75</p> <p>Note: Appears that Vaughan does not require a road occupancy permit for driveway widenings</p> <p><u>Approx. Time to Issue Permit: 2-4 weeks</u></p>
Burlington	Does not appear they do.	No	Yes	Yes	<p><u>Application Process:</u></p> <ol style="list-style-type: none"> 1. Contact Capital Works Department for driveway widening application requirements; majority of info provided over the phone 2. Submit Road Occupancy Permit Application <p><u>Required drawings/ materials:</u></p> <ul style="list-style-type: none"> - Electronic copy with lot and driveway measurements (drawing template provided by Capital Works upon request) <p>Note: Burlington used to require a legal survey but they found it was too difficult for homeowners to obtain</p> <p><u>Associated Fees:</u> Road Occupancy Permit: \$93.39</p> <p><u>Approx. Time to Issue Permit: 1-2 days</u></p>
Oakville	Yes	Yes	No. As long as there is no change to entrance, curbs, headwalls, or number of driveways a permit is not required to repave.	Yes, curb cut only. Permit only required for curb-cuts within municipal ROW; permit not required to widen driveway on private property.	<p><u>Application Process:</u></p> <ol style="list-style-type: none"> 1. Submit Driveway Permit Application 2. Submit Engineering Permit Application <p><u>Required drawings/ materials:</u></p> <ul style="list-style-type: none"> ✓ Two copies of detailed scalable plan showing the driveway location(s) existing and/or proposed ✓ Seek approval for curb cutting, curb removal and replacement or culvert installation at the time of permit application ✓ An arborist report

					<p>✓ Specific requirements for Engineering Permit (additional drawings, reports, etc.) are listed on application form</p> <p>Associated Fees: Engineering Permit Application (includes temporary street occupation permit): \$210</p> <p><u>Approx. Time to Issue Permit:</u> Up to 10 business days</p>
Mississauga	Yes	Could not locate any.	No.	Yes, curb cut only.	<p><u>Application Process:</u></p> <ol style="list-style-type: none"> 1. Submit application for Access Modification Permit to Transportation and Works Dept. <p><u>Required drawings/ materials:</u></p> <ul style="list-style-type: none"> ✓ Existing and proposed measurements provided on the Curb Cut Details diagram (in metric) ✓ Owner's authorization allowing agent to act on their behalf (is applicable) <p>Associated Fees: Access Modification Permit Application Fee (driveway widening involving curb cuts and/or curb improvements): \$118 per application</p> <p>Curb Cuts (not incl. work on boulevard): \$63.00 per metre (minimum charge \$115)</p> <p><u>Approx. Time to Issue Permit :</u> Minimum 10 business days</p>
Collingwood	Does not appear they do.	No.	Yes, an Entrance Permit is required to pave an existing entrance.	Yes.	<p><u>Application Process:</u></p> <ol style="list-style-type: none"> 1. Submit Application for Work on Municipal Roads 2. Submit Road Occupancy Permit 3. Potential meeting with Associate Road Supervisor to ensure compliance <p><u>Required drawings/ materials:</u> None required</p> <p>Associated Fees: Application Fee: \$125 Curb Cut: Cost calculated by time and material required to complete cut Road Occupancy Permit: \$130</p> <p><u>Approx. Time to Issue Permit:</u> Up to 6 business days</p>

**THE CORPORATION OF THE CITY OF BRAMPTON**

BY-LAW _____

A By-law to Regulate the Resurfacing, Construction, Expansion and Alteration of Residential Driveways

WHEREAS The Corporation of the City of Brampton considers it desirable to regulate the resurfacing, construction, alteration and expansion of Driveways;

AND WHEREAS subsection 8(1) of the *Municipal Act, 2001*, S.O. 2001, c.25 (hereinafter the "*Municipal Act, 2001*") provides that a municipality's powers are to be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS subsection 11(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 11(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: Economic, social and environmental well-being of the municipality; Health, safety and well-being of persons; Protection of persons and property, including consumer protection;

AND WHEREAS section 23.1 of the *Municipal Act, 2001* provides that a municipality may delegate its powers and duties under that Act;

AND WHEREAS for the purposes of subsection 23.2(4) of the *Municipal Act, 2001* it is the opinion of Council that the powers delegated pursuant to this By-law are of a minor nature;

AND WHEREAS section 425 of the *Municipal Act, 2001* provides that any person who contravenes any by-law of the municipality is guilty of an offence;

AND WHEREAS section 444 of the *Municipal Act, 2001* provides that a municipality may make an order requiring a person who contravened a by-law or who caused or permitted the contravention or the Owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

AND WHEREAS subsection 446(1) of the *Municipal Act, 2001* provides that a municipality may proceed to do things at a person's expense, which that person is otherwise required to do under a by-law or otherwise has failed to do; and

AND WHEREAS subsection 446(3) of the *Municipal Act, 2001* provides that the costs incurred by a municipality in doing a thing or matter under section 446(1) may be recovered by adding the costs to the tax roll and collecting it in the same manner as taxes;

NOW THEREFORE the Council for The Corporation of the City of Brampton ENACTS as follows:

SHORT TITLE

1.1 This by-law shall be known as the "Driveway Permit By-Law".

2.0 ADMINISTRATION

2.1 This by-law shall be administered by the Commissioner of Public Works and Engineering or their designate.

2.2 The Commissioner may prescribe forms for purposes of this by-law, including amending the forms from time to time.

3.0 DEFINITIONS

3.1 In this by-law,

"Agent" means a Person authorized in writing by the Owner to act on their behalf to obtain a Driveway Permit, and includes a Driveway Paving Contractor;

"City" means The Corporation of the City of Brampton;

"Commissioner" means the Commissioner of Public Works and Engineering of The Corporation of the City of Brampton or their designate;

"Council" means the Council of The Corporation of the City of Brampton;

“Driveway” means an area of hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone), including a surfaced walkway and any hard and level surface that is capable of being parked or driven upon by part or the whole of a vehicle;

“Driveway Paving Contractor” means a Person licensed under the Business Licensing By-law 332-2013, as amended;

“Driveway Permit” means a permit issued by the Commissioner pursuant to the provisions of this by-law;

“Officer” means a Municipal Law Enforcement Officer or other person appointed by Council to enforce the City’s by-laws;

“Owner” includes

- (a) a Person who is the registered Owner of premises;
- (b) a Person who is in physical possession of premises;
- (c) a Person who has responsibility for and control over the condition of premises or the activities there carried on, or control over the persons allowed to enter the premises; and
- (d) a Person occupying premises.

“Person” means an individual, firm, corporation, partnership, association or organization, including a charitable organization;

“Premises” means real property owned by Persons, other than property owned by The Corporation of the City of Brampton, used, or intended to be used for residential purposes and includes real property owned by individuals, local boards, corporations and public authorities; and

“Sight Distance” means the length of roadway ahead visible to the driver for safe and efficient operation of a vehicle.

4.0 APPLICATION

4.1 An Owner or Agent may apply for a Driveway Permit.

4.2 Every application for a Driveway Permit shall include:

- (a) a complete application in the form specified by the Commissioner;

- (b) two (2) copies of a drawing, or other plans as requested by the Commissioner, showing the dimensions and layout of the work to be done;
- (c) complete details of the work to be done, including any additional information that may be requested by the Commissioner;
- (d) a copy of a any permits required by the City;
- (e) written approval from the appropriate authority where a Driveway is to be located within the minimum distance to a utility as described in Section 5.1(4) below;
- (f) written approval from the Commissioner where a Driveway is to be located within 0.9 metres of a tree located on City property;
- (g) written approval from the appropriate authority where poles, hydrants, manholes, signs and any other road works require relocation to facilitate a Driveway;
- (g) the Driveway Permit Fee as set out in the City's User Fee By-law 380-2003, as amended; and
- (h) such other information that may be required by the Commissioner.

4.3 The Driveway Permit Fee shall be refundable.

5.0 PERMIT REQUIREMENTS

5.1 Every Person that resurfaces, constructs, expands or alters a Driveway shall:

- (1) comply with the requirements of the City's Zoning By-law 270-2004, as amended, unless a valid permission, supporting decision or approval required by law is obtained and provided to the Commissioner with the application;
- (2) comply with the City's Fill By-law 143-95, as amended;
- (3) comply with the City's Traffic By-law 93-93, as amended;
- (4) ensure that the minimum distance of a Driveway edge to the face of a utility shall not be less than:

Any vertical pole installed with roadway lighting,
traffic signals or
carrying electrical/telecommunications cables

0.9 metre

Fire Hydrant	0.9 metre
Communications Pedestals or boxes	0.9 metre
Hydro Transformer	0.9 metre

- (5) ensure that no Driveway obstructs or interferes with City approved on-street parking spaces;
- (6) comply with any requirements imposed by the Commissioner that in his or her opinion are reasonably necessary for the protection of the public safety and right to travel along the street, including, but not limited to:
 - (a) installation of bioswales or culverts along streets with ditches;
 - (b) provision of flag persons, uniformed police officers and/or traffic warning devices;
 - (c) supervision of the work site;
 - (d) provision of barricades, platforms or other structures necessary for the protection of the public; and
 - (e) any other condition that, in the Commissioner's opinion, is reasonably necessary for the protection of the public safety and right to travel along the street;
- (7) notify the Commissioner in writing when they have completed the work;
- (8) complete all maintenance work deemed necessary by the Commissioner within 72 hours of notice to undertake such repairs. In the case of emergency repairs deemed necessary by the Commissioner, the necessary works shall be completed immediately;
- (9) finish all Driveways with asphalt, paving stones, impressed concrete or such other hard durable surface as approved by the Commissioner;
- (10) construct and maintain Driveways to prevent surface drainage, dirt, dust, and debris from the Driveway entering the street from the Owner's property in an amount that, in the opinion of the Commissioner, constitutes a hazard or nuisance;

- (11) concurrent with resurfacing, constructing or altering a Driveway, the Owner shall remove any existing Driveway that, in the opinion of the Commissioner, is redundant as a result of constructing or widening a Driveway, and shall restore that portion of the street previously occupied by the redundant Driveway to the satisfaction of the Commissioner;
- (12) restore the boulevard, sidewalk and road, at their expense, to a standard equal to or better than that of the existing boulevard, sidewalk and road, and to the satisfaction of the Commissioner; and
- (13) contract with a Driveway Paving Contractor licensed with the City, if the Driveway works are being performed for a fee by a Person other than the Owner.

6.0 PERMITS

- 6.1 The Commissioner shall issue a Driveway Permit where the application submitted complies with the permit requirements in this by-law and all applicable regulations and by-laws or approvals. Without limiting the generality of the foregoing, the Commissioner shall not issue a Driveway Permit unless the proposed work complies with the City's Zoning By-law 270-2004 and any other applicable regulations, by-laws or approvals.
- 6.2 The Commissioner may approve the issuance of a Driveway Permit where there is substandard Sight Distance in situations where there is no other means of access to the property, and in such cases the Commissioner may issue a permit subject to such special conditions as the Commissioner considers appropriate.
- 6.3 The Driveway Permit shall be valid only during the dates and times indicated on the permit.
- 6.4 Upon the expiry of the Driveway Permit, the Commissioner may inspect the Driveway for compliance.
- 6.5 A Driveway Permit may be renewed by the Commissioner for a further period at the discretion of the Commissioner upon submission of a written request for renewal to the Commissioner.

7.0 REFUSAL OR REVOCATION OF PERMIT

- 7.1 The Commissioner may revoke, refuse or refuse to renew a Driveway Permit where:
 - (a) the work being performed does not comply with the approved application or any conditions imposed by the Commissioner;

- (b) the work being performed does not meet the standards and specifications of the Commissioner, including if required by the Commissioner and at no cost to the City, the installation of bioswales or culverts along streets with ditches;
- (c) the work is conducted at a date or time other than authorized;
- (d) the work, in the opinion of the Commissioner, constitutes a danger;
- (e) the Driveway Permit was issued on mistaken or false information;
- (f) after six months after its issuance, the work has not been seriously commenced.

7.2 Prior to revoking a permit in accordance with this by-law, the Commissioner may give written notice of intention to revoke the permit to the owner at their last known address and if, on the expiration of thirty (30) days from the date of such notice, the grounds for revocation continue to exist, the permit shall be revoked without further notice.

8.0 PROHIBITIONS

- 8.1 No person shall install, construct, pave, resurface, expand or alter a Driveway without obtaining a Driveway Permit from the Commissioner prior to doing the work.
- 8.2 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway without obtaining a Driveway Permit from the Commissioner prior to doing the work.
- 8.3 No person shall install, construct, pave, resurface, expand or alter a Driveway that impedes a roadway's Sight Distance, horizontal or vertical alignment or other considerations, unless authorized by the Commissioner.
- 8.4 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway that impedes a roadway's Sight Distance, horizontal or vertical alignment or other considerations, unless authorized by the Commissioner.
- 8.5 No person shall install, construct, pave, resurface, expand or alter a Driveway except in accordance with the provisions of this by-law.
- 8.6 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway except in accordance with the provisions of this by-law.

9.0 SECURITIES

- 9.1 Prior to the issuance of a Driveway Permit, the Commissioner may require the Owner to pay any security and/or deposits in an amount calculated by the Commissioner based upon the Commissioner's estimate of the cost which will be incurred to reinstate the Driveway or highway and for other services provided by the City.
- 9.2 The Commissioner shall not require securities from any person where, in the opinion of the Commissioner, payment of sufficient securities for this purpose has already been made as a condition of approval in a development or site plan agreement with the City.
- 9.3 If the Driveway and any associated work is not completed to the satisfaction of the Commissioner, or should the Owner or Agent fail to complete work ordered pursuant to this by-law, the Commissioner shall use the securities to cover the cost of the works done.
- 9.4 Upon satisfactory completion of the work and following a warranty period of twenty-four months (two years) or a term set by the Commissioner, the amount of the security and/or deposit which exceeds the cost incurred by the City will be returned to the applicant.
- 9.5 Where the costs exceed the amount of security and/or deposit provided to the City, the City shall invoice the applicant, who shall pay the amount invoiced within 30 days of receipt of the invoice from the City.
- 9.6 Where a person does not reimburse the City within 30 days of receiving an invoice from the City requesting payment of the outstanding amount, the City may recover the costs owing by action, or by adding the costs owing to the tax roll and collecting them in the same manner as municipal taxes.
- 9.7 Where the Agent deposits security, the Agent is responsible to advise their client of the requirements herein that may affect that security.

10.0 ENFORCEMENT & INSPECTION

- 10.1 The provisions of this by-law may be enforced by an Officer.
- 10.2 An Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether any provision of this by-law is being complied with.

- 10.3 For the purposes of conducting an inspection pursuant to this by-law, an Officer may:
- (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information from any person concerning a matter related to the inspection; and
 - (d) alone, or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 10.4 No Person shall prevent, hinder or obstruct, or attempt to hinder or obstruct, an Officer who is exercising a power or performing a duty under this by-law, including refusing to identify themselves when requested to do so by an Officer.

11.0 ORDERS TO COMPLY

- 11.1 Where an Officer believes that a contravention of this by-law has occurred, the Officer may issue:
- (a) an order to discontinue the contravening activity;
 - (b) an order to do work to correct the contravention; or
 - (c) an order to discontinue the contravening activity and to do work to correct the contravention.
- 11.2 An order under this Part shall identify:
- (a) the name of the Person who is believed to have contravened this by-law;
 - (b) the municipal address or location where the contravention occurred;
 - (c) the reasonable particulars of the contravention;
 - (d) the date and time by which there must be compliance with the order, and,
 - (e) if applicable, the work to be done and the date by which the work must be done.
- 11.3 An order under this section shall be given in writing.

- 11.4 An order may be served personally or served by registered mail to the last known address of the Person and such other persons affected by it as determined by the Officer and a copy of the order may be posted on any property to which the contravention or Driveway Permit applies.
- 11.5 If an order is served by registered mail, the service shall be deemed to have been made five (5) days after the mailing.
- 11.6 Where service cannot be carried out in accordance with section 11.4, the Officer may place a placard containing the terms of the order in a conspicuous place on the property to which the contravention or Driveway Permit applies, and the placing of the placard shall be deemed to be sufficient service of the order on the Person or persons to whom the order is directed.
- 11.7 If the Person fails to do the work required by the order within the period specified in the order, the City, in addition to all other remedies it may have, may do the work at the Person's expense.
- 11.8 The City's cost of doing work pursuant to section 11.7 may be added to the tax roll and collected in the same manner as property taxes.
- 11.9 The City may register a notice of lien upon the land in the proper land registry office in the amount of all costs incurred by the City.
- 11.10 Every Person shall comply with an order issued pursuant to this by-law.

12.0 CONTRAVENTIONS AND PENALTIES

- 12.1 Every Person who contravenes any provision of this by-law is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.2 Every Person who fails to comply with an order made under this by-law, is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.3 Every Person who obstructs or attempts to obstruct any City employee in carrying out his or her duties under this by-law is guilty of an offence and on conviction is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.4 A director or officer of a corporation who knowingly concurs in the contravention of this by-law by the corporation is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.5 In addition to sections 12.1, 12.2, 13.3 and 12.4, any Person who is convicted of an offence under this by-law is liable to the following fines:

- (a) the maximum fine for an offence is \$100,000.00;
 - (b) in the case of a continuing offence, for each day or part of a day that the offence continues, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00 and the total of all daily fines for the offence is not limited to \$100,000.00; and
 - (c) in the case of a multiple offence, for each offence included in the multiple offence, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00 and the total of all fines for each included offence is not limited to \$100,000.00.
- 12.6 If a Person is convicted of an offence under this by-law, in addition to any other remedy or any penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction, may make an order:
- (a) prohibiting the continuation or repetition of the offence by the Person convicted; and
 - (b) requiring the Person convicted to correct the contravention in the manner and within the period that the court considers appropriate.
- 12.7 Where a Person fails to pay any part of a fine for a contravention of this by-law and the fine is due and payable under section 66 of the *Provincial Offences Act*, including any extension of time to pay the fine provided under that section, the City Treasurer, or the Treasurer's designate may give the Person a written notice specifying the amount of the fine payable and the final date on which it is payable, which date shall not be less than twenty-one (21) days after the date of the notice.
- 12.8 If any part of a fine for a contravention of this by-law remains unpaid after the final date specified in the notice given under section 12.7, the outstanding fine is deemed to be unpaid taxes for the purposes of section 351 of the *Municipal Act, 2001*.

13.0 INTERPRETATION, COMPLIANCE AND SEVERABILITY

- 13.1 In this by-law, words used in the present tense include the future; words used in the masculine gender include the feminine; and the singular includes the plural and the plural the singular.
- 13.2 Wherever a word is used in this by-law with its first letter capitalized, the term is being used as it is defined in this by-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
- 13.3 The headings and subheadings used in this by-law shall not form a part of the by-law, but shall be deemed to be inserted for convenience of reference only.
- 13.4 This by-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the City or by any governmental authority having jurisdiction to make such restrictions or regulations.
- 13.5 If there is a conflict between a provision of this by-law and a provision of any other City by-law, the provision that establishes the higher standard to protect the health and safety of the public and to maintain clean and tidy conditions on the highway shall apply.
- 13.6 If a court of competent jurisdiction declares any provision or part of a provision of this by-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this by-law that the remainder of this by-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

14.0 FORCE AND EFFECT

- 14.1 This By-law shall come into force and effect on June 1, 2019.

ENACTED AND PASSED this day of , 2019.

Approved as to
form.

Patrick Brown, Mayor

Approved as to
content.

Peter Fay, City Clerk

DRAFT

I want to widen my driveway. How does this affect me?

-You or your contractor will have to obtain a permit for the widening. This will include any widening in the right-of-way. You will be required to fill out a form, provide a plan of the widening, and pay the applicable fees.
-The City's website will provide guidance as to what constitutes the driveway, how much you can widen the driveway, what information to provide on the drawing and contact points to discuss any questions with City staff.
-You will need to plan in advance as obtaining the permit will take a period of time.
-Your contractor will need to be licensed to do work in the City of Brampton. You can obtain information regarding licensed contractors from the City's website.
-Once the work is underway, you will have to post the permit in the window/door of your home, visible from the outside.
-If you fail to obtain a permit you may be charged. If your contractor is not licensed they may have their license revoked.
-If you undertake work that is not in accordance with the permit, you or your contractor may be charged. The contractor may have their license revoked. If the work does not conform to the by-law, further charges may ensue.

My neighbour is widening their driveway?

-You can ask them if they have obtained a permit.
-You can ask their contractor if they are licensed or have obtained a permit.
-You have the ability to submit a complaint to the City if you feel work is not being done in compliance with City regulations, in violation of a permit, or without a permit. City Enforcement staff will respond to such a complaint.

My neighbour widened their driveway last year?

-If you have some form of concern you can submit a complaint to the City, if you feel there is an issue with what was done, or it is impacting your property in some form. City Enforcement staff will respond to such a complaint.
-Part of staff's review would be to determine if the widening conforms to the City's by-laws and/or a curb cut permit was obtained (where such occurred). If it is not in compliance, staff will work with the homeowner to bring the driveway into compliance. The homeowner may get charged if they fail to rectify the situation.

Date: 2019-04-18

Subject: **Supplementary Recommendation Report**
Residential Driveway Widenings Review and Recommendations
City File: G.DX.

Contact: Bernie Steiger, Manager, Development Services, 905-874-2097,
 bernie.steiger@brampton.ca

Recommendations:

1. **THAT** the report from Bernie Steiger, Manager, Planning and Development Services Department, dated April 18, 2019, to the Planning and Development Committee of May 13, 2019, re: **Supplementary Recommendation Report – Residential Driveway Widenings Review and Recommendations, File: G.DX.**, be received;
2. **THAT** staff be directed to prepare amendments to the Licensing By-law, including revising the requirements upon which the City may revoke or refuse to renew a license and adding compliance with the Zoning By-law as a requirement of the licensee, to be generally in accordance with the amendments found in Appendix 2 to this Report;
3. **THAT** staff be directed to prepare a Driveway Permit By-law, requiring residential homeowners to obtain a permit for any driveway installation, construction, resurfacing, expansion and alteration, to be generally in accordance with the draft by-law attached as Appendix 3 to this Report;
4. **THAT** staff be directed to prepare an amendment to the User Fee By-law to charge a fee for an application and permit under the Driveway Permit By-law equivalent to the current fee charged for permits for alterations to curbs and driveway works in the right of way;
5. **THAT** City staff undertake a comprehensive education and awareness campaign to heighten public knowledge and understanding of homeowners and contractors, regarding the rules and regulations that apply to driveways, driveway widenings and the installation of paved walkways in the front yard;

7.3- 2

6. **THAT** the standard notice clause related to widening of driveways imposed as a condition of draft approval for new residential subdivisions be revised to make reference to the requirement to obtain a driveway permit; and,
7. **THAT** the City Clerk provide a public list on the City's website of all Persons that apply for and receive a license under the Business Licensing By-law 332-2013, including all licenses for Driveway Paving Contractors.

Overview:

- **A recommendation report was presented to the Planning and Development Committee meeting of April 8, 2019.**
- **The Committee deferred the recommendation report to the May 13th 2019 Committee meeting to accommodate anticipated comments/questions from Councillors, which staff would respond to within a revised report.**
- **One comment/question was received from a Councillor at the meeting, and no others were received subsequent to the meeting.**
- **This report provides a response to the one Councillor question, and brings forward the same set of recommendations as was initially presented at the April 8, 2019 meeting.**
- **The recommended actions are:**
 - **As part of the Comprehensive Zoning By-law review currently underway, provide clarity to improve understanding of the requirements and restrictions of driveway widths. The review should also assess what changes could be made to ensure that a portion of the lot retains permeable landscaping, in particular the areas facing a street.**
 - **Amend the Licensing By-law to expand the requirements and regulations applicable to Driveway Paving Contractors, including the requirement that all work performed by such contractors must comply with the Zoning By-law.**
 - **Provide a public listing of licensed Driveway Paving Contractors, who are required to comply with the City's By-laws as a condition of maintaining such license.**
 - **Introduce a Driveway Permit By-law and process, requiring all homeowners (or contractors on their behalf) who are undertaking a widening or resurfacing of a driveway to obtain a permit from the City. It is proposed this by-law come into effect on July 2, 2019. If approved, residents will be able to begin making applications**

starting June 17, 2019.

- **Engage in a broad-based education/awareness campaign with respect to driveways.**
- **Update the standard notice clause in subdivision agreements and Homebuyers' Information Maps for new subdivisions to reflect the new requirements related to driveways.**
- **A copy of the previous report is attached as Appendix 1.**

Background:

In response to Council direction received in 2018, Staff presented a report to the April 8, 2019 Planning and Development Committee meeting with respect to matters related to the regulation of driveways and the potential for a permitting process.

The report was deferred to the May 13, 2019 Planning and Development Committee meeting, to allow Councillors time to further review the report and provide staff with any comments or questions.

At the April 2019 meeting, a Councillor requested staff look into the possibility for the proposed driveway permit regulations to incorporate an exemption for driveways where permeable paving is proposed.

No other questions or comments were received subsequent to the meeting.

This report provides a response to the question received and presents the previous recommendations to Council for its consideration.

Current Situation:

Exemption from Proposed Permit Process-Driveways using Permeable Paving

Staff recommends against exempting permeable paving from the permitting process. One of the reasons for requiring permits is to ensure that driveways are constructed in accordance with the Zoning By-law. Although permeable pavers can provide a superior infiltration rate, compliance would still be required with the Zoning By-law. In this regard a driveway constructed of permeable pavers that does not comply with the Zoning By-law, could be just as problematic as any other driveway in terms of allowing for excessive vehicle parking. The permitting process is intended to provide staff the opportunity to ensure compliance of the design prior to the investment in the construction.

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In addition, not exempting permeable paving will aid staff with associated administration, review and enforcement, by allowing the permit requirements to be applied consistently for all driveway work.

An exemption would complicate staff's review in terms of requiring staff to try and establish whether a driveway is indeed being constructed with the necessary specifications to be permeable (which would require staff to inspect regardless). It would also complicate enforcement in terms of trying to establish if a driveway is made of permeable pavers (and installed according to the correct specifications) as well as result in a different enforcement process for such driveways in comparison to driveways that require permits.

The use of "incentives" for the use of permeable pavers could be assessed as part of Public Works and Engineering's review of the potential stormwater charge.

Corporate Implications:

Financial Implications:

As noted in the report to the April 8, 2019 Planning and Development Committee meeting, the introduction of a Driveway permitting system will likely have administrative and financial impacts. This includes potential increased staffing requirements for the Public Works and Engineering Department that will take in, circulate and review the applications, as well as for other departments that would also be involved in the review of such applications.

Current staffing levels should be sufficient to process a reasonable uptake in applications and the associated service requests and investigations, while still meeting customer service levels. While it is anticipated that the permitting process can initially be administered with current staff levels, uptake will likely increase as general awareness of the requirement grows across the City.

Should the increase exceed anticipated capacity or impact the overall level of service to the customer, a review of the personnel resources would be needed and brought forward in the 2020 operating budget submission, pending Council approval.

Other Implications:

2019-2012 Term of Council Priorities:

This report and proposed recommendations aligns with the "Brampton is a well-run City" theme. The proposed actions will aid in providing awareness of driveway regulations to

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residents and contractors, support enforcement and make residents and contractors accountable in terms of complying with City regulations.

As noted in the report to the April 8, 2019 Planning and Development Committee meeting (attached as Appendix 1), it would assist in ensuring that driveways remain balanced as part of a residential lot and streetscape and that the City's neighbourhoods remain attractive places to live.

Living the Mosaic – 2040 Vision:

This report has been prepared in full consideration of the overall vision that the people of Brampton will “Live the Mosaic”.

Conclusion:

As detailed in the April 8, 2019 Planning and Development Committee report (attached as Appendix 1), a set of recommendations for Council's consideration is provided to strengthen public awareness, enforcement, and compliance as it relates to the driveway regulations.

Approved by:

Approved by:

Allan Parsons, MCIP, RPP
Director, Development
Services
Planning and Development
Services

Rick Conard,
A/Commissioner,
Planning and Development
Services

Attachments:

Appendix 1: Staff Report to April 8, 2019, Planning and Development Committee Meeting

Appendix 2: Draft Amending By-law to Licensing By-law

Appendix 3: Draft Driveway Permit By-law

Date: 2019-03-15

File: G.DX.

Subject: **Recommendation Report**
Residential Driveway Widenings Review and Recommendations

Contact: Bernie Steiger, Manager, Development Services, 905-874-2097,
 bernie.steiger@brampton.ca

Recommendations:

1. **THAT** the report from Bernie Steiger, Manager, Planning and Development Services Department, dated March 15, 2019, to the Planning and Development Committee of April 8, 2019, re: **Recommendation Report – Residential Driveway Widenings Review and Recommendations, File: G.DX.**, be received;
2. **THAT** staff be directed to prepare amendments to the Licensing By-law, including revising the requirements upon which the City may revoke or refuse to renew a license and adding compliance with the Zoning By-law as a requirement of the licensee, to be generally in accordance with the amendments found in Appendix 9 to this Report;
3. **THAT** staff be directed to prepare a Driveway Permit By-law, requiring residential homeowners to obtain a permit for any driveway installation, construction, resurfacing, expansion and alteration, to be generally in accordance with the draft by-law attached as Appendix 11 to this Report;
4. **THAT** staff be directed to prepare an amendment to the User Fee By-law to charge a fee for an application and permit under the Driveway Permit By-law equivalent to the current fee charged for permits for alterations to curbs and driveway works in the right of way;
5. **THAT** City staff undertake a comprehensive education and awareness campaign to heighten public knowledge and understanding of homeowners and contractors, regarding the rules and regulations that apply to driveways, driveway widenings and the installation of paved walkways in the front yard;

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6. **THAT** the standard notice clause related to widening of driveways imposed as a condition of draft approval for new residential subdivisions be revised to make reference to the requirement to obtain a driveway permit; and,
7. **THAT** the City Clerk provide a public list on the City's website of all Persons that apply for and receive a license under the Business Licensing By-law 332-2013, including all licenses for Driveway Paving Contractors.

Overview:

- In July of 2018 Council directed staff to review matters related to driveway widenings and front yard paving, including the rules related to “grandfathering” and the potential for requiring permits for driveway widenings and to raise awareness of by-law requirements to ensure work meets City regulations.
- In September of 2018 a verbal update was provided to Council which set out a workplan and identified a number of options that would be looked at as part of staff's work. This report provides a discussion on these matters and a summary of the recommended actions.
- The recommended actions are:
 - As part of the Comprehensive Zoning By-law review currently underway, provide clarity to improve understanding of the requirements and restrictions of driveway widths. The review should also assess what changes could be made to ensure that a portion of the lot retains permeable landscaping, in particular the areas facing a street.
 - Amend the Licensing By-law to expand the requirements and regulations applicable to Driveway Paving Contractors, including the requirement that all work performed by such contractors must comply with the Zoning By-law.
 - Provide a public listing of licensed Driveway Paving Contractors, who are required to comply with the City's By-laws as a condition of maintaining such license.
 - Introduce a Driveway Permit By-law and process, requiring all homeowners (or contractors on their behalf) who are undertaking a widening or resurfacing of a driveway to obtain a permit from the City. It is proposed this by-law come into effect on June 1, 2019. If approved, residents will be able to begin making applications starting May 15, 2019.

- **Engage in a broad-based education/awareness campaign with respect to driveways.**
- **Update the standard notice clause in subdivision agreements and Homebuyers' Information Maps for new subdivisions to reflect the new requirements related to driveways.**
- **Enforcement staff will resume enforcement activity to encourage compliance with the Zoning By-law, including those enforcement requests held in abeyance since September 2018.**

Background:

Council Direction

At the July 11, 2018 Council meeting, subsequent to a delegation by a resident related to an enforcement matter to their driveway, Council directed staff to undertake a review of the regulations related to driveways and consider the potential for a permitting process. This resolution (C194/18 (-see also Appendix 1)) reads in part:

“...Therefore be it resolved, that staff be directed to continue its work on a vexatious complaints policy and present to council at a future meeting for consideration. That staff bring a report and recommendations on how to best mitigate historical property modifications (i.e. conditions and rules for grandfathering), and investigate the potential for development of a permit process for minor property modifications (e.g. driveway widening) to ensure residents and contractors are aware of the by-law requirements and to ensure that any work completed adheres to all applicable requirements and restrictions inclusive of any financial and staffing resource implications.”

Previous Staff Update

At the September 12, 2018, Council meeting staff presented a verbal update with regard to driveway widenings along with a general workplan that outlined the matters that would be reviewed. This included:

1. Confirm minimum/maximum thresholds and other requirements of the Zoning By-law;
2. Assess options for a surcharge for driveway widenings or a charge through the Committee of Adjustment;
3. Feasibility of charging contractors for contravening the Zoning By-law vs. homeowners;

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4. Consider the impact of “legal non-conforming” status as it relates to any changes to the zoning regulations. Generally assess how “grandfathering” should or would apply;
5. Ongoing work with “Vexatious Complaints” policy;
6. Implement an education/awareness campaign; and,
7. Feasibility of implementing a permit process.

Multi-disciplinary Team Reviewing this Matter

A team consisting of staff from Public Works and Engineering, Legal Services, Zoning Services, Development Services, By-law Enforcement, Property Standards and Strategic Communications has considered the matters identified in the September 2018 presentation to Council and established the recommended course of action.

Current Situation:

This report provides information and recommendations in relation to the items noted in the September 2018 presentation to Council. The report is mainly structured as per the categories that were referenced from Staff's September 12th 2018 update, as noted above. To more fully accommodate the range of issues addressed, the categories have been broadened into the following:

1. Zoning By-law Requirements
2. Assess Options for Surcharge for Driveway Widenings/Charge through Committee of Adjustment
3. Feasibility of Charging Contractors (Licensees) vs. Homeowners
4. “Legal Non-Conforming” Status for Changes to Zoning By-law/Application of “Grandfathering”
5. Policy for Prioritization of Complaints (“Vexatious” Complaints)
6. Education/Awareness
7. Feasibility of Implementing a Driveway Permit Process

Each of these sections includes discussions on the issues and a summary of the recommended actions.

1. Zoning By-law Requirements

The September 2018 presentation identified that staff would confirm the minimum/maximum thresholds, requirements and guidelines for the Zoning By-law.

How the Zoning By-law Defines a Driveway

Definitions for both “residential driveway” and “residential landscaping” are included in the Zoning By-law to provide a clear understanding and interpretation of what surfaces constitute a driveway. These definitions do not apply to certain other zones such as

those for the Estate Residential lots and lands zoned “Agricultural”, where driveway width is regulated as a factor of minimum requirements for front yard landscaping.

The “Residential Driveway”

The By-law provides a definition for a residential driveway (see Appendix 4). Under this definition, any hard-surfaced area abutting the driveway (i.e. walkway) is considered to be part of the driveway if a vehicle can park on it (i.e. it is generally at the same level and there is no physical barrier preventing a vehicle from parking in that area). The width of the walkway is measured as part of the combined overall driveway width when applying the provisions of the Zoning By-law. Appendix 3 shows numerous instances that depict what would generally be considered a concrete “walkway” beside the “driveway”, but no physical barriers are in place to prevent vehicles from parking on that surface. In many instances resident can and do park on that that extended surface. In terms of assessing the suitability of a barrier, staff requires as a minimum that such a barrier be at least two feet in height and is permanently affixed to the ground.

What constitutes “Residential Landscaping”

The remainder of the yard that is not permitted to be used as the driveway is required to be what is defined in the By-law as “Residential Landscaping”. This definition is also provided in Appendix 4. The by-law does not prescribe an amount of “soft” (i.e. vegetation) in a yard. As such, a front yard could be primarily hard-surfaced (e.g. patio, walkway, steps, retaining wall) so long as the definition is met and it is divided from the area defined as “residential driveway” and provided that the required 0.6 metre of permeable landscaping is provided along the side lot line.

The by-law sets out that driving and parking of motor vehicles on the required “residential landscaping” is not permitted.

How the Zoning By-law Regulates a Driveway

The Zoning By-law regulates driveways through two measures. The general background to the development of these regulations is found in Appendix 2. The first measure regulates the maximum permitted width of the driveway (including any walkways that run parallel to the driveway and are capable of being parked upon) based on the width of the lot. The lot width ranges and corresponding permitted driveway widths are as follows:

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Lot Width	Driveway Width	Parking Accommodated	% of Lot width for Driveway
<8.23m (27ft)	4.9m (16 ft)	1 car and a walkway, 2 cars may fit side-by-side	59%
>8.23m (27ft) <9.14m (29.9ft)	5.2m (17 ft)	2 cars could fit side-by-side	63%-57%
>9.14m (29.9ft) <15.24m (50 ft)	6.71m (22 ft)	2 cars side-by-side and a walkway	73%-44%
>15.24m (50ft) <18.3m (60 ft)	7.32m (24 ft)	2-cars, side-by-side, potentially 3 and a generous walkway	48%-40%
>18.3m (60ft)	9.14m (30 ft)	3 cars side-by-side and a walkway	50% or less

The second measure requires a 0.6 metre permeable landscape strip between the driveway and the side lot line. Therefore, where driveways are paired (i.e. driveways are located along the same lot line), a 1.2 metre (4 foot) landscape area is available as a separator between driveways. The 0.6 metre requirement is intended to help preserve the function of the swales that run along property lines. It is also useful in:

- Helping to preserve the function of the drainage swales that run along property lines;
- Defining a common separation space;
- Allowing for snow storage area in winter and water infiltration during the spring melt; and,
- Preventing issues such as a resident parking right up on the property line and then using their neighbour's property to access their vehicle.

Appendix 3 shows images of properties where both portions of this landscape area have been removed and the large expanse of uninterrupted paved area which results from such a circumstance. It is noted that even if eliminating the permeable requirement were considered, the area would still have to be shaped in a form to support drainage. There likely would still be compliance issues in this regard.

What constitutes "permeable" area is set out in the By-law and the definition can be found in Appendix 4. Further information related to engineering aspects of the 0.6 metre swale and general lot drainage design is found in Appendix 5.

Relationship to Official Plan and City Development Design Guidelines

The Zoning By-law requirements implement the Official Plan policies related to driveway control and maintaining attractive neighbourhoods. This regulatory framework is further

supported by the City's Development Design Guidelines which set out guidelines related to driveway and garage design.

Driveway Related Policies in Official Plan

Through the City's Official Plan, Council has expressed that it is important to build and maintain attractive neighbourhoods and balance the impacts of accommodating parking on a property with achieving attractive streetscapes/communities. Applicable policies and objectives in the Official Plan related to the design of residential neighbourhoods, and specifically driveways, include:

- Section 4.2 Residential promotes well planned, well designed and well-built residential areas that will enhance the sense of place for residents as well as visitors (Section 4.2 vi);
- Policy 4.2.1.14 sets out a number of "key elements of design for residential areas" including garage placement, driveway design and lot widths related to attached garages (Section 4.2.1.14 –(iii));
- Section 4.2.7 (Design) deals with aspects of the design of residential areas including the objective to avoid excessive parking of vehicles in the front yard on driveways and to promote a realistic driveway design that is complementary to the house and lot size (Section 4.2.7, tenth bullet); and,
- Policies in the Urban Design section set out the various aspects that make up the public realm of the City, such as streetscapes, public squares and landmarks, edges and gateways, among others. One of the objectives of this section is to deemphasize the importance of driveways, cars, and garages on the streetscape.

In new development areas much effort goes into the design of the subdivisions to, amongst other things, minimize the visual impact of garages - a key element in maintaining the attractiveness of Brampton's neighbourhoods.

Issues

Violations to the Zoning By-law regulations for driveways appear to be widespread. Further discussion on this is found in Appendix 6. In addition, the City receives numerous applications for minor variance for driveway widenings. Historically, staff has recommended refusal of the majority of these applications. Specific details with regard to the position taken by staff on such minor variance applications, as well as that of the Committee can be found in Appendix 7. Appendix 7 also provides some overview of the staff's considerations in evaluating these variance requests.

It appears that the definition of "Residential Landscaping" is not sufficient in terms of limiting the amount of hard-surfaced area in a yard. This creates concerns, in particular

from a streetscape perspective, where a certain amount of vegetation should be provided in a yard.

There will be a continued tension between a desire by residents to accommodate as many vehicles on a property as possible and the need to maintain the attractiveness of our residential neighbourhoods. These tensions are also likely a result of broader trends/realities such as:

- an increasing number of second units (both registered and illegal) found in the City;
- the general lack of alternate affordable or rental housing to offset the demand for rental units being fulfilled by second units;
- the need by homeowners to rent out a portion of their dwellings to support their mortgages;
- availability and viability of alternate transportation options;
- the low percentage of the City's residents that work within Brampton;
- the extent/reality of multi-generational families living in the same home; and,
- generally denser residential development resulting in smaller lots, combined with a demand for larger houses (or as large a house as possible on a lot).

Recommended Action

A review of the Comprehensive Zoning By-law is underway. This project will result in a new by-law that replaces the one currently in force. As part of this process the driveway regulations are being reviewed. Given that the current definition of "Residential Landscaping" would allow for the entirety of the front yard (or exterior) to be hard-surfaced (except for the required 0.6 metre permeable strip along the side lot lines), the by-law review should assess what changes could be made to ensure that an appropriate amount of permeable landscaping is retained on a lot, in particular the areas facing a street.

As noted in this report, through the Official Plan, Council has expressed that it is important to build and maintain attractive neighbourhoods and balance the impacts of accommodating parking on a property with achieving attractive streetscapes/communities. Any changes to the current regulations will be undertaken in a manner where the nature of the dwellings on such lots and the relationship of the house, yard and garage on a lot is fully understood, to ensure that undesirable situations are not created.

Staff will assess whether adjustments can be made to the regulations to aid enforcement. However, adding a Driveway Permit process may resolve some of these issues (e.g. determining compliance on-site) as the first step in the compliance process would be to ascertain if a driveway permit had been obtained - a simple yes or no answer.

2. Assess Options for Surcharge for Driveway Widening/Charge through Committee of Adjustment

Option for Surcharge for Driveway Widening

The option of applying a charge to a property based on the overall impervious cover on a lot, including the driveway, is being assessed by the Public Works and Engineering Department. Staff is preparing a report to Council with regard to the potential for implementation of a stormwater charge for properties in the City. This report is expected to be brought forward in May/June of 2019.

Charge/Reduction of Fee for Minor Variance Application

A reduced minor variance application fee may actually act as an incentive for widenings. Furthermore, applications for driveway widenings are often bundled with other variance requests, or are added to an application for other variances as a result of the required site inspections by staff, which would complicate fee requirements. Finally, it would in a manner constitute a tacit signal that the City supports such widenings, whereas staff has generally not been supportive of minor variance applications for driveway widenings.

Similarly, some form of additional charge on minor variance applications for driveway widenings would be seen as a signal that there would be some level of support for such a request provided the additional fee is paid.

Either a charge or a fee reduction could be seen as fettering staff's review and that of the Committee of Adjustment itself. A variance request should be dealt with in a similar manner to other variances. There is no particular reason to have a different charge.

There are more suitable mechanisms to address implications of increased impervious cover to City infrastructure. The upcoming report related to the potential for a stormwater management charge will look at one such mechanism.

Recommended Action

A report to Council on the matter of a stormwater charge for impervious cover to properties in Brampton is being addressed by the by the Public Works and Engineering Department and is expected to be brought forward in May/June of 2019.

Applying some form of fee reduction or charge for minor variance applications related to driveway widenings is not recommended.

3. Feasibility of Charging Contractors (Licensees) vs. Homeowners

The City can enforce against a Driveway Contractor under the Licensing By-law and against the Driveway Contractor or the Homeowner under the Traffic By-law (where no curb cut permit is obtained, if needed) or for a Zoning By-law violation.

There is difficulty in enforcing violations solely against contractors unless sufficient evidence that a specific contractor did the work is obtained (e.g. catch them in the act). Therefore, enforcement against homeowners is often the only viable option.

It should be noted that although the current Business Licensing By-law prohibits Driveway Paving Contractors from performing work without a permit, it does not require compliance with Zoning regulations. Additional details regarding the existing Licensing By-law requirements for driveway paving contractors is set out in Appendix 8.

Recommended Action

Enhancements to the Business Licensing By-law, and the introduction of a Driveway Permit process would assist in the ability to charge licensees.

Staff is proposing to amend the Business Licensing By-law to add a requirement that any work performed by Driveway Paving Contractors comply both with any necessary permit and with the City's Zoning By-law. With the recommended introduction of a Driveway Permit By-law, a Driveway Paving Contractor would thus need to ensure a Driveway Permit has been obtained prior to commencing driveway paving work.

These proposed amendments, which are set out, in part, below will also permit enhanced enforcement of these requirements by making it a chargeable offence, and allow the City to revoke a licence if a licensee performs work without a necessary permit or in contravention of the City's Zoning By-law.

The specific key amendments being proposed to the Business Licensing By-law are detailed below:

- Amendments to permit the City to refuse to renew, revoke or suspend a license if:
 - The Applicant or Licensee has failed to comply with any condition or direction of the Licence Issuer or Inspector or has failed to permit any investigation by the Licence Issuer or Inspector;
 - The Applicant or Licensee has failed to comply with the requirements set out in any of the Schedules referenced in subsections 5(1)(a) to and including 5(1)(aa) applicable to the Applicant or Licensee.
- Amendments to Schedule 9 of the Business Licensing By-law to prohibit a Driveway Paving Contractor from:
 - Performing any work that requires a permit unless the permit is displayed in view of the public;
 - Perform any work that is not in compliance with the City's Zoning By-law 270-2004, as amended, or any other of the City's by-laws, unless a valid permission, supporting decision or approval required by law is obtained prior to the commencement of any work.

A draft of the proposed amendment to the Licensing By-law is attached as Appendix 9.

4. “Legal non-conforming” status for changes to Zoning By-law/Application of “Grandfathering”

Several aspects to “grandfathering” were reviewed:

- Potential options related to the legal non-conforming status to driveways from a Zoning By-law perspective;
- How legal non-conforming status would apply to any potential changes to the Zoning By-law;
- How “grandfathering” would apply to the proposed Driveway Permit By-law; and,
- Not proceeding with enforcement activity on enforcement requests held in abeyance since September 2018.

Zoning By-law and Legal Non-conforming Status

Staff considered the application of a legal non-conforming status under the Zoning By-law (in this case it relates to a legal non-conforming driveway). A driveway that at one point complied with and then, due to regulation changes under the Zoning By-law, no longer complies has legal non-conforming status under the By-law itself and Provincial planning legislation. Conversely; one cannot apply a legal non-conforming status to (or “grandfather”) a driveway, regardless of the length it has existed, if it was constructed as, and remains, non-compliant. No further action on this matter is recommended as doing so would contravene legal principles and the *Planning Act*.

In general terms, when revisions to the Zoning By-law are made, it affects the zoning status of existing situations. As such, if changes to the Zoning By-law related to driveways are made, it potentially affects the zoning status of some existing driveways, depending upon the change as follows:

- It could result in a driveway that once did not conform, now conforming to the new regulations. In such a situation, there would be no enforcement issues. If there has been ongoing enforcement activity, such activity may be discontinued.
- If a driveway previously did conform to the Zoning By-law and would no longer conform under any new regulations, it would have legal non-conforming status.

Application of “Grandfathering” under Proposed Driveway Permit By-law

The proposed Driveway Permit By-law would apply to any proposed work requiring a permit subsequent to the date it comes into force.

- Where enforcement or prosecution action has already begun on an existing widened driveway that was widened prior to the by-law, the owner would not be required to obtain a permit.

- Further, where a driveway that was widened before the permit by-law was enacted, but an enforcement action was carried out after the passing of the by-law (or a variance application was sought after), a permit would not be required as part of those matters. In these circumstances, the Order to Comply issued by Enforcement or the approved variance would specify the requirements that would need to be met by the owner.

Enforcement Activity held in Abeyance since September 2018

Since Council's direction to staff was to hold all enforcement requests received, between September 2018 and December 2018 in abeyance of enforcement action. By-law Enforcement had received 151 complaints and has successfully closed 105 of those as they were found not to be in violation. Of those 151 calls, 46 driveway investigations are on hold. An estimated 20 additional investigation requests were received in December 2018.

In order to ensure consistency in its approach to enforcement activity, Enforcement staff will move forward with dealing with the enforcement requests held in abeyance since September 2018. Continuing with the enforcement activity also serves to reinforce the importance and legitimacy of the City's Zoning By-law as a tool in implementing the Official Plan policies related to regulating driveways and ensuring Brampton's neighbourhoods remain attractive places to live.

Recommended Action

Of the matters related to "grandfathering" and legal non-conformity no further action is recommended. As it relates to enforcement action held in abeyance, Enforcement staff intends on proceeding with dealing with the enforcement requests.

5. Policy for Prioritization of Complaints ("Vexatious" complaints)

Responding to complaints for service in a timely manner is a priority of the Enforcement Division. Staff has identified several circumstances that involve complaints made against multiple properties from single complainants, who were the subject of a complaint themselves, and have chosen to survey their street or neighbourhood for other potential violations. These complaints, while possibly valid, often have limited or no impact on the complainant themselves and appear to be made in an effort to frustrate Enforcement staff's resources and service delivery commitments. In response to these bulk requests for enforcement, staff has drafted and are currently reviewing a new proposed Complaint Priority Policy which will be brought forward to Committee of Council by way of an Information Report. The Complaint Priority Policy would prioritize complaints based on various criteria such as safety, effect on surrounding properties,

urgency, etc. therefore affording a more appropriate allocation of resources. The report is anticipated to be presented in April 2019.

Recommended Action

Implementing a policy for the prioritization of complaints will be addressed through a separate report being brought forward to Committee of Council in April 2019.

If a driveway permit process is implemented, as recommended by staff, Enforcement and By-law Services will work with Zoning Services, Public Works and Engineering and other staff to establish an action plan that will address complaints and the responsibilities of each section to respond to complaints of driveway alterations without a permit.

Other actions Enforcement staff will undertake:

- While on patrol for general offences, actively investigate contractors on site and property owners for driveway alterations if no permit has been issued.
- Continue to respond and investigate complaints of driveway alterations without a permit.
- Enforce permit requirements including potential licensing and zoning violations.
- Assist and enforce driveway alterations from a licensing and zoning perspective. Where permits are obtained, staff will be able to confirm alterations were conducted in accordance with the permit and ensure licensing and zoning requirements are met. Further, staff will actively investigate illegal driveway alterations where permits have not been issued and are currently under construction.

6. Education/Awareness

Currently information regarding driveway widths is principally relayed in the following manner:

- For new homebuyers in new subdivisions a notice is included on the Homebuyers' Information Maps indicating that driveways are regulated by the Zoning By-law and residents should first check with the City before proceeding with any widening.
- A warning is also included on title via the subdivision agreement. This provision has been in place for a number of years, therefore many new developments have this clause in their agreements. As the subdivision agreement is registered on title, it "runs with the land" and all future owners are subject to it.
- The City's website also contains information related to driveway widenings in a number of locations under the Roads and Traffic, By-law Enforcement and Building Permits-Zoning pages.

Issues

The clause related to driveway widenings in the subdivision agreement is part of an often lengthy list of warnings and may be overlooked by residents. As such, while staff recommend the practice continue, it is likely not the best method of informing the public with respect to driveway regulations.

Currently information related to driveways is found in several locations on the website. Improvements can be made to the City's website to consolidate information onto one page with links from other locations. The list of licensed paving contractors is currently not public information.

Furthermore, the current approaches (i.e. homebuyers map, clause on property title, website) are either limited and/or passive in nature. A more active and broad-reaching campaign to have residents understand the requirements related to driveways would be beneficial.

Recommended Action

The following actions are proposed:

- Publishing a list of Licensed Driveway Paving contractors;
- Undertake a broader public awareness campaign;
- Updating the standard subdivision notices if a driveway permit process is approved; and,
- If a driveway permit process is approved, staff will investigate the potential of making certain information (E.g. property, date issued, contractor info) related to driveway permits that have been issued available online via the City's Open Data source.

Publication of List of Driveway Paving Contractors

There are currently fifteen Driveway Paving Contractors licensed with the City. Staff is proposing that the name and business contact information of all licensed Driveway Paving Contractors be made available on the City's website, so that residents can easily confirm that the contractor they are considering hiring is licensed with the City. By making information regarding licensed Driveway Paving Contractors easily available to the public it is hoped that additional contractors will seek to become properly licensed by the City and encourage compliance with the City's licensing, zoning and permitting requirements. This will in turn benefit and better protect the interests of the City's residents. Other municipalities, such as the Town of Oakville and the City of Toronto, currently provide their residents with access to this information, either in the form of a list or online look-up system.

Comprehensive Awareness Campaign

Staff will work closely with Strategic Communications to develop and implement a public education strategy that supports the new permit requirements. The strategy will include, but will not be limited to, City website, translated materials, social media, digital

advertising, corporate and councillor newsletters, and information sent to local contractors.

Update to Warnings in Subdivision Agreements

If a Driveway Permit process is approved by Council, staff can also update the standard warnings included in the subdivision agreement and Homebuyers' Information Maps to reflect the new requirement.

Make Driveway Permit Information Available Online

If a Driveway Permit process is approved by Council, staff will investigate the potential of making certain information related to the permits that have been issued available online. This would be dependent on how the applications are entered and tracked within the City's databases and whether that information can be readily made accessible online, among other things.

7. Feasibility of Implementing a Driveway Permit Process

Staff has investigated the potential for implementing a Driveway Permit process. Such a process exists in some other municipalities such as Burlington, Vaughan, Collingwood and Toronto (details of which are found in Appendix 10).

A permit process would provide for a further means to enforce compliance to the City's Official Plan and Zoning By-law requirements including:

- aid enforcement, as the first step in understanding compliance would be a simple "yes/no" as it pertains to whether a permit has been obtained. A violation can simply be determined by absence of the required permit, followed by investigations of any violations of the Zoning By-law;
- "close the loop" with respect to the Licensing By-law by requiring contractors (or homeowners) to obtain a permit that requires compliance with the Zoning By-law.

Recommended Action

Staff is recommending that Council implement a Driveway Permit process that would require a permit for the following activities, excluding driveway repairs:

- Resurfacing (but not sealing)
- Construction (e.g. replacement of driveway)
- Expansion and alteration (e.g. widening including the addition of curbs and walkways)

The proposed By-law (draft attached as Appendix 11) sets out details relating to:

- Submission requirements (plans drawings, any other related permits)
- Compliance requirements (e.g. Zoning By-law, off-sets to utilities, street trees, light poles)
- Requirement for notification of completion of work

- When a permit may be refused or revoked or renewed
- Allows the potential to require securities, if deemed necessary
- Requirement of payment of a fee for the permit
- Parameters related to enforcement and inspection (e.g. an officer may enter onto the property to carry out an inspection)
- The ability to issue orders to comply
- How contraventions are handled (constitutes an offence for which charges may be laid under the *Provincial Offences Act*) and penalties for violations of the by-law)

In terms of implementation, staff anticipates that the by-law can be forwarded to Council for approval to be effective as of June 1, 2019. This would allow time for an awareness campaign to be launched to help raise public understanding of the new requirement. It will also allow time for staff to complete the necessary administrative changes to prepare for the new process (such as preparation of application forms and permit document).

It is recommended that the current fee that is required for permit applications for curb cuts and driveway works in the right-of-way be applied to Driveway Permits (currently \$50). A revision to the City's User Fee By-law is required in this regard.

For those residents seeking to undertake work after June 1, 2019, staff will be prepared to start accepting applications by May 15, 2019, to minimize any delays where residents may have already scheduled work.

Corporate Implications:

Financial Implications

The introduction of a Driveway permitting system will likely have administrative and financial impacts. This includes potential increased staffing requirements for the Public Works and Engineering Department that will take in, circulate and review the applications, as well as for other departments that would also be involved in the review of such applications.

Current staffing levels should be sufficient to process a reasonable uptake in applications and the associated service requests and investigations, while still meeting customer service levels. While it is anticipated that the permitting process can initially be administered with current staff levels, uptake will likely increase as general awareness of the requirement grows across the City.

Should the increase exceed anticipated capacity or impact the overall level of service to the customer, a review of the personnel resources would be needed and brought forward in the 2020 operating budget submission, pending Council approval.

Other Implications

Strategic Plan:

This report and its recommendations align with the “Good Government” theme of the Strategic Plan. One of the goals is to “Practice proactive, effective and responsible management of municipal assets and services”. The proposed actions will aid in providing awareness of driveway regulations to the residents and contractors, aid in enforcement, and make residents and business operators accountable in terms of complying with City regulations.

In this regard, it would assist in ensuring that driveways remain balanced as a part of a residential lot and streetscape and that the City’s neighbourhoods remain attractive places to live.

Living the Mosaic-2040 Vision

This Report has been prepared in full consideration of the overall vision that the people of Brampton will ‘Live the Mosaic’.

Conclusion:

In order to ensure that Brampton’s residential neighbourhoods remain attractive places to live, that balance the provision of landscaping and vegetation in the streetscape with that of accommodating vehicles and vehicular parking, it is important to maintain a multi-faceted regulatory system. The current framework includes supportive Official Plan policies, zoning by-law regulations and licensing requirements for contractors. Despite this, violations of driveway regulations are widespread, which may be driven, in part, by broader factors facing Brampton.

Staff is making a number of recommendations that would enhance or improve this regulatory system with an aim to also improve compliance. These are:

- Updating the licensing by-law;
- Introducing a driveway permit requirement with June 1, 2019 being the date it becomes effective. Staff will undertake all tasks necessary to implement the new permit process for this date. Residents will be able to make applications for driveway permits beginning May 15, 2019;
- Undertaking a public awareness campaign in anticipation of the new requirement coming into effect;
- Review the Zoning By-law provisions as a part of the City’s comprehensive Zoning By-law review. The by-law review should assess what changes could be made to ensure an appropriate amount of permeable landscaping is retained on a lot, in particular facing the street.; and,

- Update the subdivision notice clause to reflect the new driveway permit requirement.

It is acknowledged that even with these changes in place, violations are likely to continue. However, the recommended changes would allow staff to better inform the public and contractors of the requirements related to driveways and enhance enforcement, including against contractors. Appendix 12 provides a “homeowners” perspective with regard to how the changes would impact them.

Approved:

Allan Parsons, MCIP., RPP.
Director, Development Services
Planning and Development Services

Rick Conard,
A/Commissioner,
Planning and Development Services

Attachments:

- Appendix 1: Council Resolution 194/2018
- Appendix 2: Background to Current By-law Standards for Driveway Regulations
- Appendix 3: Images of Driveways in Brampton
- Appendix 4: Zoning By-law Definitions: Permeable, Residential Driveway and Residential Landscaping
- Appendix 5: 0.6 metre Permeable Swale and Residential Lot Drainage Design
- Appendix 6: General Observations with Regard to Compliance with Zoning By-law
- Appendix 7: Minor Variance Statistics and Planning Considerations for Minor Variances
- Appendix 8: Details of Current Business Licensing By-law-Driveway Paving Contractors
- Appendix 9: Draft Amending By-law to Licensing By-law
- Appendix 10: Benchmarking of Municipal Regulation of Driveway Paving and Widening
- Appendix 11: Draft Driveway Permit By-law
- Appendix 12: The Homeowner’s View -How will the Changes Affect Homeowners

**Minutes
City Council**

those complaints currently before the court, but are deemed not to be causing a drainage issue, are placed on hold.

Council discussion on the motion included:

- concerns about exempting any properties from the requirements of City by-laws
- advice from staff about making decisions on matters for which there is no staff report

The mover of the motion proposed an amendment to delete reference to “and all those complaints currently before the court”.

The motion was split and considered as follows.

C194-2018 Moved by Regional Councillor Sprovieri
Seconded by City Councillor Fortini

Whereas, Brampton continues to face significant population growth; and

Whereas, City Council has endorsed an Environmental Master Plan; and

Whereas, City staff continue to update and ensure conformance to the zoning by-law;

Whereas, it is imperative that the City demonstrate clarity and strengthen its consistency in how growth and property modifications are completed as it pertains to the zoning bylaw;

Whereas, a group of City staff comprised of enforcement and bylaw, building and legal services are working collaboratively on a vexatious complaint policy;

Therefore be it resolved, that staff be directed to continue its work on a vexatious complaints policy and present to council at a future meeting for consideration.

That staff bring a report and recommendations on how to best mitigate historical property modifications (i.e. conditions and rules for grandfathering), and investigate the potential for development of a permit process for minor property modifications (e.g. driveway widening) to ensure residents and contractors are aware of the by-law requirements and to ensure that any work completed adheres to all applicable requirements and restrictions inclusive of any financial and staffing resource implications.

Carried

Appendix 2

Background to Current By-law Standards for Driveway Regulations

The current zoning requirements related to driveway widenings were established in 2006. At the time driveway widths were not directly regulated in the by-law. What was regulated was the minimum amount of landscaping in the front/exterior yard. This was expressed as a percentage of the yard. The difficulties noted at the time included:

- Calculating the percentage of landscape same in the yard was difficult, in particular for irregular yards
- the calculation could not be undertaken on-site, which meant By-law enforcement could not determine at the property whether a driveway was in compliance
- the nature of the definition of front yard, meant that portions of the yard were in certain cases not included in the calculation.
- there were disputes as to whether a walkway was to be included in the open space calculation.

The review also noted some issues raised by the public including:

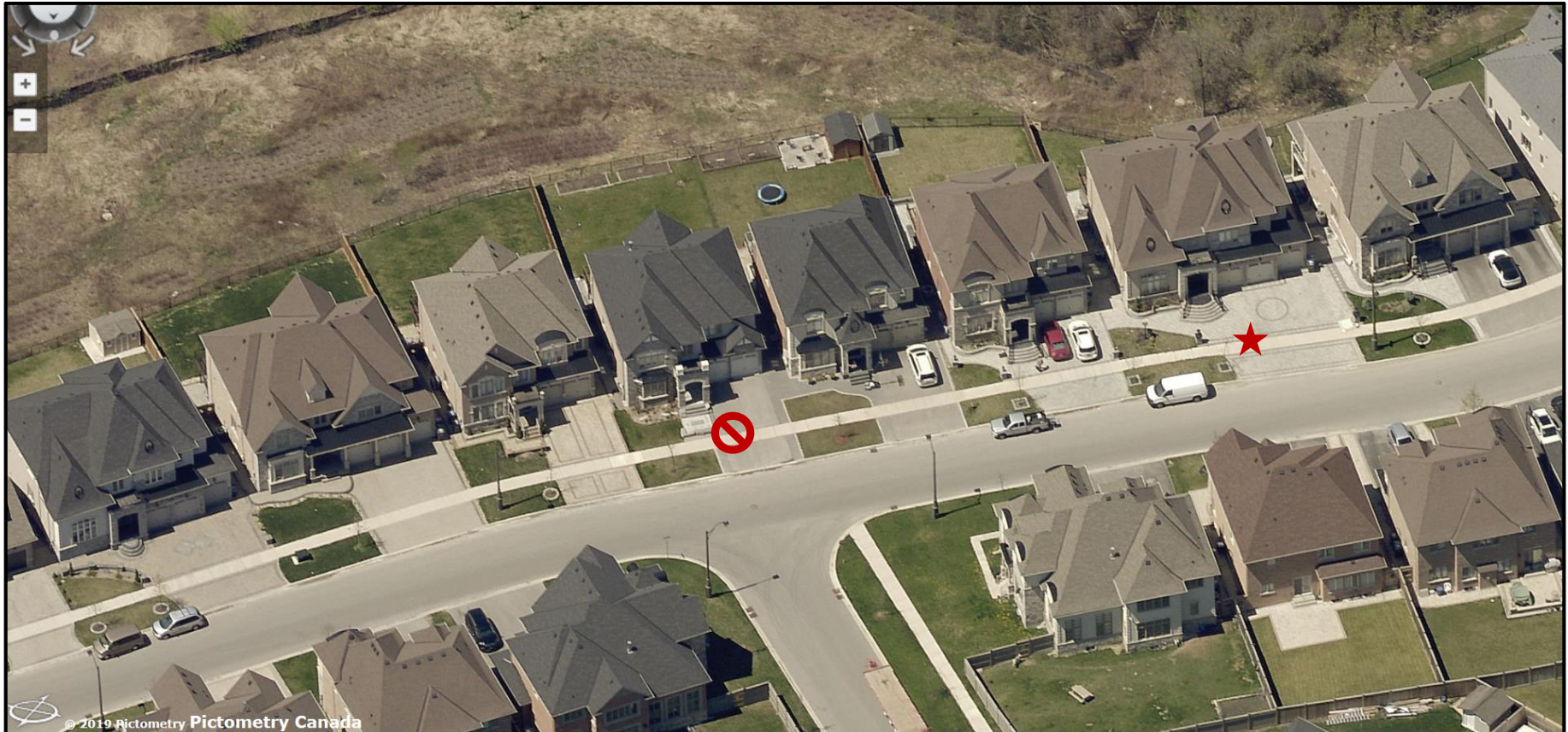
- The desire to park vehicles side-by-side
- Cost impacts of having to remove portions of a widened driveway (in particular where the installation used decorative materials/concrete) even if they only intended to park two vehicles side by side
- Concern of people having too many vehicles parked in their front yards
- Garages are too small to park cars (or people use them for storage)

The principles that provided the basis for the eventual by-law included.

- Generally, allow widths that would provide for the ability to park two cars side by side plus a walkway
- On the smallest lots (<8.23 metres (27ft)) two vehicle side by side parking may not be possible, or if so, with no allowance for a walkway. The amount of space consumed by the driveway would allow insufficient space for landscaping.
- Generally on lots in the 9.14 to 18.3 metres (30-60ft) range, allow for driveways that would enable two cars to be parked side by side, plus a walkway. The resulting by-law split this range into two, allowing for larger driveways on lots 15.23 metre (50ft) to 18.3 metre (60ft) range.
- Permit wider driveways for lots greater than 18.3 metres (60ft.); to allow 3-car wide parking, but not more.
- Clearly define the driveway in the by-law so there is no confusion as to what constitutes part of the driveway (i.e. an area that can be parked upon by a motor vehicle)
- Define what is soft landscaping
- Define the driveway to include that portion within the public right-of-way

The By-law that was passed set out 5 lot ranges with a maximum width for each.

1. Streetscape: Impact of Series of Non-complying Driveways, removal of 0.6 metre permeable strip



Series of dwellings on Degrey Drive, most do not comply, driveways and paving is so extensive that hard-surfaced areas connect even though driveways are not “paired”. 0.6m permeable strip mostly removed. Many lots have little soft landscaping left on the private side.

These are large lots, without paired driveways, zoning compliance with retention of 0.6m permeable strip should be achievable

Lot widths: approximately 15-21/22 metres

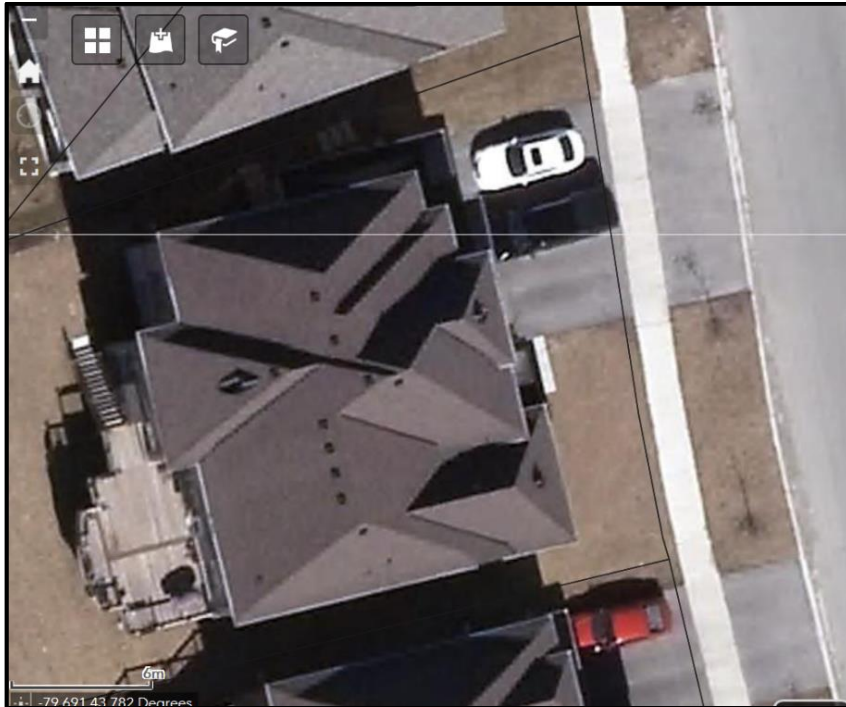
Allowable driveway width: 6.71 metres (15 metre lots), 9.14 metres (21 metre lots)

This driveway appears not to comply, is approx. 10.9 metres, if not wider, 0.6m appears to have been removed.

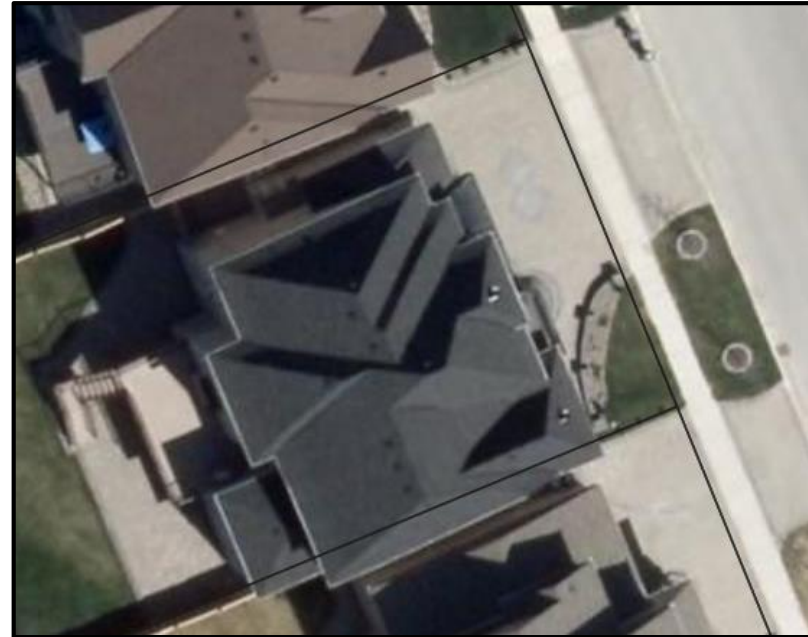
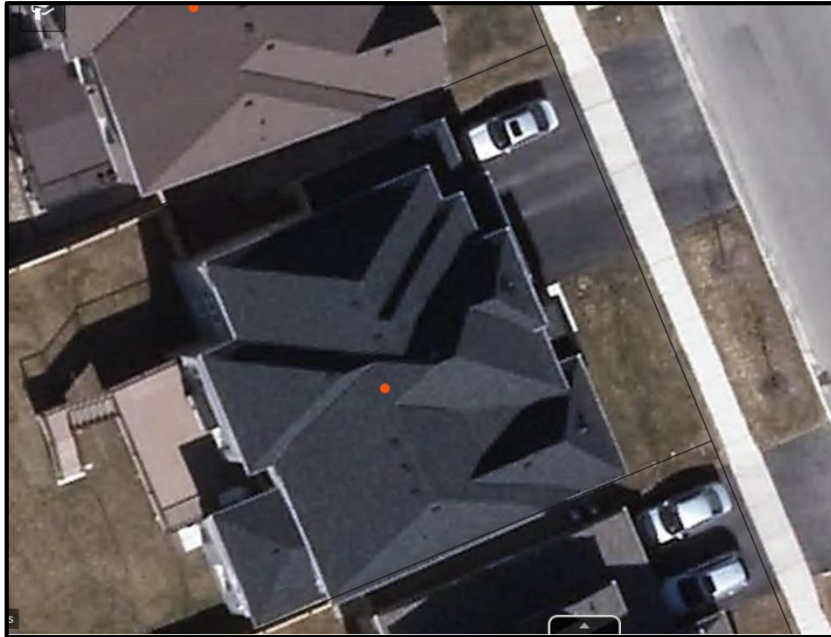
This driveway appears not to comply, is approx. 6.79 metres, 0.6m permeable appears to have been removed.



1.1 Images of as-built driveway vs. widened, Degrey Drive



Approx. 22 metre lot on Degrey Drive, original driveway approximately 9.00 metres, accommodates 3 cars side-by-side.



Approx. 19.8 metre lot on Degrey Drive, original driveway approximately 8.75 metres, current 10.9 metres, 0.6m permeable removed. Columns and planter may actually be in right-of-way. 9.14 metres is the maximum driveway width.



15.0 metre lot on Degrey Drive, original driveway approx. 5.75 metres. The house design/siting would likely not allow this property to have a driveway widened to the maximum allowable width.

1.2 Degrey Drive, Streetscape where driveways widened to lesser degree

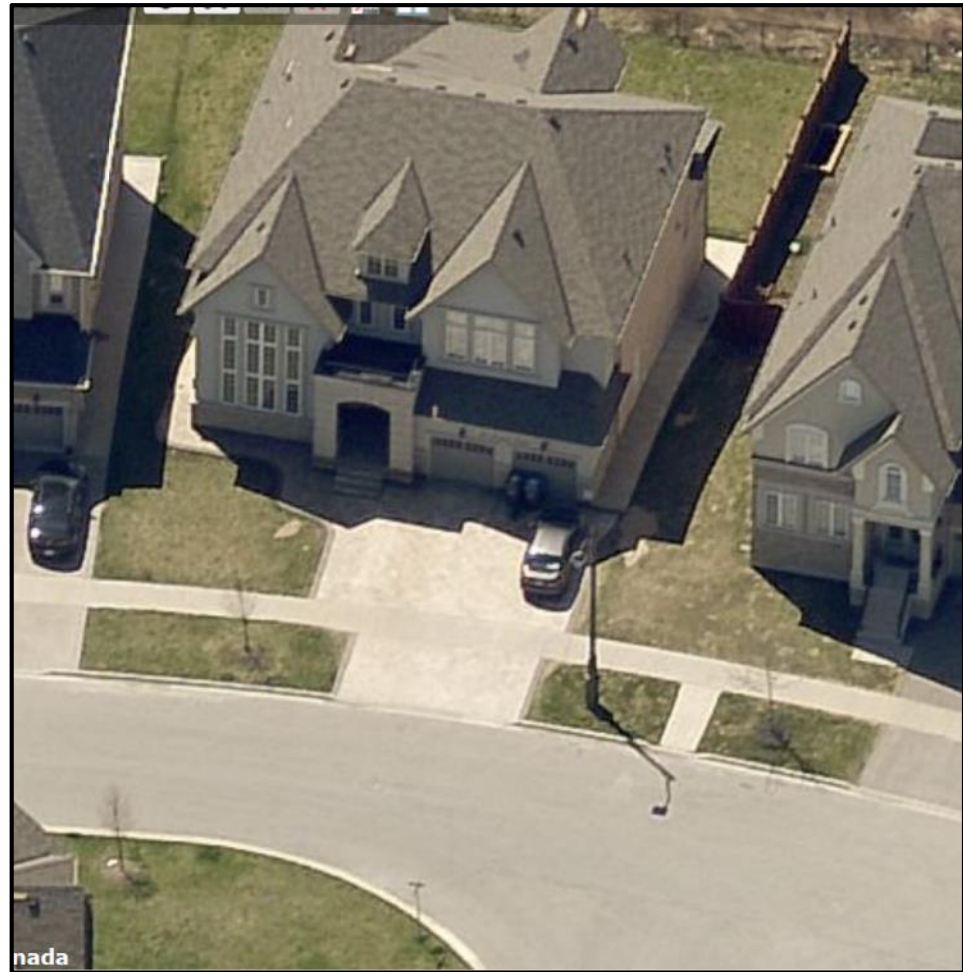
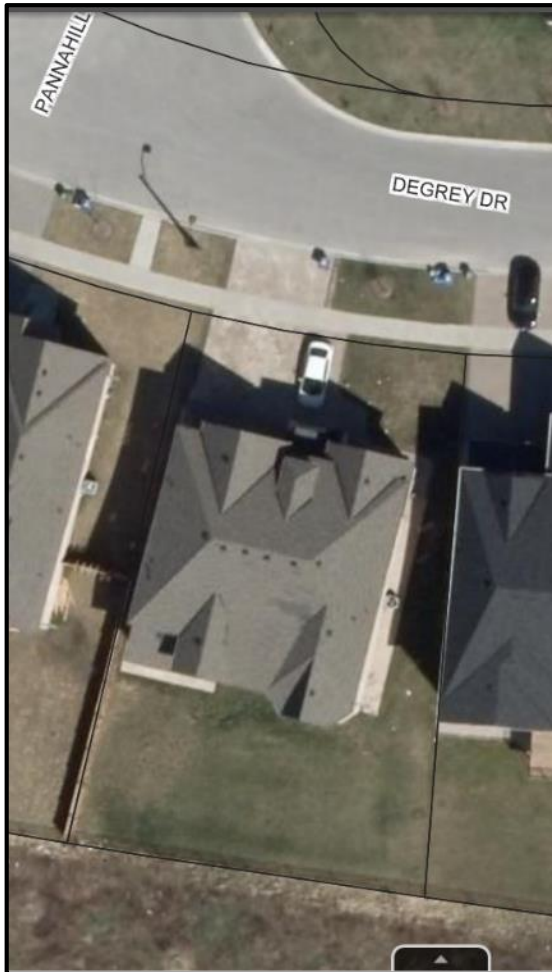


Further along Degrey Drive, driveways have not been widened out to the same degree; less hard-surfaced area and 0.6m permeable strips have not been removed to same degree. Some of these lots could have 9.14 metre driveways, even though they only have double-car garages, although house design (protruding steps) may prevent this.

- ★ Lot width approx.: 15-19 metres
Allowable driveway width: 6.71 metres (15 metre lots), 7.32 metres (18 metre lots), 9.14 metres (>18.3 metre lots)
- ★ This driveway appears to comply, is approx. 6.2 metres in width. 0.6m permeable is retained.
This driveway may not comply. It is approximately 9.8 metres in width, 2-car garage design. In this case there may be sufficient space to allow car to be parked in front of door (6.0 metre depth - meets by-law) (see airphoto below). Which is aesthetically questionable.

1.3 Widened Driveway on Degrey Drive

Approx. 18.9 metre lot on Degrey, noted above. 2-car garage but 3-wide parking. "Birds-eye" view seems to show 0.6m permeable removed. If 0.6m reinstated, could likely comply although is parking in front of the porch/dwelling entrance desirable?



2 Streetscape, 0.6 metre permeable removed



On Compassion Crescent (in same neighbourhood as Degrey Drive), hard-surfaced areas, 0.6m removed, drainage swale on both property side lot lines impacted.

Lot widths approx.: 15.5 metres

Allowable driveway width: 7.32 metres



The width here is approximately 6.58 metres, however, the 0.6m wide permeable strip is not retained. The house design/siting would not allow this property to have a driveway widened to the maximum allowable width.

2.1 Streetscape, 0.6 metre permeable retained



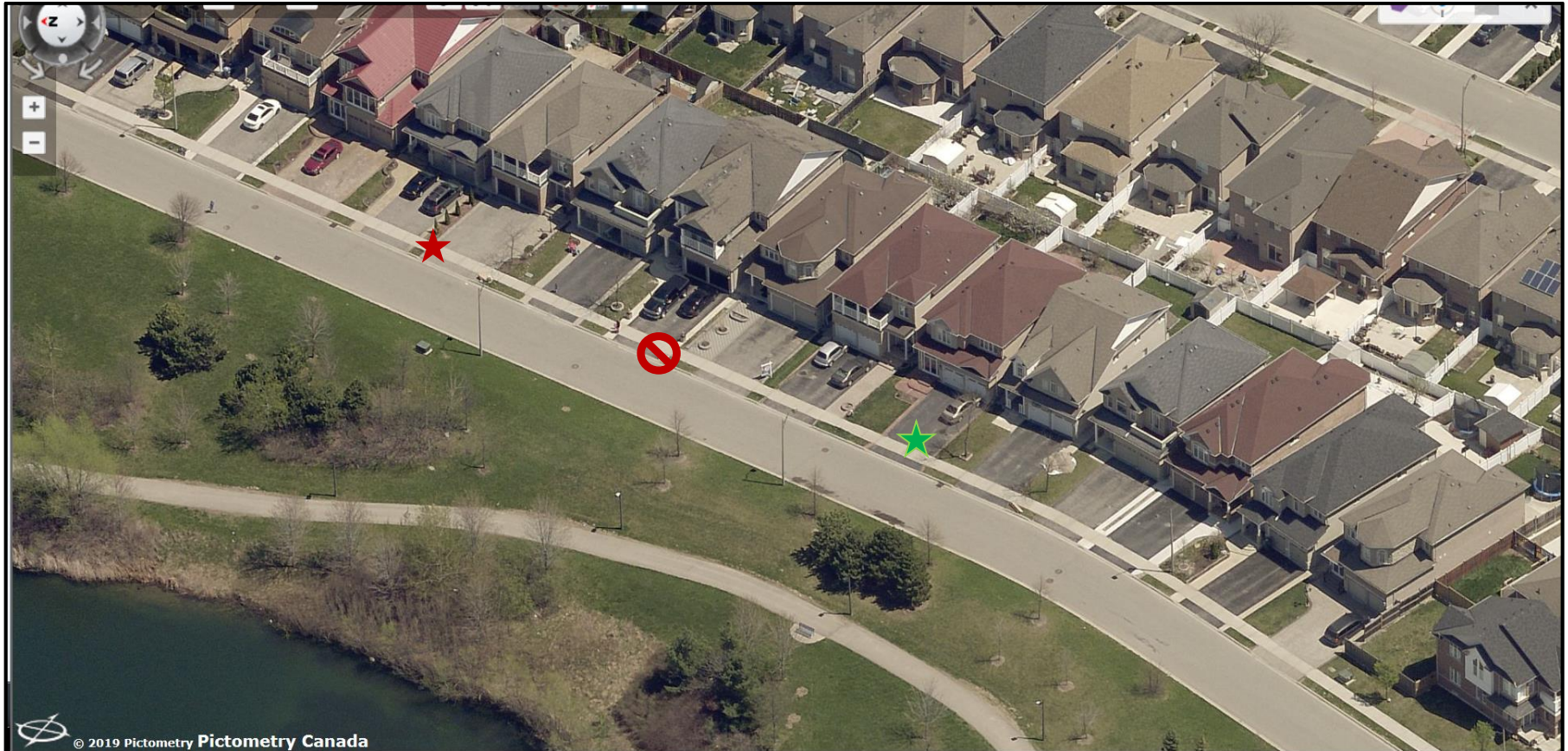
On nearby Decorso Drive where widenings, removal of landscape has not occurred on a lot of the lots. The 0.6 metre permeable appears to be mostly intact.

Lot widths approx. 15.0 metres

Allowable driveway 6.71 metres

- ★ This driveway appears to comply. The width is approximately 6.0 metres wide. The house design/siting would likely not allow this property to have a driveway widened to the maximum allowable width.

3.0 Smaller Single Detached lots



Fountainview Way (south of Bovaird Drive, east of Torbram Road). Most of the driveways have been widened and most of the 0.6m permeable strips removed. The extent of “soft” landscaping in the streetscape is low.

Lot widths approx. 9.8-10.4 metres

Allowable driveway 6.71 metres



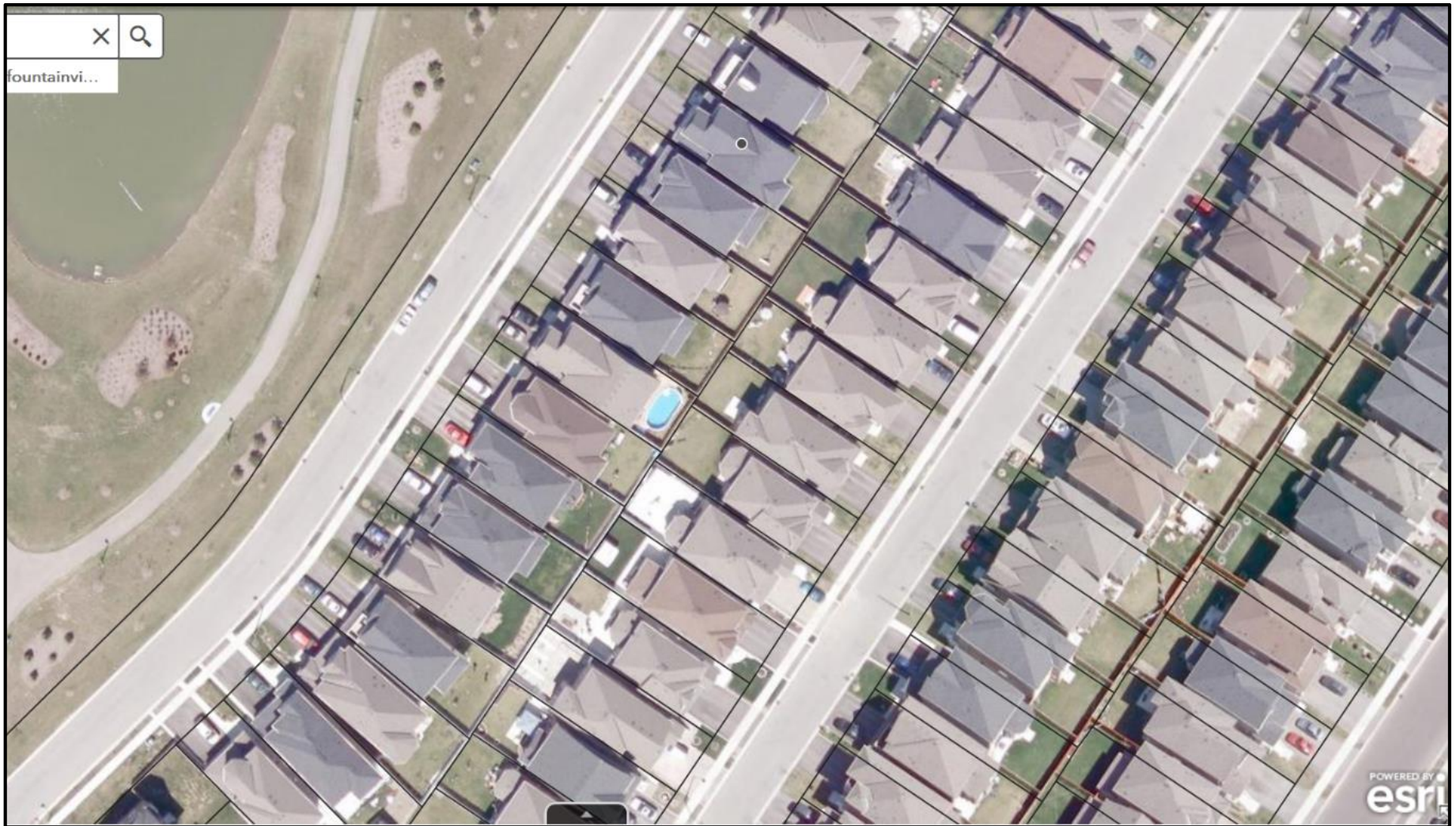
This driveway appears to not comply, driveway is approx. 9.0 metres.



This driveway appears to comply, driveway is approx. 6.0 metres. 0.6m permeable strip retained.



This driveway appears to not comply, driveway is approx. 7.3 metres. 0.6m permeable appears to be retained.



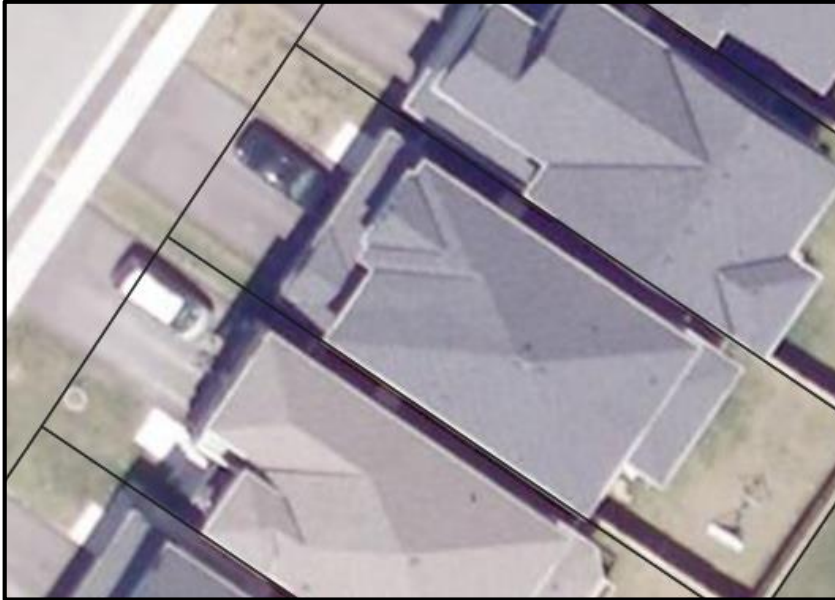
2007 airphoto of Fountainview (when subdivision was new). It appears most driveways are as-built and not yet widened.

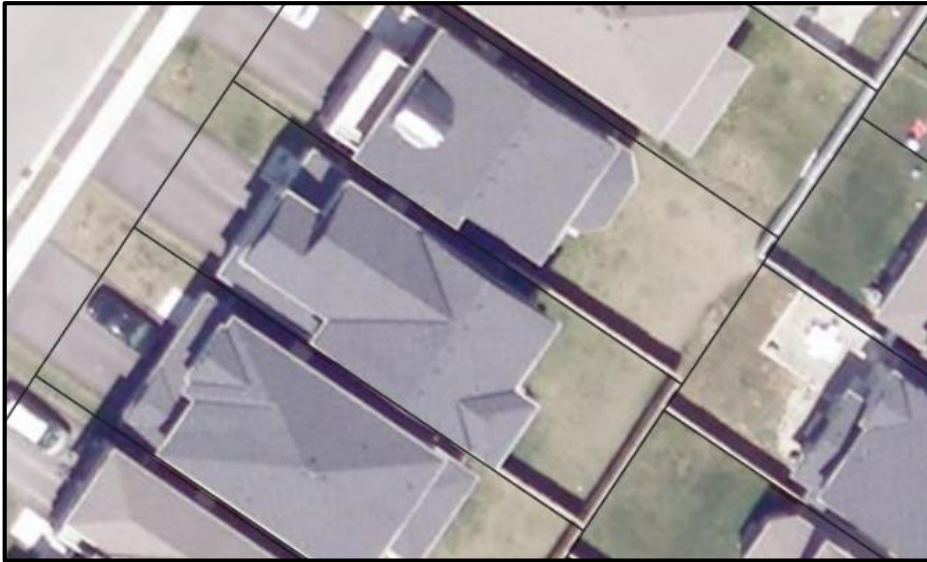
3.1 Images of as-built driveway vs. widened, Fountainview Way



10.4 metre lot on Fountainview Way, original width of driveway approx. 6.7 metres.

3.2 10.4 metre lots on Fountainview Way, very little “soft” landscaping remains





10.4 metre lot, neighbouring property to previous image.

4. Streetscape: Maintaining the 0.6 Metre permeable strip. (and generally, driveway width)



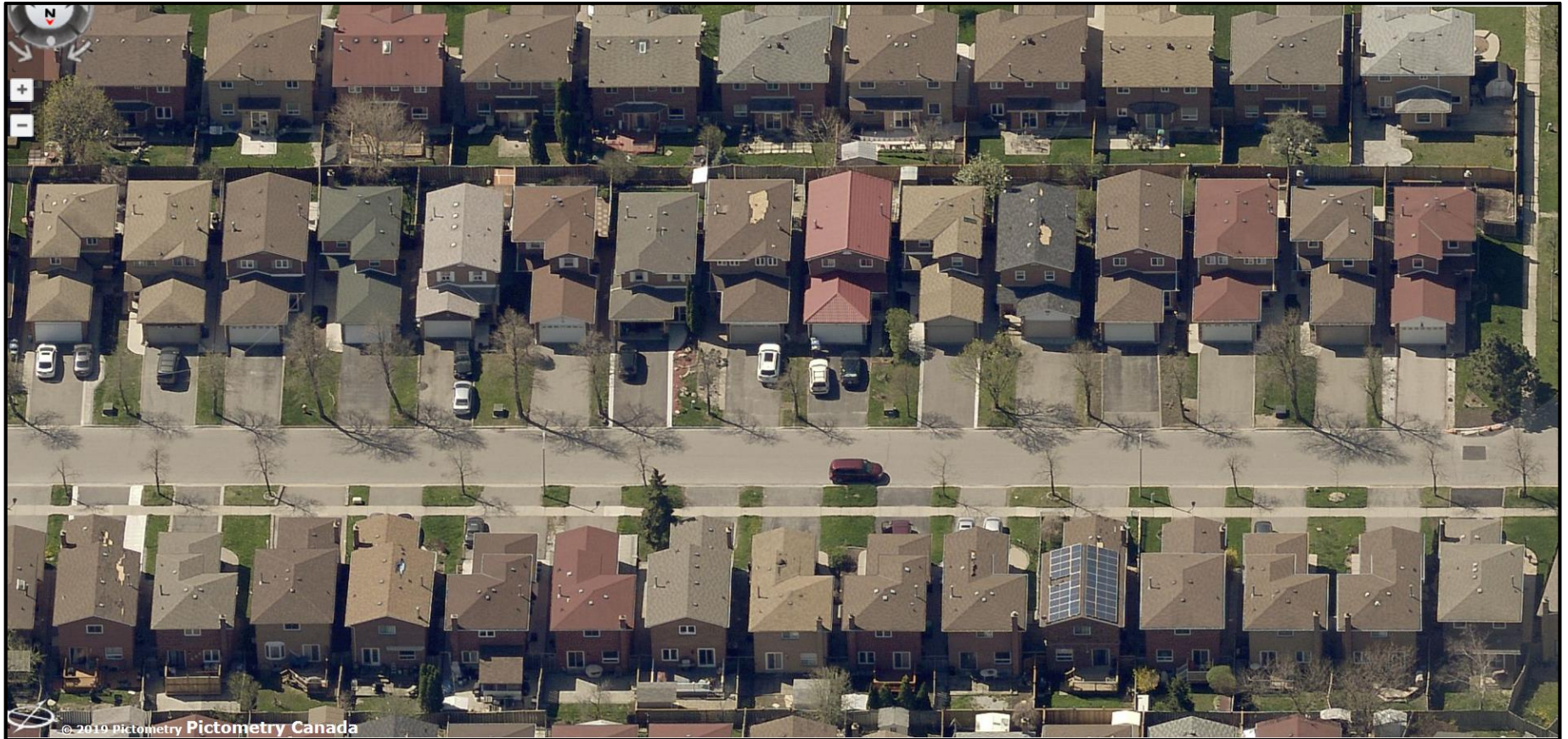
Alabaster Drive. These lots are approx. 9.15 metres wide, where generally the permeable strip has been retained, even where driveways are paired. These strips appear to be greater than the 0.6m minimum (1.2m combined). They appear to be 2.0 metres wide (combined). The driveways that are the exact width of the garage are approximately 5.2 metres wide

Lot widths: approx. 9.15

Allowable driveway width: 6.71 metres (5.2 metres if they are less than 9.14 metres wide).



This driveway is approximately 7.2 metres wide, which exceeds the by-law maximum.



Other side of Alabaster Drive.

4.1 Ecclestone Drive, comparison where lots maintain strip and meet driveway, versus non-complying



Lot widths approx.: 9.0 metres

Allowable driveway width: 5.2 metres



This driveway appears to not comply, driveway is approx. 6.8 metres wide. No permeable strip retained.



These driveways appear to comply, driveways approx. 5.2 metres wide. Permeable strip retained.

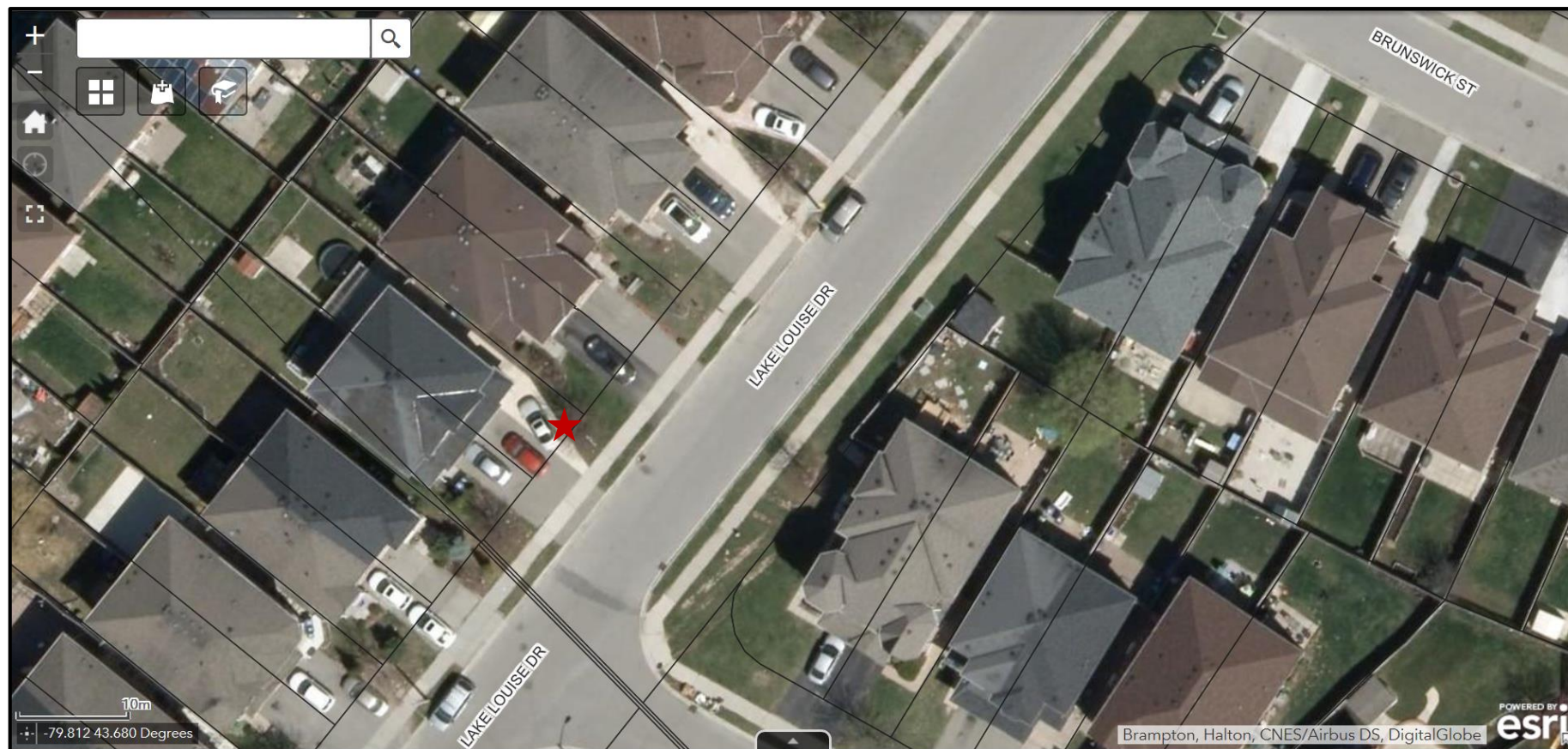


This driveway appears to not comply, driveway is approx. 6.3 metres wide. No permeable strip retained.

5. Streetscape: Semi-detached dwellings



Lake Louise Drive, north of Williams Parkway, west of Chinguacousy Road.

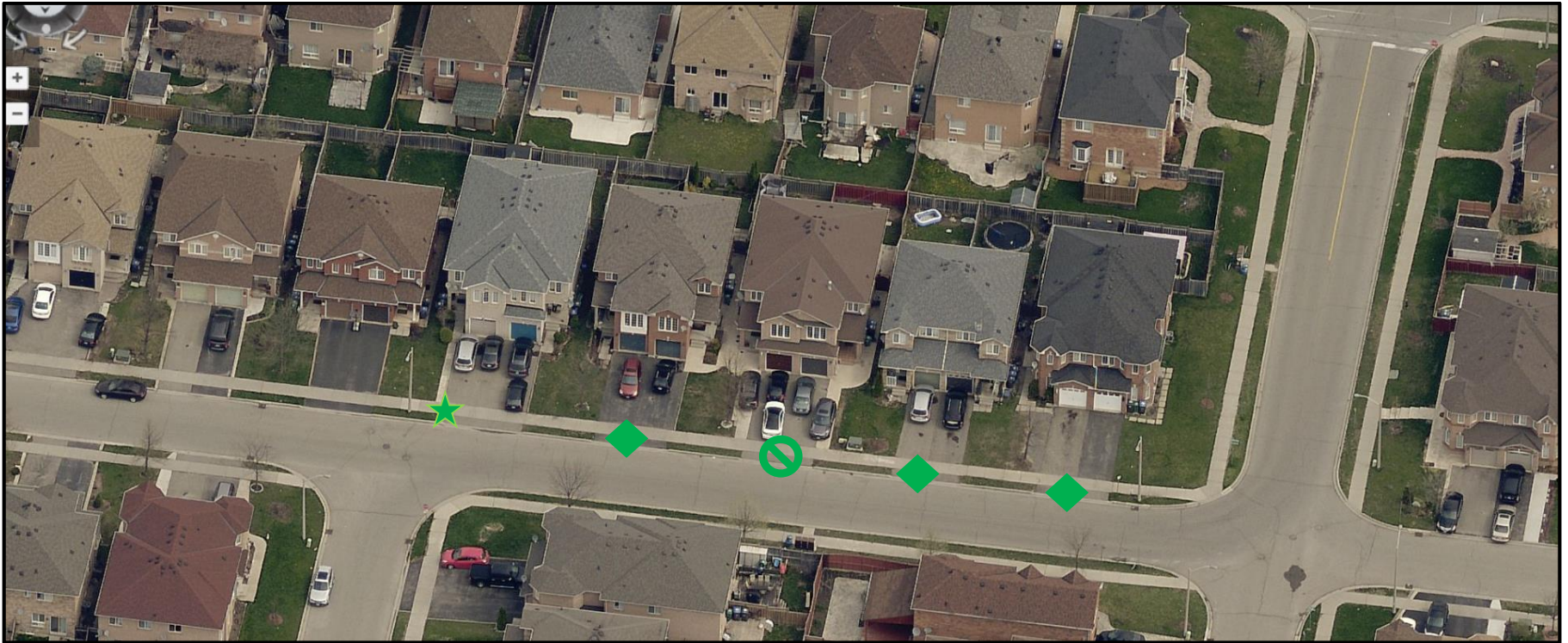


Lake Louise Drive, north of Williams Parkway, west of Chinguacousy Road. Semi-detached lots, driveways widened out in front of entrances. Vehicles parked on angles, in front of porch/entrance.

Lot widths: approx. 6.85 metres (13.7 metres for total semi-detached lot (both sides))
Allowable driveway width: 4.9 metres

★ This driveway is approximately 7.2 metres wide, which exceeds the by-law maximum. It also appears that the drainage swale along the side lot line has been impacted by the paving, which appears to go right to the property line by the entrance to the house (and along the interior side yard).

5.1 Semi-detached, comparison of un-widened vs widened



This image provides a good comparison between lots that appear un-widened, those that are widened and comply, and those that are widened and do not comply.

Lot widths: approx. 6.85 metres (13.7 metres for total semi-detached lot)

Allowable driveway width: 4.9 metres



This driveway is approximately 5.0 metres wide, slightly above the maximum permitted. Technically this allows 2 side-by-side parking on a narrow lot with a single car garage.



Each of these driveways are approximately 4.8 metres wide, within by-law limits. This results in 4-wide parking on a combined semi-detached lot with garage. Having cars parked in front of the entrance area of the house does detract from the aesthetics of the area. Given this, the by-law can be seen as being quite permissive.

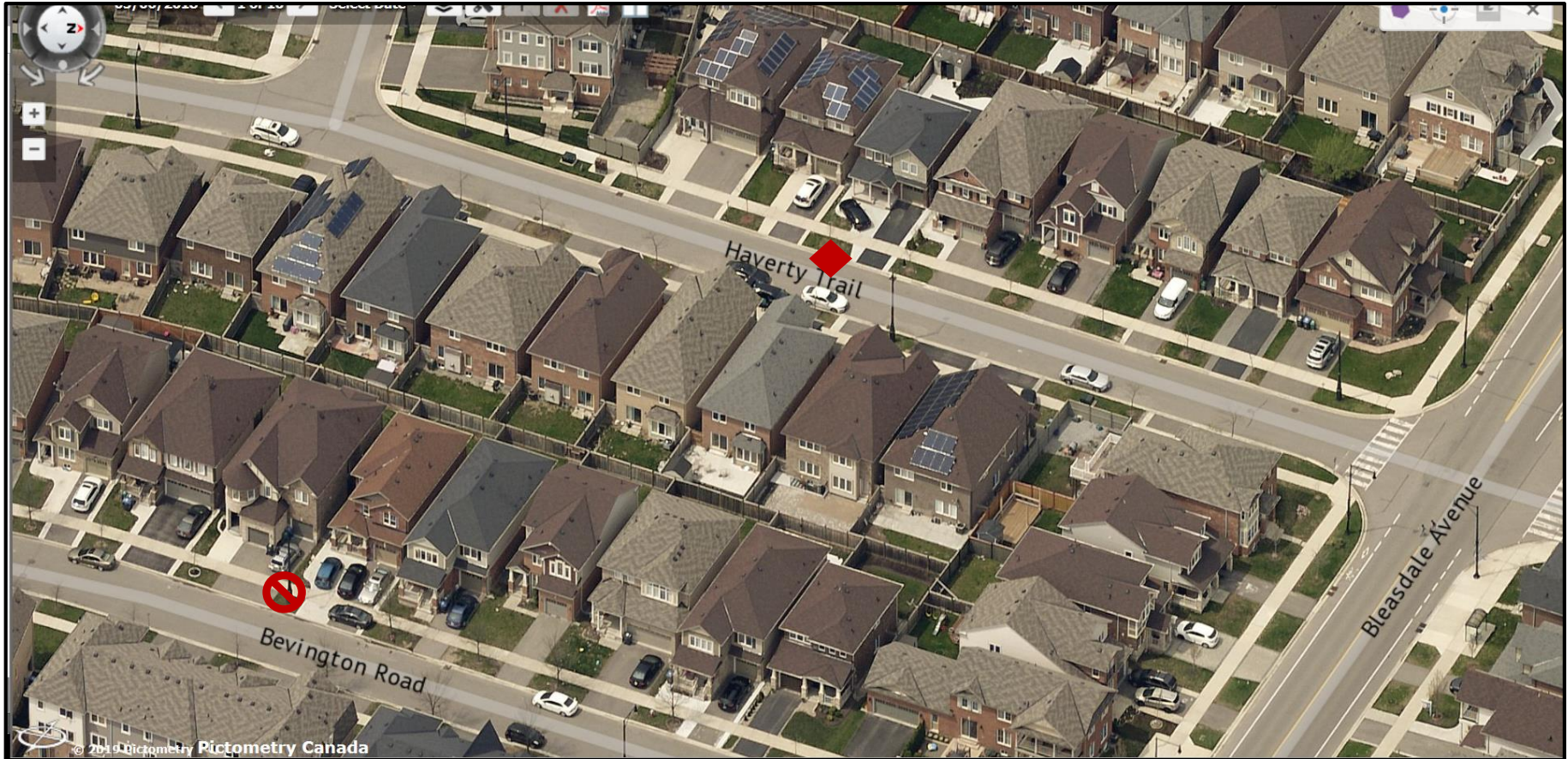


These driveways appear to be in their original as-built width. They are approx. 3.0 metres wide. The amount of remaining "soft" landscaping is noticeably greater than on lots with widened driveways (even those that are legal).

6. Lots in Mount Pleasant Village area




- ⊘ This is a 13.72 metre lot, a 6.72-metre wide driveway is permitted, the driveway is approximately 12 metres wide (effectively the whole front yard is paved). A vehicle is parked essentially perpendicular across the front yard in front of the entrance and porch. This lot has space for 2 cars in the garage and 2 in front of the garage in its un-widened configuration.
- ◆ This is similar situation to the above. This lot is 13.73 metres in width, the driveway approx. 9.5 metres (6.71 permitted). The vehicle is parked in front of the entrance to the dwelling. Virtually no “soft” landscaping is left. The adjacent property (40-metre-wide lot, 7.9-metre wide driveway - which may actually be permitted due to the width of this irregular lot) has an extended driveway and also has a hard-surfaced front yard. The result is two adjacent front yards with the area essentially hard-surfaced and the vast majority of the area dedicated to car parking. This does not constitute a balanced streetscape.



- ◆ This is a 9.15 metre lot in Mount Pleasant Village area. Essentially the whole lot has been paved. A car is parked at an angle in front of the porch and entrance. A 6.71-metre wide driveway is permitted (if the lot were 9.13 metres, a 5.2-metre wide driveway would only be allowed). A 6.71-metre wide driveway could likely not be achieved on this lot due to the front porch design which does not provide the required depth for a parking stall. Even where one could be achieved for lots with a single-garage design such as these (as may be possible on the neighbouring property to the south with the solar roof panels), this is not seen as desirable from a neighbourhood design perspective. Some municipalities restrict parking to only in front of the garage portion.

These siting and dwelling designs in Mount Pleasant Villages were intended to support a pedestrian-oriented, walkable community with more prominent (and sometime protruding) front porches to emphasize the dwelling entrance, smaller

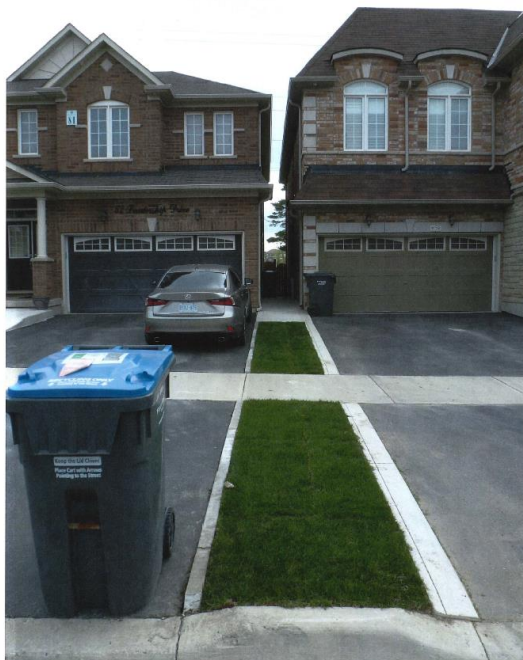
setbacks to bring the entrance area closer to the street. Among other things, this is intended to help support neighbourhood interaction (e.g. people on porch talking with neighbours walking along street) found in older neighbourhoods. This creates challenges where modal split has not shifted sufficiently such that household vehicle ownership decreases.

-  This is also a 9.15-metre wide lot. The whole front yard has been paved. Four vehicles are seen parked on the property and driveway apron.

7. 0.6 metre permeable strip, removed and reinstated



0.6 metre permeable strip removed



After reinstatement. The green strip does help break up impression of an expanse of asphalt/concrete.

Appendix 4:
Zoning By-law Definitions:
Permeable, Residential Driveway and Residential Landscaping

The by-law defines “permeable” as:

“.. shall be maintained as only a permeable landscaped surface such as grass, trees shrubs, flowers or other plants or any other surface that permits the infiltration of water into the ground, but may include a portion of a noise wall or retaining wall that is not permeable”

The by-law defines a residential driveway as:

“DRIVEWAY, RESIDENTIAL shall mean the hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone) on detached, semi-detached or townhouse dwelling lots, and that hard and level surface on the road right-of-way to the street edge, upon which vehicles drive and park, and such hard and level surface includes a surfaced walk situated parallel to the Residential Driveway in a manner capable of being parked or driven upon by part or the whole of a motor vehicle. The width of the Residential Driveway is measured parallel to the front of an attached garage or in the case of a lot where there is no garage or there is a detached garage, the driveway width is measured perpendicular to the direction in which motor vehicles drive and park on the driveway.”

Residential Landscaping is defined as:

“LANDSCAPING, RESIDENTIAL, shall be either, or any combination of both, of the following surfaces on detached, semi-detached and townhouse dwelling lots: 1) the soft surface (level or otherwise) capable of supporting the growth of vegetation (such as grass, trees, shrubs, flowers or other plants), or 2) the rough or irregular surface that permits the infiltration of water into the ground (such as rocks and stones) that is not capable of being parked upon by part of the whole of a motor vehicle. Residential Landscaping may include nonpermeable portions of noise and retaining walls or non-permeable patios and walks not situated parallel to the Residential Driveway in a manner capable of being parked or driven upon by part of the whole of a motor vehicle. Residential Landscaping may also include non-permeable stairs or stepped surfaces not capable of being parked or driven upon by part or the whole of a motor vehicle.”

**Appendix 5:
0.6 metre Permeable Swale
And Residential Lot Drainage Design**

The 0.6 metre permeable landscape strip includes the drainage swale for a lot. Swales are engineering features used around the house to capture and convey drainage for minor storms. The grading design of the subdivision will dictate the number of lots that can drain into a particular swale.

The City subdivision engineering design guidelines limit the number of lots that can drain to a rear yard swale to four.

There are two main lot grading drainage designs.

- **Rear to Front Drainage:**
With this design stormwater is collected in the rear yard swales and conveyed to the municipal right of way via the side yard swales. A rear to front design requires a 1.2 metre swale on a property.
- **Split Drainage:**
With a split drainage design, half of the lot is drained to the back into a rear lot swale ending up in a rear lot catchbasin, and the other half is drained to the municipal right of way via the side yard swale. A split drainage design requires a 0.6 metre swale along the side lot line.

The 0.6 metre/1.2 metre combined swale is seen by the City's Development Engineering section as the minimum width to ensure an appropriate swale is provided. With a maximum 3:1 slope a 1.2-metre wide width allows for a depth of 0.2 metres in the swale. Reducing the size of the swale reduces the depth and thus its effectiveness.

Appendix 6:
General Observations with Regard to
Compliance with Zoning By-law

Violations to the Zoning By-law regulations for driveways appear to be widespread. In certain areas, entire sections of streets have driveways which were widened. In other areas, in particular on smaller lots, vehicles are parked almost entirely across the front yard, including in front of the steps/entrance area to the dwelling. Appendix 3 shows images of typical conditions in Brampton. On larger lots, elaborately designed driveways are installed that include expanses in front of the house and walkways up to the entrance. As there is no physical barrier that would prevent parking on this expanded surface, the complete area is included in the calculation of driveway width as required by the Zoning By-law. Most often there is a design solution, and likely one that would work well with the homeowner's vision for the driveway and walkway. In terms of assessing the suitability of a barrier, staff requires as a minimum that such a barrier be at least two feet in height and is permanently affixed to the ground (e.g. secured with bolts). However, reconfiguring a driveway installation is difficult, particularly when a portion of the paved surface must be removed to reinstate the required permeable landscaped strip adjacent to the side lot line(s). Ideally, the homeowner would consult with Zoning Services staff to ensure compliance for the proposed works before construction is commenced. In this regard, better education of the public with respect to driveways and a requirement for obtaining a permit would help reduce these situations.

However, even where the installation is of high quality, there is a negative impact in that the amount of "soft landscaping area" or green space in the front yards and streetscape is significantly reduced. Further, where the widened driveway is non-complying, it still enables the excessive parking of vehicles in the front yard (and when vehicles are parked, the "decorative" driveway is no longer visible). This aesthetic impact is multiplied where a series of overly wide driveways have been constructed along a street. Appendix 3 provides such images.

Appendix 7:
Minor Variance Statistics
And Planning Considerations for Minor Variances

Staff deals with many variances for driveway widenings. Often these are not a specific variance request but are identified by staff on their site inspections for an application associated with another variance request on the property (it is City practice to identify and address all required Zoning non-compliance matters with an application, not just the variances sought by the applicant). The City received the following number of applications which included variances to existing or proposed widened driveways (and/or the 0.6 metre permeable strip requirement):

Year	# of Applications involving existing/proposed widened driveways and/or variance requests to 0.6 metre permeable strip requirement
2015	6
2016	20
2017	24
2018	23

Of these staff recommended refusal of 41, supported 13 and supported 9 in part (e.g. a reduced width).

The Committee of Adjustment refused 30 applications, supported 15 and supported 18 in part (e.g. permitted a variance to a different extent).

Of applications that involved the required 0.6 metre permeable landscape strip (either reduction or elimination), staff recommended refusal of 28, supported 6, supported 3 in part. The Committee of adjustment refused 22, supported 7 and supported 8 in part.

11 applications were appealed. The Ontario Municipal Board/Local Planning Appeal (OMB/LPAT) Tribunal refused 6 and supported 1. One is still in progress and 3 were withdrawn. Of the applications that were appealed, 8 involved a variance related to the 0.6 metres of permeable landscaping. 3 of these were dismissed/refused by the OMB/LPAT, 1 was supported, 1 was supported in part and 3 were withdrawn.

In assessing variance applications staff considers, among other things:

- whether the widening would allow excessive parking of vehicles in the front yard (such as parking vehicles three across where the intent was to allow only two-across parking);
- how the parking is configured relative to the house design and siting (e.g avoid parking in front of the door/porch area and restrict it to the garage area);
- whether sufficient parking (e.g on a lot with a double-car garage, the two spaces in the garage and the two in front is seen as sufficient in balance against other objectives such as maintaining an attractive streetscape); and,
- whether drainage is impacted (in the case of a requested reduction in the 0.6 metre permeable strip).

Appendix 8
Details of Current Business Licensing By-law
-Driveway Paving Contractors

The City currently licenses Driveway Paving Contractors under Business Licensing By-law 332-2013, which defines Driveway and Driveway Paving Contractors as follows:

“Driveway” means a defined area that is paved, treated with a stable surface or constructed with interlocking stones, that provides access for motor vehicles from a public or private street to a property;

“Driveway Paving Contractor” means a Person engaged in the business of paving, repairing or sealing driveways, lanes, roadways and parking areas situated on privately owned property which may include municipal boulevards adjacent to such private property.”

The Business Licensing By-law currently sets out a number of requirements and prohibitions in relation to driveway paving, including the following:

- Prohibits any person (which includes an individual or a corporation) from engaging in the business of a Driveway Widening Contractor without having a valid licence issued by the City (s. 5(1)(ii) and 5(4));
- Prohibits a person from publishing and holding themselves out as being licensed by the City as a Driveway Paving Contractor if they are not in fact licensed by the City (s. 5(6) and 5(7));
- Requires all Driveway Paving Contractors to have their licence with them when they are engaged in driveway work (s.35(2));
- Requires a Driveway Paving Contractor to sign a written contract before any work is commenced and requires the contract to describe and itemize prices for materials and services, identify any warranties or guarantees (if applicable) and provide an estimated completion date (Schedule 9, section (3)(d));
- Requires that a second or additional contract be entered into prior to extra or additional work being performed (Schedule 9, section 4(a)); and,
- Makes it an offence for a Driveway Paving Contractor to perform work without a permit (Schedule 9, section 4(c)).

There are currently approximately 15 paving contractors licenced with the City. It is well known that many more undertake paving works in Brampton and are thus in contravention of the City’s Licensing By-law.



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number ____ - 2019

A By-law to Amend Business Licensing By-law 332-2013, as amended

WHEREAS By-law 332-2013 provides for the licensing of businesses in the City of Brampton;

AND WHEREAS the Council of The Corporation of the City of Brampton deems it desirable to amend By-law 332-2013,

NOW THEREFORE the Council of The Corporation of the City of Brampton **ENACTS** as follows:

1. By-law 332-2013, as amended, is hereby further amended by deleting paragraph 23(l) and replacing it with the following:

“23(l) Any fee payable by the Licensee pursuant to this By-law has not been paid.”

2. By-law 332-2013, as amended, is hereby further amended by adding the following subparagraphs after paragraph 23(m):

“(n) The Applicant or Licensee has failed to pay an administrative monetary penalty imposed by the City or a fine or fines imposed by a Court for convictions for breach of this or any other City by-law.

- (o) The Applicant or Licensee has failed to comply with any condition or direction of the Licence Issuer or Inspector or has failed to permit any investigation by the Licence Issuer or Inspector.
 - (p) The Applicant or Licensee has failed to comply with the requirements setout in any of the Schedules referenced in subsections 5(1)(a) to and including 5(1)(aa) applicable to the Applicant or Licensee.”
- 3. By-law 332-2013, as amended, is hereby further amended by deleting the reference to “and including (m)” at the end of paragraph 24 and replacing it with “and including (p)”.
- 4. Schedule 9 of By-law 332-2013, as amended is hereby further amended by deleting the definition of “Driveway” and replacing it with the following and capitalizing the word Driveway throughout Schedule 9:

“Driveway” means an area of hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone), including a surfaced walkway and any hard and level surface that is capable of being parked or driven upon by part or the whole of a vehicle.”
- 5. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following definition of “Driveway Paving Work” and replacing all references to “work” or “driveway paving” in Schedule 9 with the words “Driveway Paving Work”:

“Driveway Paving Work” means any work on a Driveway, including installing, constructing, paving, resurfacing, sealing, repairing, expanding or altering a Driveway, lane, roadway or parking area.
- 6. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following definition of “Permit” and capitalizing all references to “permit” in Schedule 9:

““Permit” includes a permit required by the Driveway Permit By-law _____ or any other City By-law.”
- 7. Schedule 9 of By-law 332-2013, as amended is hereby further amended by by adding the following subparagraphs after paragraph 4(c):
 - “(d) perform any Driveway Paving Work that requires a permit unless the permit is displayed in view of the public in the area in which the work is being performed;

(e) perform any Driveway Paving Work that is not in compliance with the City's Zoning By-Law 270-2004, as amended, or any other City by-law, unless a valid permission, supporting decision or approval required by law is obtained prior to the commencement of any work."

READ a FIRST, SECOND and THIRD TIME and PASSED in OPEN COUNCIL this day of _____, 2019.

Approved as to
form.

Patrick Brown, Mayor

Approved as to
content.

Peter Fay, City Clerk

Appendix 10

Benchmarking of Municipal Regulation of Driveway Paving and Widening

Municipality	Licensing of Driveway Paving Contractors	Public Posting of Licensed Pavers	Driveway Paving Permit	Driveway Widening Permit	Driveway Widening Permit and/or Curb Cut Permit Application Details
Brampton	Yes	No	No	Yes, curb cut only. Traffic By-Law 93-93, section 36, requires permits for curb cut.	<u>Application Process:</u> <ol style="list-style-type: none"> 1. Submit Application for Driveway Widening/Curb Cuts 2. Road Occupancy & Access Permit will be granted if application is approved <u>Required drawings/ materials:</u> <ul style="list-style-type: none"> ✓ Completion of diagram (provided) with labelled metric measurements ✓ Legal lot survey <u>Associated Fees:</u> Road Occupancy & Access Permit: \$50 <u>Approx. Time to Issue Permit:</u> A few weeks
Toronto	Yes	Public Look-Up for all Business Licensees, but not by category of license (i.e. not able to get list of contractors, need to have name of contractor to search if licensed).	Yes. City advises residents to contact Zoning Department to ensure compliance with zoning requirements.	Yes.	<u>Application Process:</u> <ol style="list-style-type: none"> 1. Apply for a Preliminary Project Review with Toronto Building to ensure compliance with Zoning By-law 2. Apply for a widening permit with Transportation Services, Right-of-Way Management, for the portion of the driveway on City property 3. Apply for Street Occupation Permit with Transportation Services, Right-of-Way Management <u>Required drawings/ materials:</u> <ul style="list-style-type: none"> ✓ Drawings of the proposed driveway design and location, drawn to metric scale ✓ Submission of financial securities to ensure that the driveway is constructed according to the approved plans ✓ Confirmation that the vehicle access driveway complies with the dimensions specified in any applicable Zoning By-law ✓ Separate sketch associated with Occupation Permit <u>Associated Fees:</u> Street Occupation Permit: \$153.46 <u>Approx. Time to Issue Permit:</u> 2 weeks Note: Could not locate any information exclusive to curb cuts.

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Vaughan	Yes	Could not locate any.	No	Yes	<p><u>Application Process:</u></p> <ol style="list-style-type: none"> 1. Submit drawing and application to Public Works Department, Roads Division in person 2. Public Works will visit the site prior to approval <p><u>Required drawings/ materials:</u></p> <ul style="list-style-type: none"> - Drawing using a copy of property survey showing existing and proposed driveway width (metres) <p><u>Associated Fees:</u> Driveway Widening Permit: \$130 Curb Cut Fee for up to 4 metres (incl. DW permit): \$225 Each additional metre: \$23.75</p> <p>Note: Appears that Vaughan does not require a road occupancy permit for driveway widenings</p> <p><u>Approx. Time to Issue Permit: 2-4 weeks</u></p>
Burlington	Does not appear they do.	No	Yes	Yes	<p><u>Application Process:</u></p> <ol style="list-style-type: none"> 1. Contact Capital Works Department for driveway widening application requirements; majority of info provided over the phone 2. Submit Road Occupancy Permit Application <p><u>Required drawings/ materials:</u></p> <ul style="list-style-type: none"> - Electronic copy with lot and driveway measurements (drawing template provided by Capital Works upon request) <p>Note: Burlington used to require a legal survey but they found it was too difficult for homeowners to obtain</p> <p><u>Associated Fees:</u> Road Occupancy Permit: \$93.39</p> <p><u>Approx. Time to Issue Permit: 1-2 days</u></p>
Oakville	Yes	Yes	No. As long as there is no change to entrance, curbs, headwalls, or number of driveways a permit is not required to repave.	Yes, curb cut only. Permit only required for curb-cuts within municipal ROW; permit not required to widen driveway on private property.	<p><u>Application Process:</u></p> <ol style="list-style-type: none"> 1. Submit Driveway Permit Application 2. Submit Engineering Permit Application <p><u>Required drawings/ materials:</u></p> <ul style="list-style-type: none"> ✓ Two copies of detailed scalable plan showing the driveway location(s) existing and/or proposed ✓ Seek approval for curb cutting, curb removal and replacement or culvert installation at the time of permit application ✓ An arborist report

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					<p>✓ Specific requirements for Engineering Permit (additional drawings, reports, etc.) are listed on application form</p> <p>Associated Fees: Engineering Permit Application (includes temporary street occupation permit): \$210</p> <p><u>Approx. Time to Issue Permit:</u> Up to 10 business days</p>
Mississauga	Yes	Could not locate any.	No.	Yes, curb cut only.	<p><u>Application Process:</u></p> <ol style="list-style-type: none"> 1. Submit application for Access Modification Permit to Transportation and Works Dept. <p><u>Required drawings/ materials:</u></p> <ul style="list-style-type: none"> ✓ Existing and proposed measurements provided on the Curb Cut Details diagram (in metric) ✓ Owner's authorization allowing agent to act on their behalf (is applicable) <p>Associated Fees: Access Modification Permit Application Fee (driveway widening involving curb cuts and/or curb improvements): \$118 per application</p> <p>Curb Cuts (not incl. work on boulevard): \$63.00 per metre (minimum charge \$115)</p> <p><u>Approx. Time to Issue Permit :</u> Minimum 10 business days</p>
Collingwood	Does not appear they do.	No.	Yes, an Entrance Permit is required to pave an existing entrance.	Yes.	<p><u>Application Process:</u></p> <ol style="list-style-type: none"> 1. Submit Application for Work on Municipal Roads 2. Submit Road Occupancy Permit 3. Potential meeting with Associate Road Supervisor to ensure compliance <p><u>Required drawings/ materials:</u> None required</p> <p>Associated Fees: Application Fee: \$125 Curb Cut: Cost calculated by time and material required to complete cut Road Occupancy Permit: \$130</p> <p><u>Approx. Time to Issue Permit:</u> Up to 6 business days</p>

**THE CORPORATION OF THE CITY OF BRAMPTON**

BY-LAW _____

A By-law to Regulate the Resurfacing, Construction, Expansion and Alteration of Residential Driveways

WHEREAS The Corporation of the City of Brampton considers it desirable to regulate the resurfacing, construction, alteration and expansion of Driveways;

AND WHEREAS subsection 8(1) of the *Municipal Act, 2001*, S.O. 2001, c.25 (hereinafter the "*Municipal Act, 2001*") provides that a municipality's powers are to be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS subsection 11(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 11(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: Economic, social and environmental well-being of the municipality; Health, safety and well-being of persons; Protection of persons and property, including consumer protection;

AND WHEREAS section 23.1 of the *Municipal Act, 2001* provides that a municipality may delegate its powers and duties under that Act;

AND WHEREAS for the purposes of subsection 23.2(4) of the *Municipal Act, 2001* it is the opinion of Council that the powers delegated pursuant to this By-law are of a minor nature;

AND WHEREAS section 425 of the *Municipal Act, 2001* provides that any person who contravenes any by-law of the municipality is guilty of an offence;

AND WHEREAS section 444 of the *Municipal Act, 2001* provides that a municipality may make an order requiring a person who contravened a by-law or who caused or permitted the contravention or the Owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

AND WHEREAS subsection 446(1) of the *Municipal Act, 2001* provides that a municipality may proceed to do things at a person's expense, which that person is otherwise required to do under a by-law or otherwise has failed to do; and

AND WHEREAS subsection 446(3) of the *Municipal Act, 2001* provides that the costs incurred by a municipality in doing a thing or matter under section 446(1) may be recovered by adding the costs to the tax roll and collecting it in the same manner as taxes;

NOW THEREFORE the Council for The Corporation of the City of Brampton ENACTS as follows:

SHORT TITLE

1.1 This by-law shall be known as the "Driveway Permit By-Law".

2.0 ADMINISTRATION

2.1 This by-law shall be administered by the Commissioner of Public Works and Engineering or their designate.

2.2 The Commissioner may prescribe forms for purposes of this by-law, including amending the forms from time to time.

3.0 DEFINITIONS

3.1 In this by-law,

"Agent" means a Person authorized in writing by the Owner to act on their behalf to obtain a Driveway Permit, and includes a Driveway Paving Contractor;

"City" means The Corporation of the City of Brampton;

"Commissioner" means the Commissioner of Public Works and Engineering of The Corporation of the City of Brampton or their designate;

"Council" means the Council of The Corporation of the City of Brampton;

“Driveway” means an area of hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone), including a surfaced walkway and any hard and level surface that is capable of being parked or driven upon by part or the whole of a vehicle;

“Driveway Paving Contractor” means a Person licensed under the Business Licensing By-law 332-2013, as amended;

“Driveway Permit” means a permit issued by the Commissioner pursuant to the provisions of this by-law;

“Officer” means a Municipal Law Enforcement Officer or other person appointed by Council to enforce the City’s by-laws;

“Owner” includes

- (a) a Person who is the registered Owner of premises;
- (b) a Person who is in physical possession of premises;
- (c) a Person who has responsibility for and control over the condition of premises or the activities there carried on, or control over the persons allowed to enter the premises; and
- (d) a Person occupying premises.

“Person” means an individual, firm, corporation, partnership, association or organization, including a charitable organization;

“Premises” means real property owned by Persons, other than property owned by The Corporation of the City of Brampton, used, or intended to be used for residential purposes and includes real property owned by individuals, local boards, corporations and public authorities; and

“Sight Distance” means the length of roadway ahead visible to the driver for safe and efficient operation of a vehicle.

4.0 APPLICATION

4.1 An Owner or Agent may apply for a Driveway Permit.

4.2 Every application for a Driveway Permit shall include:

- (a) a complete application in the form specified by the Commissioner;

- (b) two (2) copies of a drawing, or other plans as requested by the Commissioner, showing the dimensions and layout of the work to be done;
- (c) complete details of the work to be done, including any additional information that may be requested by the Commissioner;
- (d) a copy of a any permits required by the City;
- (e) written approval from the appropriate authority where a Driveway is to be located within the minimum distance to a utility as described in Section 5.1(4) below;
- (f) written approval from the Commissioner where a Driveway is to be located within 0.9 metres of a tree located on City property;
- (g) written approval from the appropriate authority where poles, hydrants, manholes, signs and any other road works require relocation to facilitate a Driveway;
- (g) the Driveway Permit Fee as set out in the City's User Fee By-law 380-2003, as amended; and
- (h) such other information that may be required by the Commissioner.

4.3 The Driveway Permit Fee shall be refundable.

5.0 PERMIT REQUIREMENTS

5.1 Every Person that resurfaces, constructs, expands or alters a Driveway shall:

- (1) comply with the requirements of the City's Zoning By-law 270-2004, as amended, unless a valid permission, supporting decision or approval required by law is obtained and provided to the Commissioner with the application;
- (2) comply with the City's Fill By-law 143-95, as amended;
- (3) comply with the City's Traffic By-law 93-93, as amended;
- (4) ensure that the minimum distance of a Driveway edge to the face of a utility shall not be less than:

Any vertical pole installed with roadway lighting,
traffic signals or
carrying electrical/telecommunications cables

0.9 metre

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Fire Hydrant	0.9 metre
Communications Pedestals or boxes	0.9 metre
Hydro Transformer	0.9 metre

- (5) ensure that no Driveway obstructs or interferes with City approved on-street parking spaces;
- (6) comply with any requirements imposed by the Commissioner that in his or her opinion are reasonably necessary for the protection of the public safety and right to travel along the street, including, but not limited to:
 - (a) installation of bioswales or culverts along streets with ditches;
 - (b) provision of flag persons, uniformed police officers and/or traffic warning devices;
 - (c) supervision of the work site;
 - (d) provision of barricades, platforms or other structures necessary for the protection of the public; and
 - (e) any other condition that, in the Commissioner's opinion, is reasonably necessary for the protection of the public safety and right to travel along the street;
- (7) notify the Commissioner in writing when they have completed the work;
- (8) complete all maintenance work deemed necessary by the Commissioner within 72 hours of notice to undertake such repairs. In the case of emergency repairs deemed necessary by the Commissioner, the necessary works shall be completed immediately;
- (9) finish all Driveways with asphalt, paving stones, impressed concrete or such other hard durable surface as approved by the Commissioner;
- (10) construct and maintain Driveways to prevent surface drainage, dirt, dust, and debris from the Driveway entering the street from the Owner's property in an amount that, in the opinion of the Commissioner, constitutes a hazard or nuisance;

- (11) concurrent with resurfacing, constructing or altering a Driveway, the Owner shall remove any existing Driveway that, in the opinion of the Commissioner, is redundant as a result of constructing or widening a Driveway, and shall restore that portion of the street previously occupied by the redundant Driveway to the satisfaction of the Commissioner;
- (12) restore the boulevard, sidewalk and road, at their expense, to a standard equal to or better than that of the existing boulevard, sidewalk and road, and to the satisfaction of the Commissioner; and
- (13) contract with a Driveway Paving Contractor licensed with the City, if the Driveway works are being performed for a fee by a Person other than the Owner.

6.0 PERMITS

- 6.1 The Commissioner shall issue a Driveway Permit where the application submitted complies with the permit requirements in this by-law and all applicable regulations and by-laws or approvals. Without limiting the generality of the foregoing, the Commissioner shall not issue a Driveway Permit unless the proposed work complies with the City's Zoning By-law 270-2004 and any other applicable regulations, by-laws or approvals.
- 6.2 The Commissioner may approve the issuance of a Driveway Permit where there is substandard Sight Distance in situations where there is no other means of access to the property, and in such cases the Commissioner may issue a permit subject to such special conditions as the Commissioner considers appropriate.
- 6.3 The Driveway Permit shall be valid only during the dates and times indicated on the permit.
- 6.4 Upon the expiry of the Driveway Permit, the Commissioner may inspect the Driveway for compliance.
- 6.5 A Driveway Permit may be renewed by the Commissioner for a further period at the discretion of the Commissioner upon submission of a written request for renewal to the Commissioner.

7.0 REFUSAL OR REVOCATION OF PERMIT

- 7.1 The Commissioner may revoke, refuse or refuse to renew a Driveway Permit where:
 - (a) the work being performed does not comply with the approved application or any conditions imposed by the Commissioner;

- (b) the work being performed does not meet the standards and specifications of the Commissioner, including if required by the Commissioner and at no cost to the City, the installation of bioswales or culverts along streets with ditches;
- (c) the work is conducted at a date or time other than authorized;
- (d) the work, in the opinion of the Commissioner, constitutes a danger;
- (e) the Driveway Permit was issued on mistaken or false information;
- (f) after six months after its issuance, the work has not been seriously commenced.

7.2 Prior to revoking a permit in accordance with this by-law, the Commissioner may give written notice of intention to revoke the permit to the owner at their last known address and if, on the expiration of thirty (30) days from the date of such notice, the grounds for revocation continue to exist, the permit shall be revoked without further notice.

8.0 PROHIBITIONS

- 8.1 No person shall install, construct, pave, resurface, expand or alter a Driveway without obtaining a Driveway Permit from the Commissioner prior to doing the work.
- 8.2 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway without obtaining a Driveway Permit from the Commissioner prior to doing the work.
- 8.3 No person shall install, construct, pave, resurface, expand or alter a Driveway that impedes a roadway's Sight Distance, horizontal or vertical alignment or other considerations, unless authorized by the Commissioner.
- 8.4 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway that impedes a roadway's Sight Distance, horizontal or vertical alignment or other considerations, unless authorized by the Commissioner.
- 8.5 No person shall install, construct, pave, resurface, expand or alter a Driveway except in accordance with the provisions of this by-law.
- 8.6 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway except in accordance with the provisions of this by-law.

9.0 SECURITIES

- 9.1 Prior to the issuance of a Driveway Permit, the Commissioner may require the Owner to pay any security and/or deposits in an amount calculated by the Commissioner based upon the Commissioner's estimate of the cost which will be incurred to reinstate the Driveway or highway and for other services provided by the City.
- 9.2 The Commissioner shall not require securities from any person where, in the opinion of the Commissioner, payment of sufficient securities for this purpose has already been made as a condition of approval in a development or site plan agreement with the City.
- 9.3 If the Driveway and any associated work is not completed to the satisfaction of the Commissioner, or should the Owner or Agent fail to complete work ordered pursuant to this by-law, the Commissioner shall use the securities to cover the cost of the works done.
- 9.4 Upon satisfactory completion of the work and following a warranty period of twenty-four months (two years) or a term set by the Commissioner, the amount of the security and/or deposit which exceeds the cost incurred by the City will be returned to the applicant.
- 9.5 Where the costs exceed the amount of security and/or deposit provided to the City, the City shall invoice the applicant, who shall pay the amount invoiced within 30 days of receipt of the invoice from the City.
- 9.6 Where a person does not reimburse the City within 30 days of receiving an invoice from the City requesting payment of the outstanding amount, the City may recover the costs owing by action, or by adding the costs owing to the tax roll and collecting them in the same manner as municipal taxes.
- 9.7 Where the Agent deposits security, the Agent is responsible to advise their client of the requirements herein that may affect that security.

10.0 ENFORCEMENT & INSPECTION

- 10.1 The provisions of this by-law may be enforced by an Officer.
- 10.2 An Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether any provision of this by-law is being complied with.

10.3 For the purposes of conducting an inspection pursuant to this by-law, an Officer may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (c) require information from any person concerning a matter related to the inspection; and
- (d) alone, or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

10.4 No Person shall prevent, hinder or obstruct, or attempt to hinder or obstruct, an Officer who is exercising a power or performing a duty under this by-law, including refusing to identify themselves when requested to do so by an Officer.

11.0 ORDERS TO COMPLY

11.1 Where an Officer believes that a contravention of this by-law has occurred, the Officer may issue:

- (a) an order to discontinue the contravening activity;
- (b) an order to do work to correct the contravention; or
- (c) an order to discontinue the contravening activity and to do work to correct the contravention.

11.2 An order under this Part shall identify:

- (a) the name of the Person who is believed to have contravened this by-law;
- (b) the municipal address or location where the contravention occurred;
- (c) the reasonable particulars of the contravention;
- (d) the date and time by which there must be compliance with the order, and,
- (e) if applicable, the work to be done and the date by which the work must be done.

11.3 An order under this section shall be given in writing.

- 11.4 An order may be served personally or served by registered mail to the last known address of the Person and such other persons affected by it as determined by the Officer and a copy of the order may be posted on any property to which the contravention or Driveway Permit applies.
- 11.5 If an order is served by registered mail, the service shall be deemed to have been made five (5) days after the mailing.
- 11.6 Where service cannot be carried out in accordance with section 11.4, the Officer may place a placard containing the terms of the order in a conspicuous place on the property to which the contravention or Driveway Permit applies, and the placing of the placard shall be deemed to be sufficient service of the order on the Person or persons to whom the order is directed.
- 11.7 If the Person fails to do the work required by the order within the period specified in the order, the City, in addition to all other remedies it may have, may do the work at the Person's expense.
- 11.8 The City's cost of doing work pursuant to section 11.7 may be added to the tax roll and collected in the same manner as property taxes.
- 11.9 The City may register a notice of lien upon the land in the proper land registry office in the amount of all costs incurred by the City.
- 11.10 Every Person shall comply with an order issued pursuant to this by-law.

12.0 CONTRAVENTIONS AND PENALTIES

- 12.1 Every Person who contravenes any provision of this by-law is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.2 Every Person who fails to comply with an order made under this by-law, is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.3 Every Person who obstructs or attempts to obstruct any City employee in carrying out his or her duties under this by-law is guilty of an offence and on conviction is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.4 A director or officer of a corporation who knowingly concurs in the contravention of this by-law by the corporation is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.5 In addition to sections 12.1, 12.2, 13.3 and 12.4, any Person who is convicted of an offence under this by-law is liable to the following fines:

- (a) the maximum fine for an offence is \$100,000.00;
 - (b) in the case of a continuing offence, for each day or part of a day that the offence continues, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00 and the total of all daily fines for the offence is not limited to \$100,000.00; and
 - (c) in the case of a multiple offence, for each offence included in the multiple offence, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00 and the total of all fines for each included offence is not limited to \$100,000.00.
- 12.6 If a Person is convicted of an offence under this by-law, in addition to any other remedy or any penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction, may make an order:
- (a) prohibiting the continuation or repetition of the offence by the Person convicted; and
 - (b) requiring the Person convicted to correct the contravention in the manner and within the period that the court considers appropriate.
- 12.7 Where a Person fails to pay any part of a fine for a contravention of this by-law and the fine is due and payable under section 66 of the *Provincial Offences Act*, including any extension of time to pay the fine provided under that section, the City Treasurer, or the Treasurer's designate may give the Person a written notice specifying the amount of the fine payable and the final date on which it is payable, which date shall not be less than twenty-one (21) days after the date of the notice.
- 12.8 If any part of a fine for a contravention of this by-law remains unpaid after the final date specified in the notice given under section 12.7, the outstanding fine is deemed to be unpaid taxes for the purposes of section 351 of the *Municipal Act, 2001*.

13.0 INTERPRETATION, COMPLIANCE AND SEVERABILITY

- 13.1 In this by-law, words used in the present tense include the future; words used in the masculine gender include the feminine; and the singular includes the plural and the plural the singular.
- 13.2 Wherever a word is used in this by-law with its first letter capitalized, the term is being used as it is defined in this by-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
- 13.3 The headings and subheadings used in this by-law shall not form a part of the by-law, but shall be deemed to be inserted for convenience of reference only.
- 13.4 This by-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the City or by any governmental authority having jurisdiction to make such restrictions or regulations.
- 13.5 If there is a conflict between a provision of this by-law and a provision of any other City by-law, the provision that establishes the higher standard to protect the health and safety of the public and to maintain clean and tidy conditions on the highway shall apply.
- 13.6 If a court of competent jurisdiction declares any provision or part of a provision of this by-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this by-law that the remainder of this by-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

14.0 FORCE AND EFFECT

- 14.1 This By-law shall come into force and effect on June 1, 2019.

ENACTED AND PASSED this day of , 2019.

Approved as to
form.

Patrick Brown, Mayor

Approved as to
content.

Peter Fay, City Clerk

DRAFT

I want to widen my driveway. How does this affect me?

-You or your contractor will have to obtain a permit for the widening. This will include any widening in the right-of-way. You will be required to fill out a form, provide a plan of the widening, and pay the applicable fees.
-The City's website will provide guidance as to what constitutes the driveway, how much you can widen the driveway, what information to provide on the drawing and contact points to discuss any questions with City staff.
-You will need to plan in advance as obtaining the permit will take a period of time.
-Your contractor will need to be licensed to do work in the City of Brampton. You can obtain information regarding licensed contractors from the City's website.
-Once the work is underway, you will have to post the permit in the window/door of your home, visible from the outside.
-If you fail to obtain a permit you may be charged. If your contractor is not licensed they may have their license revoked.
-If you undertake work that is not in accordance with the permit, you or your contractor may be charged. The contractor may have their license revoked. If the work does not conform to the by-law, further charges may ensue.

My neighbour is widening their driveway?

-You can ask them if they have obtained a permit.
-You can ask their contractor if they are licensed or have obtained a permit.
-You have the ability to submit a complaint to the City if you feel work is not being done in compliance with City regulations, in violation of a permit, or without a permit. City Enforcement staff will respond to such a complaint.

My neighbour widened their driveway last year?

-If you have some form of concern you can submit a complaint to the City, if you feel there is an issue with what was done, or it is impacting your property in some form. City Enforcement staff will respond to such a complaint.
-Part of staff's review would be to determine if the widening conforms to the City's by-laws and/or a curb cut permit was obtained (where such occurred). If it is not in compliance, staff will work with the homeowner to bring the driveway into compliance. The homeowner may get charged if they fail to rectify the situation.



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number ____ - 2019

A By-law to Amend Business Licensing By-law 332-2013, as amended

WHEREAS By-law 332-2013 provides for the licensing of businesses in the City of Brampton;

AND WHEREAS the Council of The Corporation of the City of Brampton deems it desirable to amend By-law 332-2013,

NOW THEREFORE the Council of The Corporation of the City of Brampton **ENACTS** as follows:

1. By-law 332-2013, as amended, is hereby further amended by deleting paragraph 23(l) and replacing it with the following:

“23(l) Any fee payable by the Licensee pursuant to this By-law has not been paid.”

2. By-law 332-2013, as amended, is hereby further amended by adding the following subparagraphs after paragraph 23(m):

“(n) The Applicant or Licensee has failed to pay an administrative monetary penalty imposed by the City or a fine or fines imposed by a Court for convictions for breach of this or any other City by-law.

- (o) The Applicant or Licensee has failed to comply with any condition or direction of the Licence Issuer or Inspector or has failed to permit any investigation by the Licence Issuer or Inspector.
 - (p) The Applicant or Licensee has failed to comply with the requirements setout in any of the Schedules referenced in subsections 5(1)(a) to and including 5(1)(aa) applicable to the Applicant or Licensee.”
- 3. By-law 332-2013, as amended, is hereby further amended by deleting the reference to “and including (m)” at the end of paragraph 24 and replacing it with “and including (p)”.
- 4. Schedule 9 of By-law 332-2013, as amended is hereby further amended by deleting the definition of “Driveway” and replacing it with the following and capitalizing the word Driveway throughout Schedule 9:

“Driveway” means an area of hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone), including a surfaced walkway and any hard and level surface that is capable of being parked or driven upon by part or the whole of a vehicle.”
- 5. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following definition of “Driveway Paving Work” and replacing all references to “work” or “driveway paving” in Schedule 9 with the words “Driveway Paving Work”:

“Driveway Paving Work” means any work on a Driveway, including installing, constructing, paving, resurfacing, sealing, repairing, expanding or altering a Driveway, lane, roadway or parking area.
- 6. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following definition of “Permit” and capitalizing all references to “permit” in Schedule 9:

““Permit” includes a permit required by the Driveway Permit By-law _____ or any other City By-law.”
- 7. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following subparagraphs after paragraph 4(c):
 - “(d) perform any Driveway Paving Work that requires a permit unless the permit is displayed in view of the public in the area in which the work is being performed;

7.3 - 77

(e) perform any Driveway Paving Work that is not in compliance with the City's Zoning By-Law 270-2004, as amended, or any other City by-law, unless a valid permission, supporting decision or approval required by law is obtained prior to the commencement of any work."

READ a FIRST, SECOND and THIRD TIME and PASSED in OPEN COUNCIL this day of _____, 2019.

Approved as to
form.

Patrick Brown, Mayor

Approved as to
content.

Peter Fay, City Clerk

**THE CORPORATION OF THE CITY OF BRAMPTON**

BY-LAW _____

A By-law to Regulate the Resurfacing, Construction, Expansion and Alteration of Residential Driveways

WHEREAS The Corporation of the City of Brampton considers it desirable to regulate the resurfacing, construction, alteration and expansion of Driveways;

AND WHEREAS subsection 8(1) of the *Municipal Act, 2001*, S.O. 2001, c.25 (hereinafter the "*Municipal Act, 2001*") provides that a municipality's powers are to be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS subsection 11(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 11(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: Economic, social and environmental well-being of the municipality; Health, safety and well-being of persons; Protection of persons and property, including consumer protection;

AND WHEREAS section 23.1 of the *Municipal Act, 2001* provides that a municipality may delegate its powers and duties under that Act;

AND WHEREAS for the purposes of subsection 23.2(4) of the *Municipal Act, 2001* it is the opinion of Council that the powers delegated pursuant to this By-law are of a minor nature;

AND WHEREAS section 425 of the *Municipal Act, 2001* provides that any person who contravenes any by-law of the municipality is guilty of an offence;

AND WHEREAS section 444 of the *Municipal Act, 2001* provides that a municipality may make an order requiring a person who contravened a by-law or who caused or permitted the contravention or the Owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

AND WHEREAS subsection 446(1) of the *Municipal Act, 2001* provides that a municipality may proceed to do things at a person's expense, which that person is otherwise required to do under a by-law or otherwise has failed to do; and

AND WHEREAS subsection 446(3) of the *Municipal Act, 2001* provides that the costs incurred by a municipality in doing a thing or matter under section 446(1) may be recovered by adding the costs to the tax roll and collecting it in the same manner as taxes;

NOW THEREFORE the Council for The Corporation of the City of Brampton ENACTS as follows:

SHORT TITLE

1.1 This by-law shall be known as the "Driveway Permit By-Law".

2.0 ADMINISTRATION

2.1 This by-law shall be administered by the Commissioner of Public Works and Engineering or their designate.

2.2 The Commissioner may prescribe forms for purposes of this by-law, including amending the forms from time to time.

3.0 DEFINITIONS

3.1 In this by-law,

"Agent" means a Person authorized in writing by the Owner to act on their behalf to obtain a Driveway Permit, and includes a Driveway Paving Contractor;

"City" means The Corporation of the City of Brampton;

"Commissioner" means the Commissioner of Public Works and Engineering of The Corporation of the City of Brampton or their designate;

"Council" means the Council of The Corporation of the City of Brampton;

“Driveway” means an area of hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone), including a surfaced walkway and any hard and level surface that is capable of being parked or driven upon by part or the whole of a vehicle;

“Driveway Paving Contractor” means a Person licensed under the Business Licensing By-law 332-2013, as amended;

“Driveway Permit” means a permit issued by the Commissioner pursuant to the provisions of this by-law;

“Officer” means a Municipal Law Enforcement Officer or other person appointed by Council to enforce the City’s by-laws;

“Owner” includes

- (a) a Person who is the registered Owner of premises;
- (b) a Person who is in physical possession of premises;
- (c) a Person who has responsibility for and control over the condition of premises or the activities there carried on, or control over the persons allowed to enter the premises; and
- (d) a Person occupying premises.

“Person” means an individual, firm, corporation, partnership, association or organization, including a charitable organization;

“Premises” means real property owned by Persons, other than property owned by The Corporation of the City of Brampton, used, or intended to be used for residential purposes and includes real property owned by individuals, local boards, corporations and public authorities; and

“Sight Distance” means the length of roadway ahead visible to the driver for safe and efficient operation of a vehicle.

4.0 APPLICATION

4.1 An Owner or Agent may apply for a Driveway Permit.

4.2 Every application for a Driveway Permit shall include:

- (a) a complete application in the form specified by the Commissioner;

- (b) two (2) copies of a drawing, or other plans as requested by the Commissioner, showing the dimensions and layout of the work to be done;
- (c) complete details of the work to be done, including any additional information that may be requested by the Commissioner;
- (d) a copy of a any permits required by the City;
- (e) written approval from the appropriate authority where a Driveway is to be located within the minimum distance to a utility as described in Section 5.1(4) below;
- (f) written approval from the Commissioner where a Driveway is to be located within 0.9 metres of a tree located on City property;
- (g) written approval from the appropriate authority where poles, hydrants, manholes, signs and any other road works require relocation to facilitate a Driveway;
- (g) the Driveway Permit Fee as set out in the City's User Fee By-law 380-2003, as amended; and
- (h) such other information that may be required by the Commissioner.

4.3 The Driveway Permit Fee shall be refundable.

5.0 PERMIT REQUIREMENTS

5.1 Every Person that resurfaces, constructs, expands or alters a Driveway shall:

- (1) comply with the requirements of the City's Zoning By-law 270-2004, as amended, unless a valid permission, supporting decision or approval required by law is obtained and provided to the Commissioner with the application;
- (2) comply with the City's Fill By-law 143-95, as amended;
- (3) comply with the City's Traffic By-law 93-93, as amended;
- (4) ensure that the minimum distance of a Driveway edge to the face of a utility shall not be less than:

Any vertical pole installed with roadway lighting,
traffic signals or
carrying electrical/telecommunications cables

0.9 metre

Fire Hydrant	0.9 metre
Communications Pedestals or boxes	0.9 metre
Hydro Transformer	0.9 metre

- (5) ensure that no Driveway obstructs or interferes with City approved on-street parking spaces;
- (6) comply with any requirements imposed by the Commissioner that in his or her opinion are reasonably necessary for the protection of the public safety and right to travel along the street, including, but not limited to:
 - (a) installation of bioswales or culverts along streets with ditches;
 - (b) provision of flag persons, uniformed police officers and/or traffic warning devices;
 - (c) supervision of the work site;
 - (d) provision of barricades, platforms or other structures necessary for the protection of the public; and
 - (e) any other condition that, in the Commissioner's opinion, is reasonably necessary for the protection of the public safety and right to travel along the street;
- (7) notify the Commissioner in writing when they have completed the work;
- (8) complete all maintenance work deemed necessary by the Commissioner within 72 hours of notice to undertake such repairs. In the case of emergency repairs deemed necessary by the Commissioner, the necessary works shall be completed immediately;
- (9) finish all Driveways with asphalt, paving stones, impressed concrete or such other hard durable surface as approved by the Commissioner;
- (10) construct and maintain Driveways to prevent surface drainage, dirt, dust, and debris from the Driveway entering the street from the Owner's property in an amount that, in the opinion of the Commissioner, constitutes a hazard or nuisance;

- (11) concurrent with resurfacing, constructing or altering a Driveway, the Owner shall remove any existing Driveway that, in the opinion of the Commissioner, is redundant as a result of constructing or widening a Driveway, and shall restore that portion of the street previously occupied by the redundant Driveway to the satisfaction of the Commissioner;
- (12) restore the boulevard, sidewalk and road, at their expense, to a standard equal to or better than that of the existing boulevard, sidewalk and road, and to the satisfaction of the Commissioner; and
- (13) contract with a Driveway Paving Contractor licensed with the City, if the Driveway works are being performed for a fee by a Person other than the Owner.

6.0 PERMITS

- 6.1 The Commissioner shall issue a Driveway Permit where the application submitted complies with the permit requirements in this by-law and all applicable regulations and by-laws or approvals. Without limiting the generality of the foregoing, the Commissioner shall not issue a Driveway Permit unless the proposed work complies with the City's Zoning By-law 270-2004 and any other applicable regulations, by-laws or approvals.
- 6.2 The Commissioner may approve the issuance of a Driveway Permit where there is substandard Sight Distance in situations where there is no other means of access to the property, and in such cases the Commissioner may issue a permit subject to such special conditions as the Commissioner considers appropriate.
- 6.3 The Driveway Permit shall be valid only during the dates and times indicated on the permit.
- 6.4 Upon the expiry of the Driveway Permit, the Commissioner may inspect the Driveway for compliance.
- 6.5 A Driveway Permit may be renewed by the Commissioner for a further period at the discretion of the Commissioner upon submission of a written request for renewal to the Commissioner.

7.0 REFUSAL OR REVOCATION OF PERMIT

- 7.1 The Commissioner may revoke, refuse or refuse to renew a Driveway Permit where:
 - (a) the work being performed does not comply with the approved application or any conditions imposed by the Commissioner;

- (b) the work being performed does not meet the standards and specifications of the Commissioner, including if required by the Commissioner and at no cost to the City, the installation of bioswales or culverts along streets with ditches;
- (c) the work is conducted at a date or time other than authorized;
- (d) the work, in the opinion of the Commissioner, constitutes a danger;
- (e) the Driveway Permit was issued on mistaken or false information;
- (f) after six months after its issuance, the work has not been seriously commenced.

7.2 Prior to revoking a permit in accordance with this by-law, the Commissioner may give written notice of intention to revoke the permit to the owner at their last known address and if, on the expiration of thirty (30) days from the date of such notice, the grounds for revocation continue to exist, the permit shall be revoked without further notice.

8.0 PROHIBITIONS

- 8.1 No person shall install, construct, pave, resurface, expand or alter a Driveway without obtaining a Driveway Permit from the Commissioner prior to doing the work.
- 8.2 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway without obtaining a Driveway Permit from the Commissioner prior to doing the work.
- 8.3 No person shall install, construct, pave, resurface, expand or alter a Driveway that impedes a roadway's Sight Distance, horizontal or vertical alignment or other considerations, unless authorized by the Commissioner.
- 8.4 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway that impedes a roadway's Sight Distance, horizontal or vertical alignment or other considerations, unless authorized by the Commissioner.
- 8.5 No person shall install, construct, pave, resurface, expand or alter a Driveway except in accordance with the provisions of this by-law.
- 8.6 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway except in accordance with the provisions of this by-law.

9.0 SECURITIES

- 9.1 Prior to the issuance of a Driveway Permit, the Commissioner may require the Owner to pay any security and/or deposits in an amount calculated by the Commissioner based upon the Commissioner's estimate of the cost which will be incurred to reinstate the Driveway or highway and for other services provided by the City.
- 9.2 The Commissioner shall not require securities from any person where, in the opinion of the Commissioner, payment of sufficient securities for this purpose has already been made as a condition of approval in a development or site plan agreement with the City.
- 9.3 If the Driveway and any associated work is not completed to the satisfaction of the Commissioner, or should the Owner or Agent fail to complete work ordered pursuant to this by-law, the Commissioner shall use the securities to cover the cost of the works done.
- 9.4 Upon satisfactory completion of the work and following a warranty period of twenty-four months (two years) or a term set by the Commissioner, the amount of the security and/or deposit which exceeds the cost incurred by the City will be returned to the applicant.
- 9.5 Where the costs exceed the amount of security and/or deposit provided to the City, the City shall invoice the applicant, who shall pay the amount invoiced within 30 days of receipt of the invoice from the City.
- 9.6 Where a person does not reimburse the City within 30 days of receiving an invoice from the City requesting payment of the outstanding amount, the City may recover the costs owing by action, or by adding the costs owing to the tax roll and collecting them in the same manner as municipal taxes.
- 9.7 Where the Agent deposits security, the Agent is responsible to advise their client of the requirements herein that may affect that security.

10.0 ENFORCEMENT & INSPECTION

- 10.1 The provisions of this by-law may be enforced by an Officer.
- 10.2 An Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether any provision of this by-law is being complied with.

10.3 For the purposes of conducting an inspection pursuant to this by-law, an Officer may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
- (c) require information from any person concerning a matter related to the inspection; and
- (d) alone, or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

10.4 No Person shall prevent, hinder or obstruct, or attempt to hinder or obstruct, an Officer who is exercising a power or performing a duty under this by-law, including refusing to identify themselves when requested to do so by an Officer.

11.0 ORDERS TO COMPLY

11.1 Where an Officer believes that a contravention of this by-law has occurred, the Officer may issue:

- (a) an order to discontinue the contravening activity;
- (b) an order to do work to correct the contravention; or
- (c) an order to discontinue the contravening activity and to do work to correct the contravention.

11.2 An order under this Part shall identify:

- (a) the name of the Person who is believed to have contravened this by-law;
- (b) the municipal address or location where the contravention occurred;
- (c) the reasonable particulars of the contravention;
- (d) the date and time by which there must be compliance with the order, and,
- (e) if applicable, the work to be done and the date by which the work must be done.

11.3 An order under this section shall be given in writing.

- 11.4 An order may be served personally or served by registered mail to the last known address of the Person and such other persons affected by it as determined by the Officer and a copy of the order may be posted on any property to which the contravention or Driveway Permit applies.
- 11.5 If an order is served by registered mail, the service shall be deemed to have been made five (5) days after the mailing.
- 11.6 Where service cannot be carried out in accordance with section 11.4, the Officer may place a placard containing the terms of the order in a conspicuous place on the property to which the contravention or Driveway Permit applies, and the placing of the placard shall be deemed to be sufficient service of the order on the Person or persons to whom the order is directed.
- 11.7 If the Person fails to do the work required by the order within the period specified in the order, the City, in addition to all other remedies it may have, may do the work at the Person's expense.
- 11.8 The City's cost of doing work pursuant to section 11.7 may be added to the tax roll and collected in the same manner as property taxes.
- 11.9 The City may register a notice of lien upon the land in the proper land registry office in the amount of all costs incurred by the City.
- 11.10 Every Person shall comply with an order issued pursuant to this by-law.

12.0 CONTRAVENTIONS AND PENALTIES

- 12.1 Every Person who contravenes any provision of this by-law is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.2 Every Person who fails to comply with an order made under this by-law, is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.3 Every Person who obstructs or attempts to obstruct any City employee in carrying out his or her duties under this by-law is guilty of an offence and on conviction is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.4 A director or officer of a corporation who knowingly concurs in the contravention of this by-law by the corporation is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.5 In addition to sections 12.1, 12.2, 13.3 and 12.4, any Person who is convicted of an offence under this by-law is liable to the following fines:

- (a) the maximum fine for an offence is \$100,000.00;
 - (b) in the case of a continuing offence, for each day or part of a day that the offence continues, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00 and the total of all daily fines for the offence is not limited to \$100,000.00; and
 - (c) in the case of a multiple offence, for each offence included in the multiple offence, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00 and the total of all fines for each included offence is not limited to \$100,000.00.
- 12.6 If a Person is convicted of an offence under this by-law, in addition to any other remedy or any penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction, may make an order:
- (a) prohibiting the continuation or repetition of the offence by the Person convicted; and
 - (b) requiring the Person convicted to correct the contravention in the manner and within the period that the court considers appropriate.
- 12.7 Where a Person fails to pay any part of a fine for a contravention of this by-law and the fine is due and payable under section 66 of the *Provincial Offences Act*, including any extension of time to pay the fine provided under that section, the City Treasurer, or the Treasurer's designate may give the Person a written notice specifying the amount of the fine payable and the final date on which it is payable, which date shall not be less than twenty-one (21) days after the date of the notice.
- 12.8 If any part of a fine for a contravention of this by-law remains unpaid after the final date specified in the notice given under section 12.7, the outstanding fine is deemed to be unpaid taxes for the purposes of section 351 of the *Municipal Act, 2001*.

13.0 INTERPRETATION, COMPLIANCE AND SEVERABILITY

- 13.1 In this by-law, words used in the present tense include the future; words used in the masculine gender include the feminine; and the singular includes the plural and the plural the singular.
- 13.2 Wherever a word is used in this by-law with its first letter capitalized, the term is being used as it is defined in this by-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
- 13.3 The headings and subheadings used in this by-law shall not form a part of the by-law, but shall be deemed to be inserted for convenience of reference only.
- 13.4 This by-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the City or by any governmental authority having jurisdiction to make such restrictions or regulations.
- 13.5 If there is a conflict between a provision of this by-law and a provision of any other City by-law, the provision that establishes the higher standard to protect the health and safety of the public and to maintain clean and tidy conditions on the highway shall apply.
- 13.6 If a court of competent jurisdiction declares any provision or part of a provision of this by-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this by-law that the remainder of this by-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

14.0 FORCE AND EFFECT

- 14.1 This By-law shall come into force and effect on July 2, 2019.

ENACTED AND PASSED this day of , 2019.

7.3 - 90

Approved as to
form.

Patrick Brown, Mayor

Approved as to
content.

Peter Fay, City Clerk

Date: 2019-05-03

Subject: **Recommendation Report**
Transmittal of Implementing By-laws
Driveway Widenings Review
City File: G.DX.

Contact: Bernie Steiger, Manager, Development Services, 905-874-2097,
 bernie.steiger@brampton.ca

Recommendations:

1. **THAT** the report from Bernie Steiger, Manager, Development Services, dated May 3, 2019, to the Council Meeting of May 22, 2019, re: "**Recommendation Report**", **Transmittal of Implementing By-laws, Driveway Widenings Review (File: G.DX.)**, be received; and
2. **THAT** the Driveway Permit By-law, attached as Appendix 1 to this report be adopted;
3. **THAT** the amendments to the Licensing By-law, attached as Appendix 2 to this report be adopted; and,
4. **THAT** the amendments to the User Fee By-law, attached as Appendix 3 to this report be adopted.

Overview:

- **At the May 13, 2019 Planning and Development Committee meeting staff presented a report which reviewed driveway widenings and the related regulatory framework.**
- **This report addressed a number of matters related to driveway widenings. A number of actions were recommended in this report. Planning and Development Committee, approved recommendations to, among other things, implement a Driveway Permit process (with associated amendments to the User Fee By-law, as well as undertake amendments to the Licensing By-law).**
- **In accordance with those recommendations, this report forwards the implementing Driveway Permit By-law, amendment to the Licensing By-law and amendment to the User Fee By-law, to Council for its consideration.**

9.2-2

Background:

At the May 13, 2019 Planning and Development Committee meeting staff tabled a report with the respect to driveway widenings.

This report recommended a number of actions to assist in making residents and contractors aware of the regulations pertaining to driveways, support enforcement and ensuring residents and contractors are accountable in terms of complying with City regulations. These changes were recommended to support broader objectives to ensure that City neighborhoods remain attractive places to live and balance the provision of landscaping and vegetation within the streetscape with that of accommodating driveways and vehicular parking.

Current Situation:

Of the actions identified in that report, a new Driveway Permit process, as well as changes to the Licensing By-law, was recommended. This report forwards the implementing Development Permit By-law, a related amendment to the User Fee By-law and an amending By-law to the Licensing By-law to Council for its consideration.

Draft versions of the Driveway Permit By-law and the Licensing By-law were attached to the May 13, 2019 report. The By-law attached to this report and recommended for approval contains mostly minor revisions, as well as the following more significant amendments:

- The addition of an exemption from the requirement to obtain a Driveway Permit where a Driveway is being installed pursuant to an approved site plan under the Planning Act;
- The addition of an exemption from the requirement to obtain a Driveway Permit, where a Driveway is being installed pursuant to an approved siting plan for a new dwelling in conjunction with a new subdivision (i.e. a builder-installed driveway as part of a new dwelling construction within a newly developing subdivision);
- The removal of the requirement that an Owner engage a licensed Driveway Paving Contractor, thereby leaving the onus (and any related by-law violation) on the Driveway Paving Contractor for failing to be registered under the Business Licensing By-law; and
- Changes to the penalty section of the by-law.

Corporate Implications:

Financial Implications

9.2-3

As noted in the report to the May 13, 2019 Planning and Development Committee meeting, the introduction of a driveway permitting system will likely have administrative and financial impacts. This includes potential increased staffing requirements for the Public Works and Engineering Department that will take in, circulate and review the applications, as well as for other departments that would also be involved in the review of such applications.

Current staffing levels should be sufficient to process a reasonable uptake in applications and the associated service requests and investigations, while still meeting customer service levels. While it is anticipated that the permitting process can initially be administered with current staff levels, uptake will likely increase as general awareness of the requirement grows across the City.

Should the increase exceed anticipated capacity or impact the overall level of service to the customer, a review of the personnel resources would be needed and brought forward in the 2020 operating budget submission, pending Council approval.

Other Implications:

2019-2022 Term of Council Priorities:

This report and the proposed recommendations align with the “Brampton is a well-run City” theme. The proposed actions will support enforcement and make residents and contractors accountable in terms of complying with City regulations.

As noted in the report to the May 13, 2019 Planning and Development Committee meeting, it would assist in ensuring that driveways remain balanced as part of a residential lot and streetscape and that the City’s neighbourhoods remain attractive places to live.

Living the Mosaic – 2040 Vision:

This Report has been prepared in full consideration of the overall vision that the people of Brampton will ‘Live the Mosaic’.

Conclusion:

In accordance with the direction provided at the May 13, 2019 Planning and Development Committee meeting, staff are presenting the implementing Driveway Permit By-law, amending By-law to the Licensing By-law and amending By-law to the User Fee By-law to Council for its consideration.

Respectfully submitted:

Allan Parsons, MCIP, RPP

Director, Development Services

Recommended by:

Richard Forward, MBA, M.Sc., P.Eng.
Commissioner, Planning and
Development Services

Attachments:

Appendix 1: Driveway Permit By-law
Appendix 2: Amending By-law to Licensing By-law
Appendix 3: Amending By-law to User Fee By-law



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2019

A By-law to Regulate the Installation, Construction, Paving, Resurfacing, Expansion and Alteration of Residential Driveways

WHEREAS The Corporation of the City of Brampton considers it desirable to regulate the resurfacing, construction, alteration and expansion of residential Driveways;

AND WHEREAS subsection 8(1) of the *Municipal Act, 2001*, S.O. 2001, c.25 (hereinafter the “***Municipal Act, 2001***”) provides that a municipality’s powers are to be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate and to enhance their ability to respond to municipal issues;

AND WHEREAS subsection 11(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 11(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: Economic, social and environmental well-being of the municipality; Health, safety and well-being of persons; Protection of persons and property, including consumer protection;

AND WHEREAS section 23.1 of the *Municipal Act, 2001* provides that a municipality may delegate its powers and duties under that Act;

AND WHEREAS for the purposes of subsection 23.2(4) of the *Municipal Act, 2001* it is the opinion of Council that the powers delegated pursuant to this By-law are of a minor nature;

AND WHEREAS section 425 of the *Municipal Act, 2001* provides that any person who contravenes any by-law of the municipality is guilty of an offence;

AND WHEREAS section 444 of the *Municipal Act, 2001* provides that a municipality may make an order requiring a person who contravened a by-law or who caused or permitted the contravention or the Owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

AND WHEREAS subsection 446(1) of the *Municipal Act, 2001* provides that a municipality may proceed to do things at a person’s expense, which that person is otherwise required to do under a by-law or otherwise has failed to do; and

AND WHEREAS subsection 446(3) of the *Municipal Act, 2001* provides that the costs incurred by a municipality in doing a thing or matter under section 446(1) may be recovered by adding the costs to the tax roll and collecting it in the same manner as taxes;

NOW THEREFORE the Council for The Corporation of the City of Brampton ENACTS as follows:

1.0 SHORT TITLE

1.1 This by-law shall be known as the “Driveway Permit By-Law”.

2.0 ADMINISTRATION

2.1 This by-law shall be administered by the Commissioner of Public Works and Engineering or their designate.

2.2 The Commissioner may prescribe forms for purposes of this by-law, including amending the forms from time to time.

3.0 DEFINITIONS

3.1 In this by-law,

“**Agent**” means a Person authorized in writing by the Owner to act on their behalf to obtain a Driveway Permit, and includes a Driveway Paving Contractor;

“**City**” means The Corporation of the City of Brampton;

“**Commissioner**” means the Commissioner of Public Works and Engineering of The Corporation of the City of Brampton or their designate;

“**Council**” means the Council of The Corporation of the City of Brampton;

“**Driveway**” means an area of hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone), including a surfaced walkway and any hard and level surface that is capable of being parked or driven upon by part or the whole of a vehicle;

“**Driveway Permit**” means a permit issued by the Commissioner pursuant to the provisions of this by-law;

“**Officer**” means a Municipal Law Enforcement Officer or other person appointed by Council to enforce the City’s by-laws;

“**Owner**” includes

- (a) a Person who is the registered Owner of Premises;
- (b) a Person who is in physical possession of Premises;
- (c) a Person who has responsibility for and control over the condition of Premises or the activities there carried on, or control over the persons allowed to enter the Premises; and,
- (d) a Person occupying Premises.

“**Person**” means an individual, firm, corporation, partnership, association or organization, including a charitable organization;

“Premises” means real property owned by Persons, other than property owned by The Corporation of the City of Brampton, used, or intended to be used for residential purposes and includes real property owned by individuals, local boards, corporations and public authorities; and,

“Sight Distance” means the length of roadway ahead visible to the driver for safe and efficient operation of a vehicle.

4.0 APPLICATION

4.1 An application for a Driveway Permit may be made by an Owner or Agent.

4.2 Every application for a Driveway Permit shall include:

- (a) a complete application in the form specified by the Commissioner;
- (b) two (2) copies of a drawing, or other plans (including a legal lot survey for the property) as requested by the Commissioner, showing the dimensions and layout of the work to be done;
- (c) complete details of the work to be done, including any additional information that may be requested by the Commissioner;
- (d) a copy of any permits required by the City;
- (e) written approval from the appropriate authority where a Driveway is to be located within the minimum distance to a utility as described in Section 5.1(4) below;
- (f) written approval from the Commissioner where a Driveway is to be located within 0.9 metres of a tree located on City property;
- (g) written approval from the appropriate authority where poles, hydrants, manholes, signs and any other road works require relocation to facilitate a Driveway;
- (h) the Driveway Permit fee as set out in the City’s User Fee By-law 380-2003, as amended; and,
- (i) such other information that may be required by the Commissioner.

4.3 The Driveway Permit application fee shall be non-refundable.

4.4 No Driveway Permit is required where a Person installs, constructs or paves a Driveway in accordance with:

- (a) an approved siting plan for a new dwelling constructed in conjunction with the initial development of a plan of subdivision; or
- (b) an approved site plan under the Planning Act.

5.0 PERMIT REQUIREMENTS

9.2-8

By-law Number _____ - 2019

5.1 Every Person that resurfaces, constructs, expands or alters a Driveway shall:

- (1) comply with the requirements of the City's Zoning By-law 270-2004, as amended, unless a valid permission, supporting decision or approval required by law is obtained and provided to the Commissioner with the application;
- (2) comply with the City's Fill By-law 143-95, as amended;
- (3) comply with the City's Traffic By-law 93-93, as amended;
- (4) ensure that the minimum distance of a Driveway edge to the face of a utility shall not be less than:

Any vertical pole installed with roadway lighting, traffic signals or carrying electrical/telecommunications cables	0.9 metre
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Fire Hydrant	0.9 metre
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Communications Pedestals or boxes	0.9 metre
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Hydro Transformer	0.9 metre
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- (5) ensure that no Driveway obstructs or interferes with City approved on-street parking spaces;
- (6) comply with any requirements imposed by the Commissioner that in his or her opinion are reasonably necessary for the protection of the public safety and right to travel along the street, including, but not limited to:
 - (a) installation of bioswales or culverts along streets with ditches;
 - (b) provision of flag persons, uniformed police officers and/or traffic warning devices;
 - (c) supervision of the work site;
 - (d) provision of barricades, platforms or other structures necessary for the protection of the public; and
 - (e) any other condition that, in the Commissioner's opinion, is reasonably necessary for the protection of the public safety and right to travel along the street;
- (7) notify the Commissioner in writing when they have completed the work;
- (8) complete all maintenance work deemed necessary by the Commissioner within 72 hours of notice to undertake such repairs. In the case of emergency repairs deemed necessary by the Commissioner, the necessary works shall be completed immediately;
- (9) finish all Driveways with asphalt, paving stones, impressed concrete or such other hard durable surface as approved by the Commissioner;

- (10) construct and maintain Driveways to prevent surface drainage, dirt, dust, and debris from the Driveway entering the street from the Owner's property in an amount that, in the opinion of the Commissioner, constitutes a hazard or nuisance;
- (11) concurrent with resurfacing, constructing or altering a Driveway, the Owner shall remove any existing Driveway that, in the opinion of the Commissioner, is redundant as a result of constructing or widening a Driveway, and shall restore that portion of the street previously occupied by the redundant Driveway to the satisfaction of the Commissioner; and
- (12) restore the boulevard, sidewalk and road, at their expense, to a standard equal to or better than that of the existing boulevard, sidewalk and road, and to the satisfaction of the Commissioner.

6.0 PERMITS

- 6.1 The Commissioner shall issue a Driveway Permit where the application submitted complies with the permit requirements in this by-law. Without limiting the generality of the foregoing, the Commissioner shall not issue a Driveway Permit unless the proposed work complies with the City's Zoning By-law 270-2004 and any other applicable regulations, by-laws or approvals.
- 6.2 The Commissioner may approve the issuance of a Driveway Permit where there is substandard Sight Distance in situations where there is no other means of access to the property, and in such cases the Commissioner may issue a permit subject to such special conditions as the Commissioner considers appropriate.
- 6.3 The Driveway Permit shall be valid only during the dates and times indicated on the permit.
- 6.4 The Commissioner may inspect the Driveway at any time for compliance with a Driveway Permit.
- 6.5 A Driveway Permit may be renewed by the Commissioner for a further period at the discretion of the Commissioner upon submission of a written request for renewal to the Commissioner.

7.0 REFUSAL OR REVOCATION OF PERMIT

- 7.1 The Commissioner may revoke, refuse or refuse to renew a Driveway Permit where:
 - (a) the work being performed does not comply with the approved application or any conditions imposed by the Commissioner;
 - (b) the work being performed does not meet the standards and specifications of the Commissioner, including if required by the Commissioner and at no cost to the City, the installation of bioswales or culverts along streets with ditches;
 - (c) the work is conducted at a date or time other than authorized;
 - (d) the work, in the opinion of the Commissioner, constitutes a danger;
 - (e) the Driveway Permit was issued on mistaken or false information;

- (f) if six months after the issuance of a Driveway Permit, the work has not been seriously commenced.

7.2 Prior to revoking a permit in accordance with this by-law, the Commissioner may give written notice of intention to revoke the permit to the owner at their last known address and if, on the expiration of thirty (30) days from the date of such notice, the grounds for revocation continue to exist, the permit shall be revoked without further notice.

8.0 PROHIBITIONS

8.1 No person shall install, construct, pave, resurface, expand or alter a Driveway without obtaining a Driveway Permit from the Commissioner prior to doing the work.

8.2 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway without obtaining a Driveway Permit from the Commissioner prior to doing the work.

8.3 No person shall install, construct, pave, resurface, expand or alter a Driveway that impedes a roadway's Sight Distance, horizontal or vertical alignment or other considerations, unless authorized by the Commissioner.

8.4 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway that impedes a roadway's Sight Distance, horizontal or vertical alignment or other considerations, unless authorized by the Commissioner.

8.5 No person shall install, construct, pave, resurface, expand or alter a Driveway except in accordance with the provisions of this by-law.

8.6 No person shall permit the installation, construction, paving, resurfacing, expansion or alteration of a Driveway except in accordance with the provisions of this by-law.

9.0 SECURITIES

9.1 Prior to the issuance of a Driveway Permit, the Commissioner may require the Owner to pay any security and/or deposit an amount calculated by the Commissioner based upon the Commissioner's estimate of the cost which will be incurred to reinstate the Driveway or highway and for other services provided by the City.

9.2 The Commissioner shall not require securities from any person where, in the opinion of the Commissioner, payment of sufficient securities for this purpose has already been made as a condition of approval in a development or site plan agreement with the City.

9.3 If the Driveway and any associated work is not completed to the satisfaction of the Commissioner, or should the Owner or Agent fail to complete work ordered pursuant to this by-law, the Commissioner shall use the securities to cover the cost of the works done.

9.4 Upon satisfactory completion of the work and following a warranty period of twelve months (one years) or a term set by the Commissioner, the amount of the security and/or deposit which exceeds the cost incurred by the City will be returned to the applicant.

9.5 Where the costs exceed the amount of security and/or deposit provided to the City, the City shall invoice the applicant, who shall pay the amount invoiced within 30 days of receipt of the invoice from the City.

- 9.6 Where a person does not reimburse the City within 30 days of receiving an invoice from the City requesting payment of the outstanding amount, the City may recover the costs owing by action, or by adding the costs owing to the tax roll and collecting them in the same manner as municipal taxes.
- 9.7 Where the Agent deposits security, the Agent is responsible to advise the Owner of the requirements herein that may affect that security.

10.0 ENFORCEMENT & INSPECTION

- 10.1 The provisions of this by-law may be enforced by an Officer.
- 10.2 An Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether any provision of this by-law is being complied with.
- 10.3 For the purposes of conducting an inspection pursuant to this by-law, an Officer may:
 - (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information from any person concerning a matter related to the inspection; and,
 - (d) alone, or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 10.4 No Person shall prevent, hinder or obstruct, or attempt to hinder or obstruct, an Officer who is exercising a power or performing a duty under this by-law, including refusing to identify themselves when requested to do so by an Officer.

11.0 ORDERS TO COMPLY

- 11.1 Where an Officer believes that a contravention of this by-law has occurred, the Officer may issue:
 - (a) an order to discontinue the contravening activity;
 - (b) an order to do work to correct the contravention; or
 - (c) an order to discontinue the contravening activity and to do work to correct the contravention.
- 11.2 An order under this Part shall identify:
 - (a) the name of the Owner of the Premises and any Person believed to have contravened this by-law;
 - (b) the municipal address or location where the contravention occurred;
 - (c) the reasonable particulars of the contravention;
 - (d) the date and time by which there must be compliance with the order, and

- (e) if applicable, the work to be done and the date by which the work must be done.

- 11.3 An order under this section shall be given in writing.
- 11.4 An order may be served personally or served by registered mail to the last known address of the Person and such other persons affected by it as determined by the Officer and a copy of the order may be posted on any property to which the contravention or Driveway Permit applies.
- 11.5 If an order is served by registered mail, the service shall be deemed to have been made five (5) days after the mailing.
- 11.6 If the Person fails to do the work required by the order within the period specified in the order, the City, in addition to all other remedies it may have, may do the work at the Person's expense.
- 11.7 The City's cost of doing work pursuant to section 11.6 may be added to the tax roll and collected in the same manner as property taxes.
- 11.8 Every Person shall comply with an order issued pursuant to this by-law.

12.0 CONTRAVENTIONS AND PENALTIES

- 12.1 Every Person who contravenes any provision of this by-law is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.2 Every Person who fails to comply with an order made under this by-law, is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.3 Every Person who obstructs or attempts to obstruct any City employee in carrying out his or her duties under this by-law is guilty of an offence and on conviction is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.4 A director or officer of a corporation who knowingly concurs in the contravention of this by-law by the corporation is guilty of an offence and is liable to penalties as provided for in the *Provincial Offences Act*.
- 12.5 In addition to sections 12.1, 12.2, 12.3 and 12.4:
 - (a) any Person who is convicted of an offence under this by-law is liable to a fine of not less than \$500.00 and not more than \$100,000.00; and
 - (b) notwithstanding section 12.5(a), any Person who is convicted of failing to comply with an order made pursuant to this by-law is liable to a fine of not less than \$500.00 and not more than \$10,000.00 for every day during which the failure to comply continues after the time given for complying with the order has expired; and the total of all daily fines for the offence is not limited to \$100,000.00.
- 12.6 If a Person is convicted of an offence under this by-law, in addition to any other remedy or any penalty imposed, the court in which the conviction has been entered, and any court of competent jurisdiction, may make an order prohibiting the continuation or repetition of the offence by the Person convicted.
- 12.7 Where a Person fails to pay any part of a fine for a contravention of this by-law and the fine is due and payable under section 66 of the *Provincial Offences Act*, including any extension of time to pay the fine provided under that section, the City Treasurer, or the Treasurer's designate may give the Person a written notice specifying the amount of the fine payable and the final date on which it is payable, which date shall not be less than twenty-one (21) days after the date of the notice.
- 12.8 If any part of a fine for a contravention of this by-law remains unpaid after the final date specified in the notice given under section 12.7, the outstanding fine is deemed

to be unpaid taxes for the purposes of the collection of the fine pursuant the *Municipal Act, 2001*.

13.0 INTERPRETATION, COMPLIANCE AND SEVERABILITY

- 13.1 In this by-law, words used in the present tense include the future; words used in the masculine gender include the feminine; and the singular includes the plural and the plural the singular.
- 13.2 Wherever a word is used in this by-law with its first letter capitalized, the term is being used as it is defined in this by-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
- 13.3 The headings and subheadings used in this by-law shall not form a part of the by-law, but shall be deemed to be inserted for convenience of reference only.
- 13.4 This by-law shall not be construed to reduce or mitigate any restrictions or regulations lawfully imposed by the City or by any governmental authority having jurisdiction to make such restrictions or regulations.
- 13.5 If there is a conflict between a provision of this by-law and a provision of any other City by-law, the provision that establishes the higher standard to protect the health and safety of the public and to maintain clean and tidy conditions on the highway shall apply.
- 13.6 If a court of competent jurisdiction declares any provision or part of a provision of this by-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this by-law that the remainder of this by-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

14.0 FORCE AND EFFECT

- 14.1 This By-law shall come into force and effect on July 2, 2019.

ENACTED and PASSED this 22 day of May, 2019.

Approved as to
form.

2019/May/07

[DMS]

Patrick Brown, Mayor

Approved as to
content.

2019/May/09

[CAK]

Peter Fay, City Clerk

(File G.DX.)



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2019

A By-law to Amend Business Licensing By-law 332-2013, as amended

WHEREAS By-law 332-2013 provides for the licensing of businesses in the City of Brampton;

AND WHEREAS the Council of The Corporation of the City of Brampton deems it desirable to amend By-law 332-2013,

NOW THEREFORE the Council of The Corporation of the City of Brampton **ENACTS** as follows:

1. By-law 332-2013, as amended, is hereby further amended by deleting paragraph 23(l) and replacing it with the following:
 "23(l) Any fee payable by the Licensee pursuant to this By-law has not been paid."
2. By-law 332-2013, as amended, is hereby further amended by adding the following subparagraphs after paragraph 23(m):
 "(n) The Applicant or Licensee has failed to pay an administrative monetary penalty imposed by the City or a fine or fines imposed by a Court for convictions for breach of this or any other City by-law or provincial offence.
 (o) The Applicant or Licensee has failed to comply with any condition or direction of the Licence Issuer or Inspector or has failed to permit any investigation by the Licence Issuer or Inspector.
 (p) The Applicant or Licensee has failed to comply with the requirements set out in any of the Schedules referenced in subsections 5(1)(a) to and including 5(1)(aa) applicable to the Applicant or Licensee."
3. By-law 332-2013, as amended, is hereby further amended by deleting the reference to "and including (m)" at the end of paragraph 24 and replacing it with ""and including (p)".
4. Schedule 9 of By-law 332-2013, as amended is hereby further amended by deleting the definition of "Driveway" and replacing it with the following and capitalizing the word Driveway throughout Schedule 9:

“Driveway” means an area of hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone), including a surfaced walkway and any hard and level surface that is capable of being parked or driven upon by part or the whole of a vehicle.”

5. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following definition of “Driveway Paving Work’ and replacing all references to “work” or “driveway paving” in Schedule 9 with the words “Paving Work”:

“Paving Work” means any work on a Driveway, including installing, constructing, paving, resurfacing, sealing, repairing, expanding or altering a Driveway, lane, roadway or parking area.”

6. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following definition of “Permit’ and capitalizing all references to “permit’ in Schedule 9:

“ **“Permit”** includes a permit required by the Driveway Permit By-law _____ - 2019 or any other City By-law.”

7. Schedule 9 of By-law 332-2013, as amended is hereby further amended by adding the following subparagraphs after paragraph 4(c):

- “(d) perform any Paving Work that requires a Permit unless the Permit is displayed in view of the public in the area in which the work is being performed;
- (e) perform any Paving Work that is not in compliance with the City’s Zoning By-Law 270-2004, as amended, or any other City by-law, unless a valid permission, supporting decision or approval required by law is obtained prior to the commencement of any work.”

8. This By-law shall come into force and effect on July 2, 2019.

ENACTED and PASSED this 22nd day of May, 2019.

Approved as to
form.

2019/May/07

[DMS]

Patrick Brown, Mayor

Approved as to
content.

20__/_/month/day

[insert name]

Peter Fay, City Clerk

(City File G.DX.)



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2019

A By-law to amend the User-Fee By-law 380-2003, as amended.

WHEREAS subsection 391(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may pass a by-law to impose fees and charges for services or activities it provides;

AND WHEREAS the Council of The Corporation of the City of Brampton has enacted By-law 380-2003, as amended, to prescribe a set of fees and charges;

AND WHEREAS The Corporation of the City of Brampton considers it desirable to impose a permit application fee under Driveway Permit By-law _____ - 2019;

NOW THEREFORE The Corporation of the City of Brampton enacts as follows:

1. By-law 380-2003, as amended, is hereby further amended by adding the following fee to Schedule H — Engineering and Traffic Sections of the Works and Transportation Department Fees/Charges:

Goods and/or Services	Fee Unit	Tax Applicable	Fee Effective as of July 2, 2019
Driveway Permit By-law			
Application for Driveway Permit	Each	No	\$50.00

2. This By-law shall come into force and effect on July 2, 2019.

ENACTED and PASSED this 22nd day of May, 2019.

Approved as to
form.

2019/May/07

[DMS]

Patrick Brown, Mayor

Approved as to
content.

2019/May/09

[CAK]

Peter Fay, City Clerk

(City File: G.DX.)

SCHEDULE 9 TO BY-LAW # 332-2013

RELATING TO

DRIVEWAY PAVING CONTRACTORS

1. In this Schedule:

“Driveway” means an area of hard and level surface (consisting of, but not limited to, asphalt, pavement, concrete, patterned concrete, compacted gravel and dirt, interlocking brick or paving stone), including a surfaced walkway and any hard and level surface that is capable of being parked or driven upon by part or the whole of a vehicle.”

“Driveway Paving Contractor” means a Person engaged in the business of paving, repairing or sealing Driveways, lanes, roadways and parking areas situated on privately owned property which may include municipal boulevards adjacent to such private property.

“Driveway Paving Information Course” is an online course, which provides training related to the City’s zoning requirements pertaining to paving, repairing or sealing Driveways, lanes, roadways and parking areas situated on privately owned property which may include municipal boulevards adjacent to such private property. The Driveway Paving Information Course is current to the year of issue

“Paving Work” means any Paving Work on a Driveway, including installing, constructing, paving, resurfacing, sealing, repairing, expanding or altering a Driveway, lane, roadway or parking area.”

2. Every Person licensed as a Driveway Paving Contractor under this By-law shall deposit a Letter of Credit or other security satisfactory to the Licence Issuer in the amount of \$15,000.00 that shall be valid for the term of the Licence.
- (a) This security shall be used for purposes as set out in the “Security Agreement” which is to be entered into between the Contractor and the City prior to licence issuance.
 - (b) Any funds drawn upon the security for breach of the agreement must be replaced within 48 hours or the licence will be subject to revocation.
 - (c) Should the security posted not be sufficient to cover the contravention administrative costs in which the security was drawn upon, the City shall charge any additional costs related to the contravention under Section 22 of this By-law.
 - (d) The City shall maintain the security for up to 180 days after the licence expires or is cancelled to perform any required inspections on paving work completed to ensure compliance.
3. Notwithstanding Clause 2, any Driveway Paving Contractor whose sole business involves the application of a protective sealcoating to an existing paved driveway shall be exempt from depositing a \$15,000.00 security at the time of application
4. No Person shall be licensed as a Driveway Paving Contractor unless the Person has a regular place of business and, if the Person is an individual is at least 18 years old.
5. Every Driveway Paving Contractor licensed under this Schedule shall:
- (a) Submit proof, to the satisfaction of the Licence Issuer, that all workers and employees are protected under the provisions of the *Workplace Safety and Insurance Act*, 1997, S.O. 1997, c.16, as amended;

APPENDIX A-1

- (b) Display the Licensee's name using letters with a minimum height of 10 centimetres on both sides of all vehicles owned, leased or used on a regular basis by the Licensee in the course of business;
 - (c) Have printed or otherwise impressed on all business stationery, forms, bills, statements and advertising material, the Licensee's name, address and telephone number;
 - (d) Prepare a written contract which shall be signed by the Licensee and the person for whom the Paving Work is being done before commencing any work and a copy of this agreement shall be given to the Person for whom the work is being done and the agreement shall contain:
 - (i) The name, address and telephone number of the Licensee and the name and address of the Person for whom the Paving Work is being done;
 - (ii) The address where the Paving Work is being done;
 - (iii) A description of the materials and services supplied, including the depth of asphalt, concrete, gravel or other material to be applied (this description may be supplemented by a sketch);
 - (iv) The itemized price for the materials and services to be supplied a detailed statement of the terms of payment;
 - (v) Warranties or guarantees, if any; and
 - (vi) The estimated date of completion;
 - (e) Obtain all necessary permits required by law prior to the commencement of any Paving Work.
 - (f) Provide confirmation of completion by the Applicant, and any other required employees of the business, in the current calendar year, of the Driveway Paving Information Course from the City of Brampton.
6. No Person licensed as a Driveway Paving Contractor shall:
- (a) Perform Paving Work that is extra or additional to an existing agreement unless the Licensee has entered into a second or additional contract with the Person for whom the work is being done;
 - (b) Permit the use of the Licensee's name by any other Person, either directly or indirectly, for the purpose of obtaining a permit to do any Driveway Paving Work; or
 - (c) Perform any Paving Work that requires a licence or permit without such licence or permit.
 - (d) Perform any Paving Work that requires a permit unless the permit is displayed in view of the public in the area in which the Paving Work is being performed;
 - (e) Perform any Paving Work that is not in compliance with the City's Zoning By-Law 270-2004, as amended, or any other City by-law, unless a valid permission, supporting decision or approval required by law is obtained prior to the commencement of any Paving Work.

- (f) Perform any paving work at a location without an employee of the contractor on-site who has completed the Driveway Paving Information course.
 - (g) Should a zoning violation be found in relation to the work performed by the contractor, the licence may be suspended until such time as the zoning infraction has been remedied by the Contractor at the Contractor's expense
- 7. Despite an Application being complete and all fees paid, the Licence Issuer shall refuse to issue or renew a Licence and in the case of an existing Licence, the Licence Issuer shall suspend the Licence, if an applicant or Licensee has six (6) or more by-law related convictions within the last twelve (12) months concerning the licensed business or individual, or any other of the individual's businesses that were licensed or were required to be licensed, or any other of the individual's prior businesses that were licensed or are required to be licensed.
- 8. The Licence Issuer may issue a warning letter to be placed in an applicant's or Licensee's file if, at the time of an application for a licence or renewal, the applicant has four (4) or more by-law related convictions concerning the licensed business or individual, or any of the individual's prior businesses that were licensed or required to be licensed, within the last twelve (12) months immediately preceding the date of issuance or renewal. The warning letter must advise the applicant or licensee about the specific applicable threshold.
- 9. A Person licensed under this Schedule may carry on business under a trade name other than his or her own but shall not carry on business under more than one name and only one Licence shall be issued.

Date: 2020-11-05

Subject: Housekeeping Amendment to By-law 280-2012 (A by-law to change the street names of a portion of Creditview Road, Earnest Parr Gate, Butterfield Drive, Omaha Drive Magnotta Lane) to Change a Street Name

Contact: Carolyn Crozier, Strategic Leader, City Building and Design
Planning, Development and Economic Development
Carolyn.crozier@brampton.ca

Report Number: Planning, Building and Economic Development-2020-379

Recommendations:

1. **THAT** the report titled: **Housekeeping Amendment to By-law 280-2012 (A by-law to change the street names of a portion of Creditview Road, Earnest Parr Gate, Butterfield Drive, Omaha Drive Magnotta Lane) to Change a Street Name** to the Planning and Development Committee Meeting of December 7, 2020, be received; and
2. **THAT Council adopt the proposed Amending By-law to amend By-law 280-2012** to add a reference to Plan 43M-1878, which was omitted in error, to replace the street name Magnotta Lane with Meadowcrest Lane.

Overview:

- This report recommends an amendment to By-law 280-2012, passed by Council on October 10, 2012, approving the change of the name Magnotta Lane to Meadowcrest Lane on Registered Plan 43M-1879.
- A housekeeping correction to this by-law is required to add a reference to Registered Plan 43M-1878, in addition to Plan 43M-1879, to ensure that the name Magnotta Lane on this plan is also changed to Meadowcrest Lane, as intended by By-law 280-2012.

Background:

By-law 280-2012, passed by Council on October 10, 2012, removed Magnotta Lane from the City's street name databased, replacing it with Meadowcrest Lane. This name appeared on both Registered Plan 43M-1878 and 43M-1879. The initial report (File B20ST, dated September 21, 2012 to City Council) and associated by-law inadvertently missed the inclusion of 43M-1878.

The proposed housekeeping amendment is intended to rectify this omission.

Current Situation:

The plans of subdivision for Registered Plans 43M-1878 and 43M-1879 have been reviewed by City departments and have received clearance for assumption. The lane name needs to be corrected as part of this process.

Corporate Implications:Financial Implications:

There are no financial impacts from amending By-law 280-2012 as outlined in this report.

Other Implications:

N/A

Term of Council Priorities:

This report aligns with the Strategic Directions – Brampton is a Well-Run City. Ensuring Council directions are followed is an example of a Well-Run City.

Conclusion:

It is recommended that By-law 280-2012 be corrected to reflect the approved and intended name of Meadowcrest Lane.

Authored by:

Reviewed by:

Carolyn Crozier, MSc.PI. MCIP, RPP

Allan Parsons, MCIP, RPP
Director, Development Services

Strategic Leader, City Planning and
Design
Planning, Building & Economic
Development

Planning, Building & Economic Development]

Approved by:

Submitted by:

Richard Forward, MBA, MSc, P.Eng
Commissioner
Planning, Building & Economic
Development

David Barrick
Chief Administrative Officer
Office of the CAO

Attachments:

Appendix A: Amending By-law



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____ - 2020

To amend By-law 280-2012, a By-law to change the street names of a portion of Creditview Road, Earnest Parr Gate, Butterfield Drive, Omaha Drive and Magnotta Lane, as amended

WHEREAS By-law 280-2012, being a By-law to change the street names of a portion of Creditview Road, Earnest Parr Gate, Butterfield Drive, Omaha Drive and Magnotta Lane was enacted on October 10, 2012;

AND WHEREAS it is deemed appropriate to amend paragraph 5 of By-law 280-2012 to add a reference to Plan 43M-1878, as it was omitted in error, which error requires correction;

NOW THEREFORE the Council of The Corporation of the City of Brampton ENACTS as follows:

1. THAT By-law 280-2012, as amended, is hereby further amended by adding the Plan number “**43M-1878**” to paragraph 5.

ENACTED and PASSED this day of, 2020.

Approved as to
form.

//

Patrick Brown, Mayor

Approved as to
content.

//

Peter Fay, City Clerk

Date: 2020-11-06

Subject: OZS-2020-0017 & 21T-20005B

RECOMMENDATION REPORT

Proposed Plan of Subdivision

(To create three blocks on a plan of subdivision in order to register common element condominium on the subject property).

Candevcon Limited – Navjot Brar

10764 Bramalea Road

West side of Bramalea Road and south of Father Tobin Road.

Ward: 9

Contact: Nitika Jagtiani, Development Planner, Development Services, 905-874-3847, Nitika.Jagtiani@Brampton.ca ; and, David VanderBerg, Manager, Development Services, 905-874-2325, David.Vanderberg@Brampton.ca

Report Number: Planning, Building and Economic Development-2020-363

Recommendations:

1. **That** the report titled: **Recommendation Report**, Proposed Draft Plan of Subdivision, **Candevcon Limited- Navjot Brar**, 10764 Bramalea Road, West side of Bramalea Road and south of Father Tobin Road, Ward 9, (OZS-2020-0017), dated November 6th, 2020 to the Planning and Development Committee Meeting of December 7th 2020, be received; and,
2. **THAT** the Draft Plan of Subdivision application submitted by Candevcon Limited, on behalf of Navjot Brar, Ward: 9, File: OZS-2020-0017, be approved, on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, has regard to Section 51 (24) of the Planning Act, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan and the City's Official Plan for the reasons set out in this Planning Recommendation Report.

Overview:

- **The applicant has submitted an application for a Draft Plan of Subdivision to create three blocks on a plan of subdivision for a 15-unit townhouse development at 10764 Bramalea Road.**
- **An Official Plan Amendment and Zoning By-law Amendment application were previously approved to permit the townhouse development (File: C04E14.013). No changes to the previously approved development are proposed with this application. This current application simply creates a block on a plan of subdivision to facilitate establishment of a common element condominium for the development.**
- **The subject lands are designated ‘Residential’ on Schedule A of the City of Brampton Official Plan, and as ‘Medium Density Residential’ in the Springdale Secondary Plan (SPA2). The property is zoned ‘Residential Townhouse C – Section 2910’ (R3C-2910) as per Zoning by By-law 270-2004, as amended. All three permit the proposed townhouse development.**
- **A Statutory Public Meeting for this application was held on September 14th, 2020. There were no comments received by the public. Details of the Statutory Public Meeting are included in Appendix 8 of this report.**
- **The proposal is consistent with the “2018-2022 Term of Council Priorities” by supporting “A City of Opportunities” theme. The proposal is consistent with the direction of building complete communities to accommodate growth for people and jobs.**

Background:

The applicant has submitted a Draft Plan of Subdivision to create blocks on a plan of subdivision to facilitate the establishment of a common element condominium for a 15-unit townhouse development at 10764 Bramalea Road.

An Official Plan Amendment and Zoning By-law Amendment were previously approved to permit the townhouse development (File: C04E14.013). No changes to the previously approved development are proposed with this application. This application is intended to allow for a common element condominium to be able to be created for it.

The application was reviewed for completeness and found to be complete in accordance with the Planning Act. A formal Notice of Complete Application was provided to the applicant on August 6th, 2020. The application was heard at a public meeting on September 14th, 2020.

Current Situation:

Proposal (Refer to Appendix 1):

The applicant has submitted an application to create blocks on a Plan of Subdivision to accommodate the creation of a specific type of condominium ownership whereby the residents will have full ownership of their units, as well as their yards – common element condominium. The ultimate development of the subject property is as follows:

- 15 townhouse units, in a common element condominium;
- An amenity space block, approximately 210 square metres (2,260 square feet) in size;
- A mutual driveway with the adjacent property to the north, municipally known as 10788 Bramalea Road (City File: C04E14.011). This shared access has been previously approved when the Official Plan and Zoning By-law was amended for the subject property to allow for the proposed development (City File: C04E14.013)
- Visitor parking; and
- A private road to service the condominium units.

Property Description and Surrounding Land Use (Refer to Appendix 2):

The lands have the following characteristics:

- Are municipally known as 10764 Bramalea Road;
- have a total site area of approximately 0.39 hectares (0.96 acres); and
- have a frontage of approximately 66.16 meters (217.06 feet) along Bramalea Road
- are currently occupied by a single-detached dwelling; which is to be demolished in the future.

The surrounding land uses are described as follows:

North: A proposed office use (approved under City File: C04E14.011), beyond which is Louise Arbour Secondary School;

South: Townhouse dwelling units;

East: Bramalea Road, beyond which are Townhouse dwelling units; and,

West: Louise Arbour Secondary School.

Summary of Recommendations

This report recommends that Council approve the draft plan of subdivision application.

Planning Analysis Summary:

The proposed land use was previously evaluated and approved under file C04E14.013. That review found that the 15-unit townhouse development represents good planning, including that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan of the Greater Golden Horseshoe, the Region of Peel Official Plan and the City's Official Plan.

The application does not propose any changes to the approved townhouse land use for the site. The development was proposed to have a common element condominium form of tenure. This current application simply creates blocks on a plan of subdivision that facilitates the creation of the common element condominium. Details for the design of the development will be addressed through the site plan approval process.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed with Section 51 (24) of the Planning Act (as summarized in Appendix 7), and advise that the proposed application satisfies these criteria. It is considered to represent proper and orderly planning and can be supported from a land use perspective.

Community Engagement

The application was circulated to City Departments, commenting agencies and property owners within 240 metres of the subject lands, in accordance with and exceeding the Planning Act requirement of 120 metres for such applications. A copy of all department/agency comments is attached as Appendix 9 to this report. Notice signs were placed on the subject lands to advise members of the public that an application for a Proposed Draft Plan of Subdivision had been filed with the City.

A Statutory Public Meeting for this application was held on September 14th, 2020. Details of the Statutory Public Meeting are included in Appendix 8 of this report.

Corporate Implications:

Financial Implications:

There are no financial implications directly associated with this report.

Other Implications:

There are no other corporate implications associated with the applications.

Term of Council Priorities:

The application is consistent with the “A City of Opportunities” theme. It supports the building of complete communities to accommodate growth for people and jobs.

Living the Mosaic – 2040 Vision

This report has been prepared in full consideration of the overall vision that the people of Brampton will ‘Live the Mosaic’. This report aligns with the vision that Brampton will be a mosaic of complete neighbourhoods and vibrant centres.

Conclusion:

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51 (24) of the Planning Act (as summarized in Appendix 7) applicable to the review of the application, and advise that the proposed application is considered to represent proper and orderly planning and can be supported from a land use perspective. Staff therefore recommend that the proposed draft plan of subdivision be approved.

Authored by:

Reviewed by:

Nitika Jagtiani MES (Pl.), LEED AP ND
Planner, Development Services

Allan Parsons, MCIP, RPP
Director, Development Services

Approved by:

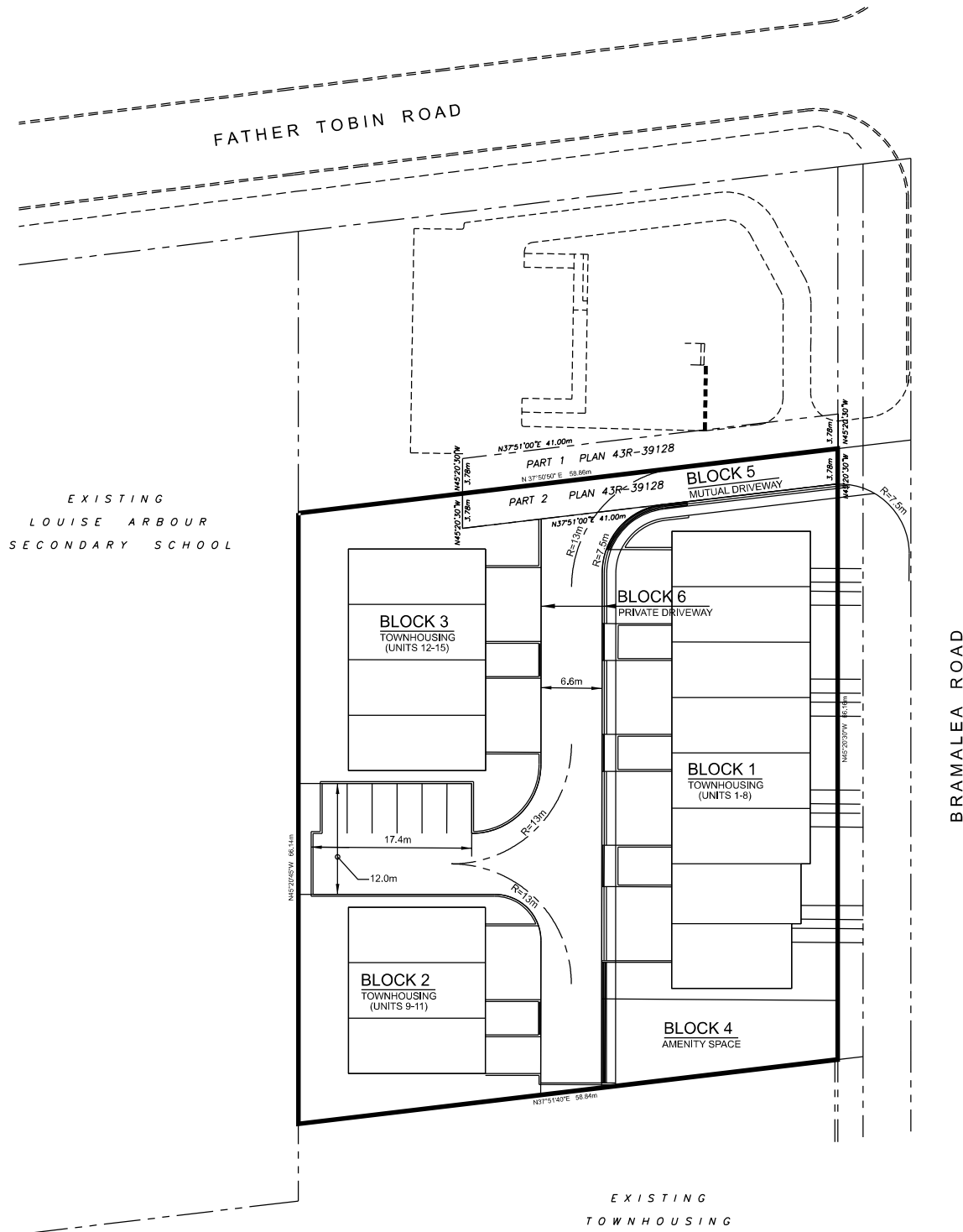
Submitted by:

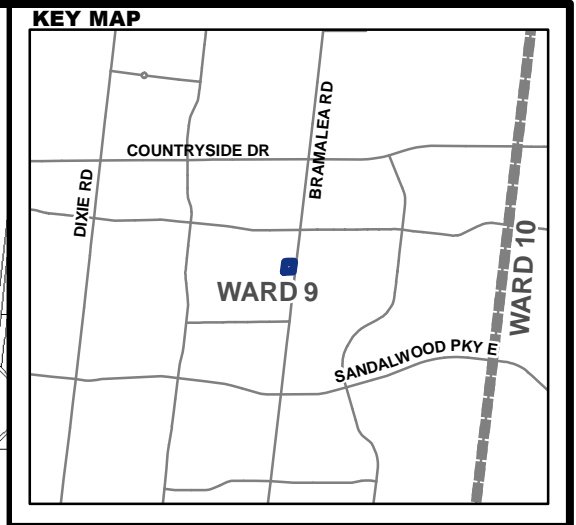
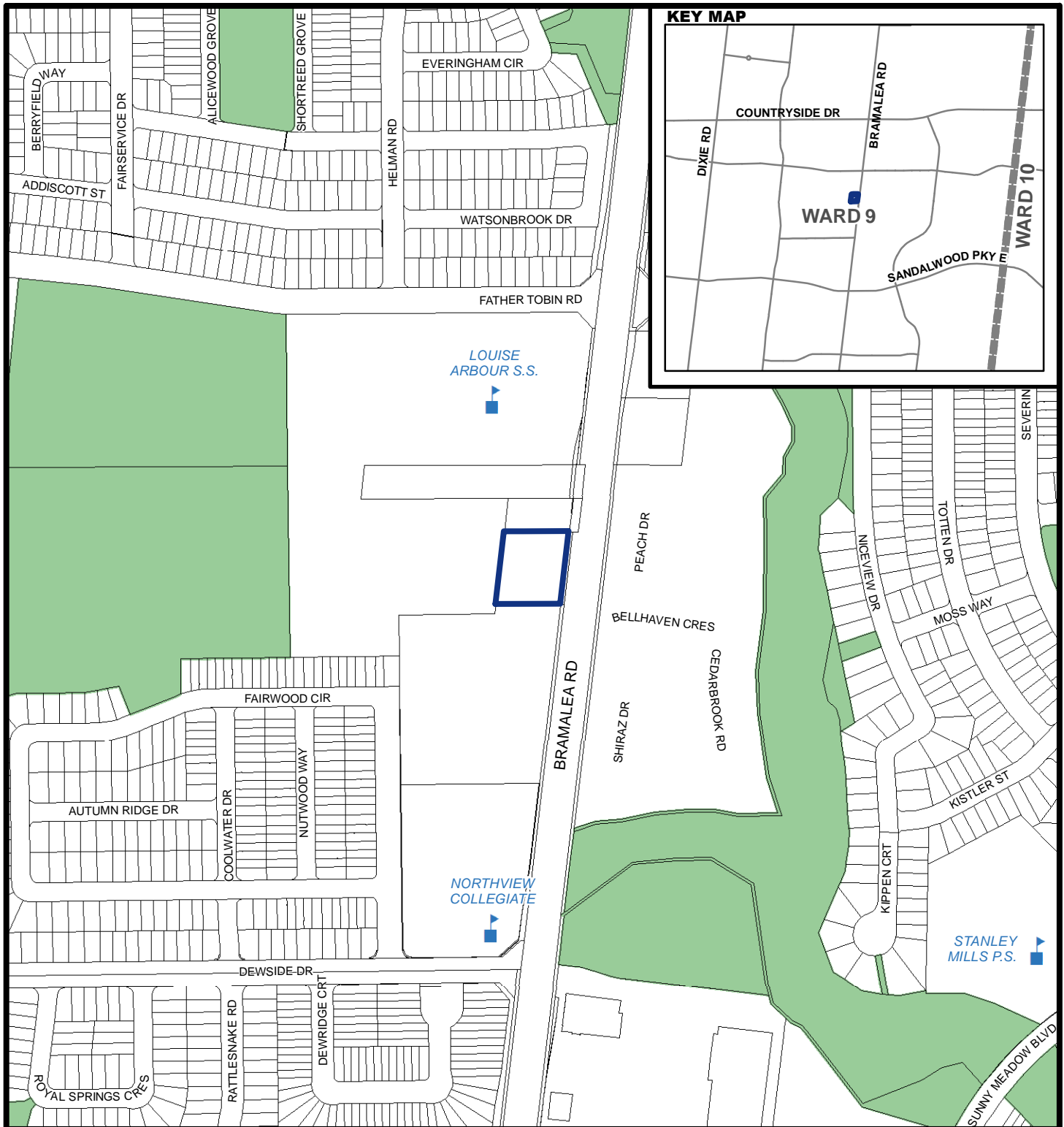
Richard Forward, MBC, M. Sc., P. Eng.
Commissioner
Planning and Development Services
Department

David Barrick
Chief Administrative Officer
City of Brampton

Attachments:

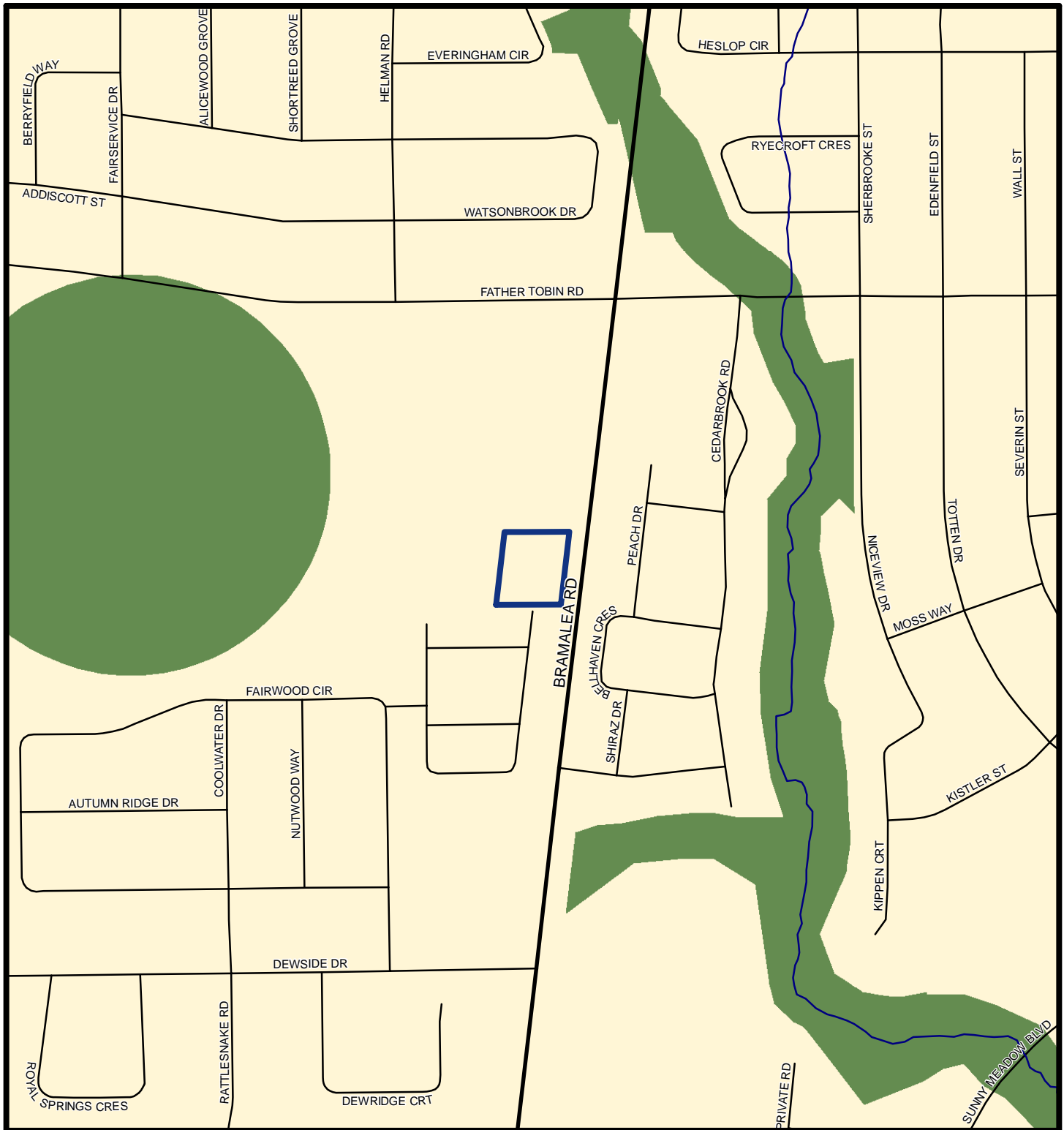
- Appendix 1: Draft Plan of Subdivision
- Appendix 2: Location Map
- Appendix 3: Official Plan Designations
- Appendix 4: Secondary Plan Designations
- Appendix 5: Zoning Designations
- Appendix 6: Aerial & Existing Land Use
- Appendix 7: Planning Analysis
- Appendix 8: Results of the Public Meeting
- Appendix 9: Results of the Application Circulation
- Appendix 10: Conditions of Draft Approval





- SUBJECT LAND
- GREENSPACE
- PROPERTY LINE
- SCHOOLS



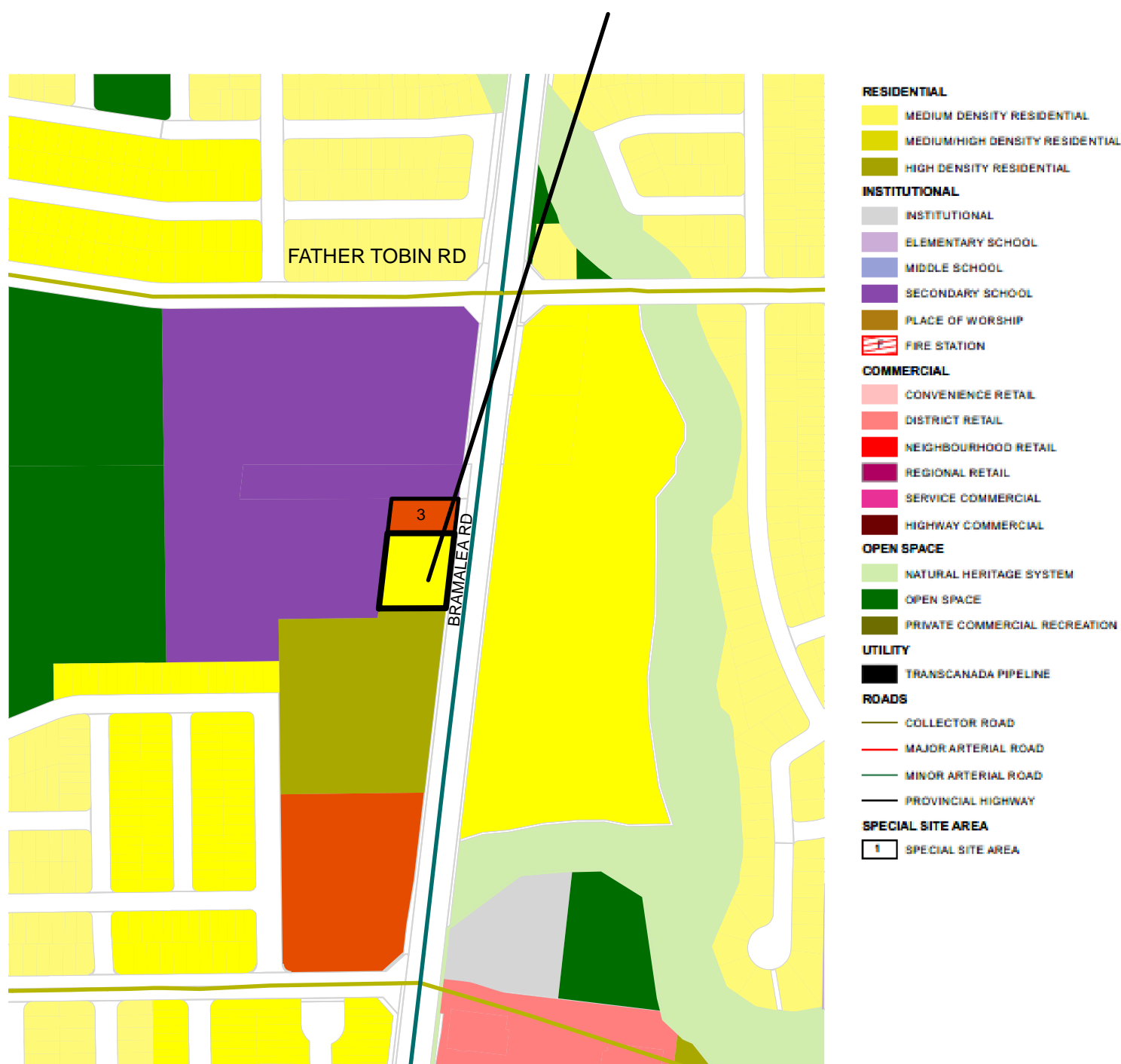


EXTRACT FROM SCHEDULE A (GENERAL LAND USE DESIGNATIONS) OF THE CITY OF BRAMPTON OFFICIAL PLAN

- SUBJECT LAND
 RESIDENTIAL
 OPENSAPCE



SUBJECT LANDS



EXTRACT FROM SCHEDULE SP2(A) OF THE DOCUMENT KNOWN AS THE SPRINGDALE SECONDARY PLAN












- | | | | |
|--|---|--|--|
|  SUBJECT LAND |  COMMERCIAL |  AGRICULTURAL |  FLOODPLAIN |
|  RESIDENTIAL |  INSTITUTIONAL |  OPEN SPACE | |





AERIAL PHOTO DATE: SPRING 2019

Legend

	SUBJECT LAND		AGRICULTURAL		INSTITUTIONAL		ROAD
	COMMERCIAL		OPEN SPACE		UTILITY		
	INDUSTRIAL		RESIDENTIAL				



Planning Analysis
City File Number: OZS-2020-0017

The proposed medium density land use was previously evaluated and approved under file C04E14.013. The Recommendation Report dated January 14, 2019 for that application included a detailed planning analysis. That review found that the 15-unit townhouse development represents good planning, including that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan and the City's Official Plan.

This application does not propose any changes to the approved townhouse land use for the site. The development was proposed to have a common element condominium form of tenure. This current application simply creates a block on a plan of subdivision that facilitates the creation of a common element condominium.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act, and advise that the application satisfies these criteria. That the proposed application is considered to represent proper and orderly planning and can be supported from a land use perspective.

The application is in compliance with Section 51(24) of the Planning in terms of the following:

Criteria to Be Considered	Analysis
a) <i>The effect of development of the proposed subdivision on matters of provincial interest:</i>	The subject application would facilitate a particular form of tenure, being a common element condominium, for a townhouse development that was approved under an earlier application. That development proposed townhouse dwelling which will add to the existing housing stock in the area, in a compatible and appropriate location. The application does not conflict with matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposal is not premature as there are adequate existing services in the area. This application is in the public interest and it will provide another form of housing within this part of the city.

c) <i>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	The Official Plan designates the subject property as 'Residential' and the application meets the general intent of the applicable policies. Furthermore, the proposed development is compatible with the surrounding land uses.
d) <i>The suitability of the land for the purposes for which it is to be subdivided;</i>	The proposed development is suitable for the lands, as it is within an existing neighbourhood with nearby amenities and existing municipal services. Suitability was thoroughly reviewed through the Official Plan and Zoning By-law application approved to permit the townhouse development.
e) <i>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposal proposes a private road connecting to a municipal street. Traffic Services have reviewed and have no traffic and/or transportation concerns.
f) <i>The dimensions and shapes of the proposed lots;</i>	The proposed lot dimensions and shapes are appropriate for the proposed townhouse development and meet the required provisions of the applicable Zoning By-law.
g) <i>The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	The proposal meets the existing zoning provisions of the subject property and appropriate restrictions will be included as a condition of the subdivision application.
h) <i>The conservation of natural resources and flood control;</i>	The subject property is not within the vicinity of any natural resources and/or flood control area.
i) <i>The adequacy of utilities and municipal services;</i>	There are no anticipated impediments to servicing the property with respect to water, storm water, sanitary sewer connections and utilities.

j) <i>The adequacy of school sites;</i>	The school boards were circulated on the subject application and no concerns were identified.
k) <i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	No land is required to be dedicated for public purposes.
l) <i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed development optimizes the efficient use of land by providing an appropriate density that meets the existing Official Plan and Secondary Plan criteria.
m) <i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	The proposed development will undergo a site plan approval process in order to ensure high quality design that is compatible with the surrounding land uses.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51 (24) of the Planning Act applicable to the review of the application, and advise that the proposed application is considered to represent proper and orderly planning and can be supported from a land use perspective. Staff therefore recommend that the proposed draft plan of subdivision be approved.

RESULTS OF PUBLIC MEETING

RESULTS OF PUBLIC MEETING

Planning and Development Committee
Regular Meeting – September 14th, 2020
City File Number – OZS-2020-0017

Members Present

Regional Councillor M. Medeiros – Wards 3 and 4 (Chair)
Regional Councillor P. Fortini – Wards 7 and 8 (Vice Chair)
Regional Councillor R. Santos – Wards 1 and 5
Regional Councillor P. Vicente – Wards 1 and 5
Regional Councillor M. Palleschi – Wards 2 and 6
Regional Councillor G. Dhillon – Wards 9 and 10
City Councillor D. Whillans – Wards 2 and 6
City Councillor J. Bowman – Wards 3 and 4
City Councillor C. Williams – Wards 7 and 8
City Councillor H. Singh – Wards 9 and 10

Staff Present

D. Barrick, Chief Administrative Officer

Planning and Development Services:

R. Forward, Commissioner
A. Parsons, Director, Development Services
B. Bjerke, Director, Policy Planning
C. Owusu-Gyimah, Manager, Development Planning
D. Vanderberg, Manager, Development Planning
J. Humble, Manager, Development Services
R. Campbell, Supervisor, Zoning and Sign By-law Services
N. Jagtiani, Development Planner
C. Owusu-Gyimah, Development Planner
D. Watchorn, Development Planner

City Clerk's Office:

P. Fay, City Clerk
C. Gravlev, Deputy City Clerk
R. Danton, Legislative Coordinator

Members of the Public- Nil

Staff Report:

Nitika Jagtiani, Development Planner, Planning, Building and Economic Development,

presented an overview of the application that included the location of the subject lands, area context, design details, current land use designations, preliminary issues, technical considerations, concept plan, next steps and contact information.

Following the presentation, it was indicated that there were no questions or clarification from Committee or pre-registered delegations. There were no members of the public present at the meeting for this application.

RESULT OF THE APPLICATION CIRCULATION

November 5, 2020

City of Brampton
2 Wellington Street West
Brampton, Ontario L6Y 4R2
Attn: Nitika Jagtiani

Re: Request for Comments
Candevcon Limited – Navjot Brar
10764 Bramalea Road
City File: OZS-2020-0017
Alectra EP File: J2-103

Dear Nitika,

As per your request for comments regarding the above project, we respond as follows:

A) Please include the following as conditions of approval:

- The owner/developer shall grant all necessary aerial or underground easements, as may be required to service this development, at no cost to Alectra Utilities. Alectra Utilities requires blanket easement on condominium developments. These will be confirmed during the final design of the roads and subdivision.
- The owner/developer shall enter to a servicing agreement (offer-to-connect) and will be responsible for the cost sharing as detailed in the offer-to-connect.
- The owner/developer shall be responsible for the costs associated with the hydro plant expansion to supply the development.
- The owner/developer shall be responsible for the costs of the relocation of existing plant to accommodate the new roads or driveways.

B) The owner/developer shall contact Alectra Utilities Subdivisions Department to obtain a subdivision application form (SAF) and to discuss the electrical service installation requirements and schedule. The owner/developer shall submit the SAF at least 6 months prior to the start of electrical distribution system (EDS) installation. SAF is available by visiting <https://alectrautilities.com/find-form?parent=9> (under Construction Services).

If you have any questions or concerns, feel free to contact me at 416.819.4975.

Yours Truly,

Henry Gamboa, CET
Supervisor, Distribution Design – Subdivisions

Jagtiani, Nitika

From: circulations@wsp.com
Sent: 2020/09/11 5:05 PM
To: Jagtiani, Nitika
Subject: [EXTERNAL]Draft Plan of Subdivision (21T-20005B); 10764 Bramalea Rd., Brampton

2020-09-11

Nitika Jagtiani

Brampton

, ,

Attention: Nitika Jagtiani

Re: Draft Plan of Subdivision (21T-20005B); 10764 Bramalea Rd., Brampton; Your File No. 21T-20005B

Our File No. 87732

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application. The following paragraphs are to be included as a condition of approval:

“The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities or easements within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada’s existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

To ensure that we are able to continue to actively participate in the planning process and provide detailed provisioning comments, we note that we would be pleased to receive circulations on all applications received by the Municipality and/or recirculations.

We note that WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. However, **all responses to circulations and requests for information, such as requests for clearance, will come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

Should you have any questions, please contact the undersigned.

Yours truly,

Meaghan Palynchuk
Manager - Municipal Relations

Network Provisioning

T: 905-540-7254 / M: 289-527-3953

Email: planninganddevelopment@bell.ca

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-LAEhHhHdzJzBITWfa4Hgs7pbKI

September 2, 2020

Nitika Jagtiani
Development Planner
City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Dear Ms. Jagtiani:

**Re: Notice of Application and Request for Comments
Application for Proposed Draft Plan of Subdivision
Candevcon Limited – Navjot Brar
10764 Bramalea Road
West side of Bramalea Rd, South of Countryside Dr
File: 21T-20005B (OZS 2020-0017)
City of Brampton – Ward 9**

The Dufferin-Peel Catholic District School Board has reviewed the above noted application based on its School Accommodation Criteria and provides the following comments:

The applicant proposes the development of 15 townhouse units which are anticipated to yield:

- 2 Junior Kindergarten to Grade 8 Students; and
- 1 Grade 9 to Grade 12 Students

The proposed development is located within the following school catchment areas which currently operate under the following student accommodation conditions:

Catchment Area	School	Enrolment	Capacity	# of Portables / Temporary Classrooms
Elementary School	Ven. Michael J. McGivney	437	550	2
Secondary School	St. Marguerite d'Youville	1471	1458	11

The Board requests that the following condition be incorporated in the conditions of draft approval:

1. That the applicant shall agree in the Servicing and/or Subdivision Agreement to include the following warning clauses in all offers of purchase and sale of residential lots.
 - (a) "Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or

bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school."

- (b) "That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board."

The Board will be reviewing the accommodation conditions in each elementary and secondary planning area on a regular basis and will provide updated comments if necessary.

Yours sincerely,

K. Koops

Krystina Koops, MCIP, RPP
Planner
Dufferin-Peel Catholic District School Board
(905) 890-0708, ext. 24407
krystina.koops@dpcdsb.org

c: N. Hanson, Peel District School Board (via email)

September 3rd, 2020

Nitika Jagtiani
Development Planner
City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Dear Ms. Jagtiani:

**RE: Application for a Draft Plan of Subdivision
OZS-2020-0017 & 21T-20005B
Candevcon Limited – Navjot Brar
Proposal to facilitate the registration of three townhouse block(s)
consisting of fifteen (15) townhouse units at 2-3 storeys, an amenity
block and a private laneway with access from Bramalea Road
10764 Bramalea Road
West side of Bramalea Road, south of Father Tobin Road
City of Brampton (Ward 9)**

The Peel District School Board has reviewed the above-noted application (15 residential townhouse units) based on its School Accommodation Criteria and has the following comments:

The anticipated yield from this plan is as follows:

5	K-5
3	6-8
2	9-12

The students are presently within the following attendance areas:

	<u>Enrolment</u>	<u>Capacity</u>	<u># of Portables</u>
Springdale P.S.	568	867	0
Lougheed M.S.	767	744	3
Louise Arbour S.S.	1,331	1,530	0

Trustees

Brad MacDonald, Chair
David Green, Vice-Chair
Carrie Andrews
Susan Benjamin
Stan Cameron
Robert Crocker

Nokha Dakroub
Will Davies
Sue Lawton
John Marchant
Kathy McDonald
Balbir Sohi

Interim Director of Education and Secretary
Jaspal Gill

Associate Director, Instructional & Equity Support Services
Poleen Grewal

Associate Director, Operational Support Services
Jaspal Gill

Associate Director, School Support Services
Mark Haarmann

The Board requires the inclusion of the following conditions in the Conditions of Draft Approval as well as the Development Agreement:

1. Prior to final approval, the City of Brampton shall be advised by the School Board(s) that satisfactory arrangements regarding the provision and distribution of educational facilities have been made between the developer/applicant and the School Board(s) for this plan
2. The Peel District School Board requires the following clause be placed in any agreement of purchase and sale entered into with respect to any units on this plan, within a period of five years from the date of registration of the development agreement:
 - a) “Whereas, despite the efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in the neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bused to schools outside of the area, according to the Board’s Transportation Policy. You are advised to contact the School Accommodation department of the Peel District School Board to determine the exact schools.”
 - b) “The purchaser agrees that for the purposes of transportation to school the residents of the development shall agree that the children will meet the school bus on roads presently in existence or at another designated place convenient to the Peel District School Board.”
3. The developer shall agree to erect and maintain signs at the entrances to this development which shall advise prospective purchases that due to present school facilities, some of the children from this development may have to be accommodated in temporary facilities or bused to schools, according to the Peel District School Board’s Transportation Policy.

The Board wishes to be notified of the decision of Council with respect to this proposed application.

If you require any further information please contact me at nicole.hanson@peelsb.com or 905 890-1010, ext. 2217.

Yours truly,

Nicole N. Hanson, B.A., MES(Pl.), RPP, MCIP
Planning Officer - Development
Planning and Accommodation Dept.

- c. S. Blakeman, Peel District School Board
K. Koops, Dufferin-Peel Catholic District School Board (email only)

OZS-2020-0017 comment.doc

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

October 15, 2020

Nitika Jagtiani
Planner I
City of Brampton
2 Wellington Street West
Brampton ON, L6Y 4R2
Nitika.Jagtiani@brampton.ca

**RE: Draft Plan of Subdivision
10764 Bramalea Road
Navjot Brar
Brampton
City File: OZS-2020-0017
Region File: 21T-20005B**

Dear Ms. Jagtiani,

The Region has reviewed the materials submitted in support of the Draft Plan of Subdivision Plan for the above-noted application. Our comments and Draft Plan Conditions can be found below.

Region of Peel Conditions of Draft Approval

As per the Conditions of Draft Approval for Draft Plan of Subdivision 21T-20005B, the developer is required to fulfill the Conditions to the satisfaction of the Region. Release for Registration will not be provided by the Region until such time as all Regional requirements have been satisfactorily addressed.

General Comments

The following general comments are provided to assist the developer in the preparation of the related drawings.

Sanitary Sewer Facilities

- Municipal sanitary sewer facilities consist of an existing 525mm diameter sanitary sewer on Bramalea Road.

Water Facilities

- The lands are located in Water Pressure Zone 6
- Water facilities consist of existing 400mm diameter watermain along Bramalea Road.
 - This development proposal requires a water system looped to municipal water to provide a redundant water supply in accordance with Regional standard 1-8-2.

Functional Servicing Report

- The Region is in receipt of the Functional Servicing Report (dated June 2019) and prepared by Candevcon Limited. The report must be revised to reflect the looping

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

standard.

Development Charges

- The Developer acknowledges that the lands are subject to the Region's Development Charges By-law in effect from time to time. The applicable development charges shall be paid in the manner and at the times provided by this By-law.

Capital Budget

- There is no negative impact upon the Regional Capital Budget as this development does not create a need for sanitary sewer, watermain, or road improvements in the Five-Year Capital Budget and Forecast.

Waste Management Requirements

- The Region of Peel will provide curbside collection of garbage, recyclable, and organics material provided that future submissions satisfy the requirements outlined in Sections 2.0 and 3.0 of the Waste Collection Design Standards Manual.
- For more information, please consult the Waste Collection Design Standards Manual available at: <https://www.peelregion.ca/pw/standards/design/waste-collection-design-manual-2016.pdf>

Conditions of Draft Approval

The following requirements/conditions will be required to be satisfactorily addressed as they relate to the Region's Conditions of Draft Plan Approval:

1. Prior to registration of the subdivision, the Developer shall execute a Subdivision Agreement with the local municipality and Region.
2. The Owner acknowledges and agrees that prior to the issuance of building permits, satisfactory arrangements must be made with the Region with regard to water and sanitary sewer servicing applications and payments of the required connection charges.
3. All works associated with the servicing of this site will be at the applicant's expense. The applicant will also be responsible for the payment of applicable fees, DC charges, legal costs and all other costs associated with the development of this site.

A clause shall be included in the Subdivision Agreement in respect of same.

4. The owner is responsible for the removal of existing services that will not be utilized. Removal of said services shall be carried out in accordance with the Region's standards as amended from time to time and at the sole expense of the Applicant.

A clause shall be included in the Subdivision Agreement in respect of same.

5. Prior to Registration of the subdivision the developer must submit a satisfactory Functional Servicing Report.
6. The Developer agrees that prior to the Region granting clearance of the draft plan conditions of subdivision approval, the following shall require to be forwarded to the Region's Legal Services Division:

- a. A copy of Page 647 of 881 Plan

- b. A copy of the final draft R-Plan(s); and
- c. Easement and conveyance documents required pursuant to this Agreement and the registration of this plan.

A clause shall be included in the Subdivision Agreement in respect of same.

If you have any questions or concerns, please contact me (Alex.Martino@peelregion.ca 905.791.7800 x4645) at your earliest convenience.

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

Yours truly,



Alex Martino
Planner, Development Services
Region of Peel

Jagtiani, Nitika

From: GTAW New Area <gtaw.newarea@rci.rogers.com>
Sent: 2020/09/21 1:39 PM
To: Jagtiani, Nitika
Cc: GTAW New Area
Subject: [EXTERNAL]FW: OZS-2020-0017 and 21T-20005B Notice of Application and Request for Comments DUE SEPT 25/2020
Attachments: R0_Cover Letter.pdf; R0_Draft Plan of Subdivision.pdf; R0_Registered Owner's Authorization.pdf; OZS 2020-0017 Notice of Application and Request for Comments (August 27, 2020).pdf

Hi Nitika

Rogers Communications Canada Inc. has no objections.

Prior to registration of the Plan of Subdivision, the developer/owner will, at its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telecommunications companies and broadcasting distribution companies intending to serve the Subdivision (collectively the "Communications Service Providers"). Immediately following registration of the Plan of Subdivision, the developer/owner will cause these documents to be registered on title.

Prior to registration of the plan of subdivision, the developer/owner will, with consultation with the applicable utilities and Communications Service Providers, prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.

Thank you

From: Trdoslavic, Shawntelle [mailto:Shawntelle.Trdoslavic@brampton.ca]
Sent: Friday, August 28, 2020 10:16 AM
To: circulations@mmm.ca; Municipal Planning <municipalplanning@enbridge.com>; Henry Gamboa <henry.gamboa@alecrautilities.com>; GTAW New Area <gtaw.newarea@rci.rogers.com>; christopher.fearon@canadapost.ca; Vidovic, Branko <branko.vidovic@peelsb.com>; Cox, Stephanie <stephanie.cox@dpcdsb.org>; Koops, Krystina <krystina.koops@dpcdsb.org>; planification@csvgamonde.ca
Cc: Jagtiani, Nitika <Nitika.Jagtiani@brampton.ca>
Subject: OZS-2020-0017 and 21T-20005B Notice of Application and Request for Comments DUE SEPT 25/2020

Good Morning,

Please find attached the **Notice of Application and Request for Comments** for the above noted file.

If you have any concerns please **contact the assigned Planner,** Nitika Jagtiani at Nitika.Jagtiani@brampton.ca

Please note comments are due to Nitika **by September 25, 2020**

Thank you and have a great day!

Shawntelle Trdoslavic

Development Services Clerk

Planning, Building and Economic Development

Our Focus Is People 



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November 12, 2020

Nitika Jagtiani

Development Planner
The City of Brampton
Planning & Development Services
2 Wellington St W
Brampton ON L6Y 4R2

Reference: **Notice of Application and Request for Comments**

Application for Draft Plan of Subdivision

NAVJOT BRAR

CANDEVCON LIMITED

10764 Bramalea Road

City File Number:

OZS-2020-0017

Canada Post Corporation appreciates the opportunity to comment on the above noted application and it is requested that the developer be notified of the following:

This **townhouse** development will be serviced by **Community Mailbox (CMB)**.

In order to provide mail service to the proposed **15 +/-** residential units, Canada Post requests that the owner/developer comply with the following conditions:

- ⇒ The owner/developer will consult with Canada Post to determine suitable permanent locations for the placement of CMBs and to indicate these locations on appropriate servicing plans;
- ⇒ The owner/developer will confirm to Canada Post that the final secured permanent CMB locations will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads;
- ⇒ The owner/developer will install a concrete pad at each CMB location as well as any required walkway across the boulevard and any required curb depression for wheelchair access as per Canada Post's concrete pad specification drawings;
- ⇒ The owner/developer will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary CMB location. This location will be in a safe area away from construction activity in order that CMB may be installed to service addresses that have occupied prior to the pouring of the permanent CMB pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy;
- ⇒ The owner/developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.
- ⇒ The owner/developer agrees, prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of the Canada Post CMB site location, as approved by Canada Post and the Town of Caledon;

- ⇒ The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated CMB, and to include the exact location thereof; and further, advise any affected homeowners of any established easements granted to Canada Post;

Should there be any concerns pertaining to our mail delivery policy requirements, please contact the undersigned.

Regards,



Christopher Fearon
Delivery Services Officer | Delivery Planning
200-5210 Bradco Blvd
Mississauga ON L4W 1G7
416-433-6271
christopher.fearon@canadapost.ca

November 11, 2020

CFN 62591.08

BY EMAIL: Nitika.Jagtiani@brampton.ca

Nitika Jagtiani
City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Dear Nitika Jagtiani

Re: OZS-2020-0017
10764 Bramalea Road
Owner: Navjot Barr

This letter will acknowledge receipt of the above noted application (received August 28, 2020). Toronto and Region Conservation Authority (TRCA) staff have reviewed the submitted materials related to the above noted application and offer the following comments.

Purpose of the Application

It is our understanding that the purpose of this application is to facilitate the development of 15 townhouse units with private laneway access from Bramalea Road.

Application Specific Comments

TRCA staff have completed their review of the submitted materials and provides several minor engineering items that will need to be addressed in Appendix I of this letter relating to water quality control and water balance requirements.

Fees

By copy of this letter, please advise the applicant that the TRCA has implemented a fee schedule for our development and planning review services. These applications are subject to a \$2,950.00 Zoning By-law Amendment – Minor review fee. Please submit the outstanding balance as soon as possible.


Recommendation

On the basis of the comments noted below, TRCA staff find approval of OZS-2020-0017 to be premature. Subject to the satisfactory resolution of the items identified in Appendix I of this letter, TRCA staff will be in a position to support approval.

Conclusion

We thank you for the opportunity to review the subject application and provide our comments as per our commenting and regulatory role. Should you have any additional questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Anthony Syhlonyk
Planner
Planning and Development
Extension 5272

Appendix I: Application Specific Comments

- 1) There appears that the infiltration trench is only capturing runoff from four townhouses, and the runoff from the rest of the property is discharged to the underground infiltration storage. Please provide calculations demonstrating that each of the two facilities can provide the 5mm runoff retention for their associated catchment areas.
- 2) TRCA's water quality criteria for the site is an enhanced level of treatment (80% TSS removal). The report has recommended options such as jellyfish and Stormceptor. We understand that a properly sized Jellyfish can provide 80% of TSS Removal whereas the Stormceptor provides less than 80%. Please ensure that the proposed water quality measure provides 80% TSS removal. Please note, If the proposed OGS unit is installed upstream of the underground infiltration storage, then the configuration follows the treatment train approach that will provide the target 80% TSS removal.
- 3) The calculated storage for the water balance is acceptable. However, at the detailed design stage, please provide the exact location of the infiltration trench, the profile view of the trench, the profile view of the facility outlet, and demonstrate how the runoff collected from the roofs and is discharged to the trench.

OZS-2020-0017 – DRAFT CONDITIONS OF DRAFT APPROVAL

SCHEDULE "A"
CONDITIONS OF DRAFT APPROVAL

DRAFT APPROVAL

DATE: (Day After Last Day for Filing an Appeal if No Appeal has been Filed)

APPLICANT: Candevcon Limited

SUBJECT: Draft Plan of Subdivision
Candevcon Limited – Navjot Brar
21T – 20001B
City of Brampton
OZS-2020-0017
Planner: Nitika Jagtiani

In accordance with By-law 10-97 the Council of the City of Brampton has made a decision to authorize the draft approval of the above noted draft plan of subdivision subject to the following conditions.

Approved Plan and Redlines

1. The final plan shall conform to the draft plan prepared by Candevcon Limited, (Project No. W20016), dated February 20, 2020:

Subdivision Agreement

2. Prior to registration, the owner shall enter into a Subdivision Agreement and any other agreements deemed necessary by the City of Brampton, Region or any other approval authority.

These agreements shall deal with any matter and include any term or condition which an approval authority may require, where such matters, terms, or conditions, are reasonable in the opinion of the approval authority, having regard to the nature of the development proposed for the subdivision, in accordance with s.51 of the Planning Act. These agreements may address matters including but not limited to the following:

- 2.1 Planning matters such as parkland/open space dedications and development, residential reserves, buffer blocks, tree preservation, trails, site development plan, utilities, architectural control, homebuyers' information map, heritage conservation and landscape plan approvals, phasing/staging of development, warning clauses and notices.
- 2.2 Engineering matters such as municipal services, road widening, construction and reconstruction, transit infrastructure, traffic signals, grading, fencing, well monitoring, septic systems, waste management, pressure testing/chlorination,

noise mitigation and warning clauses.

- 2.3 Financial issues such as cash contributions, levies (development charges), land dedications or reserves, securities or letters of credit.
- 2.4 Details regarding all matters and requirements referenced in these conditions of draft approval may be provided by way of Comments and Conditions Memos from approval authorities, or from agencies and departments of the City and/or Region, in response to the circulation of the draft plan of subdivision. The conditions expressly identified in the Comments and Conditions Memos as referenced and/or attached to this draft approval and/or any such additional or amended Comments and Conditions Memos as may be provided to the owner in accordance with this draft approval shall be deemed to be conditions for the purposes of this draft approval. General requirements of the City's Subdivision Manual, Development Design Guidelines, Region's Design Criteria and Material Specification Manual, and Landscape Guidelines, as applicable and as amended or replaced from time to time, shall be implemented through the terms and conditions of the Subdivision Agreement.

Fees

3. Prior to registration, all processing and administrative fees shall be paid. Such fees will be charged at prevailing rates of approved City and Regional Policies and By-laws on the day of payment.

Easement and Land Dedication within the Plan

5. Prior to registration of the Plan, the owner shall gratuitously convey and/or dedicate any required road or highway widening, 0.3 m (1 ft.) reserves, walkways, sight triangles, radius roundings, buffer blocks other land required for municipal purposes and utility or drainage easements to the satisfaction of the City, Region, or other authority.
6. All lands which are to be conveyed to the City shall be free and clear of any and all encumbrances, unless otherwise approved by the City.

External Easements and Land Dedications

7. Prior to registration, the owner shall gratuitously convey all necessary external easements and lands for access, drainage, servicing, utility purposes and for any other municipal purposes, as may be required, to the appropriate municipality, agency or public authority. The owner is advised that no servicing works shall be permitted until the detailed engineering drawings are approved and external easements and lands granted.
8. All lands which are to be conveyed to the City shall be free and clear of any and all encumbrances, unless otherwise approved by the City.
9. Where the City has required as a condition of registration that the owner convey lands gratuitously to the City for municipal purposes, and where the lands have been so conveyed to the City, and where prior to assumption of the plan the City determines in its sole and absolute discretion that said lands (or any interest therein) are surplus to its

requirements and are no longer required, then the City may reconvey said lands (or any interest therein) to the Owner, gratuitously, provided that the Owner shall be required to pay for any fees, taxes, and/or disbursements related to the reconveyance, including but not limited to registration fees and the cost of preparing and filing a reference plan.

Parkland Dedication

10. Prior to registration, the owner shall provide all outstanding reports, plans or studies required by the appropriate Municipality, agency or public authority and the approved recommendations shall be incorporated into the plans, agreements or otherwise implemented to the satisfaction of the City in consultation with the applicable agency and/or public authority.

Studies

11. Prior to registration, the owner shall provide all outstanding reports, plans or studies required by the appropriate Municipality, agency or public authority and the approved recommendations shall be incorporated into the plans, agreements or otherwise implemented to the satisfaction of the City in consultation with the applicable agency and/or public authority.

Drawings

14. Prior to registration the owner shall submit drawings to the satisfaction of the City in consultation with the applicable agency and/or public authority for approval.

Servicing

15. Prior to registration, the recommendations of the approved Functional Servicing Report shall have been incorporated into all engineering plans.

School Boards

16. Prior to final approval, the City of Brampton shall be advised by the School Board(s) that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the owner and the School Boards for this Plan.

Dufferin-Peel Catholic District School Board

17. The owner shall agree in the subdivision agreement to erect signs at all major entrances to the proposed development advising of the following:

"Notice: Please be advised that students may be accommodated elsewhere on a temporary basis until suitable permanent pupil places, funded by the Government of Ontario, are available."

18. These signs shall be to the Dufferin-Peel Catholic District School Board's specifications, at locations determined by the Board and erected prior to registration.

The following clauses to the satisfaction of the Dufferin-Peel Catholic District School Board:

"Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school."

"That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board."

Peel District School Board

19. The owner shall undertake the following to the satisfaction of the Peel District School Board:

- a) to erect and maintain signs to the satisfaction of the Peel District School Board at the entrances to the subdivision which shall advise prospective purchasers that due to present school facilities, some of the children from the subdivision may have to be accommodated in temporary facilities or bused to schools according to the Board's Transportation Policy.
- b) the following clauses in any agreement of purchase and sale entered into with respect to any units in the plan to the satisfaction of the Peel District School Board for a period of five (5) years from the date of registration of the Plan:

"Whereas despite the best efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bussed to schools outside of the area, according to the Board's Transportation Policy. You are advised to contact the School Accommodation Department of the Peel District School Board to

determine the exact schools."

"The purchaser agrees that for the purposes of transportation to school the residents of the development shall agree that children will meet the school bus on roads presently in existence or at another designated place convenient to the Board."

20. Prior to final approval, the City of Brampton shall be advised by the School Board(s) that satisfactory arrangements regarding the provision and distribution of educational facilities have been made between the developer/applicant and the School Board(s) for this plan.

Canada Post

Prior to the registration of the subdivision, the owner shall:

21. Consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
22. Confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.
23. Install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings.
24. Agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy.
25. Communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.
26. Prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the City of Brampton.
27. Include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.
28. Be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign off.

Enbridge Gas Distribution

Prior to the registration of the subdivision, the owner shall:

29. Contact Enbridge Gas Distribution's Customer Connections Department by emailing SalesArea20@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.
30. Agree that if the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.
31. Agree that any easement(s) that are required to service this development and any future adjacent developments will be provided to Enbridge Gas Distribution at no cost.
32. That the Owner shall ensure to grade all road allowances to as close to final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.

Rogers Telecommunications

Prior to registration of the subdivision, the owner shall:

33. At its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to serve the Subdivision (collectively the "Communications Service Providers"). Immediately following registration of the Plan of Subdivision, the owner will cause these documents to be registered on title.
34. With consultation with the applicable utilities and Communications Service Providers, prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.

Bell Canada

Prior to the registration of the subdivision:

35. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.
36. The Owner agrees that should any conflict arise with existing Bell Canada facilities or easements within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.

Alectra Utilities

Prior to the registration of the subdivision, the owner shall:

37. Grant all necessary aerial or underground easements, as may be required to service this development at no cost to Alectra Utilities. Alectra Utilities requires blanket easement on condominium developments. These will be confirmed during the final design of the roads and subdivision.
38. Enter to a servicing agreement (offer-to-connect) and will be responsible for the cost sharing as detailed in the offer-to-connect.
39. Be responsible for the costs associated with the hydro plant expansion to supply the development.
40. Be responsible for the costs of the relocation of the existing plant to accommodate the new roads or driveways.
41. The owner/developer shall contact Alectra Utilities Subdivisions Department to obtain a subdivision application form (SAF) and to discuss the electrical service installation requirements and schedule. The owner/developer shall submit the SAF at least 6 months prior to the start of electrical distribution system (EDS) installation. SAF is available by visiting <https://alectrautilities.com/find-form?parent=9> (under Construction Services).

Toronto and Region Conservation Authority

42. To be provided by the conservation authorities:
 - i) There appears that the infiltration trench is only capturing runoff from four townhouses; and the runoff from the rest of the property is discharged to the underground infiltration storage. Please provide calculations demonstrating that each of the two facilities can provide the 5mm runoff retention for their associated catchment areas.
 - ii) TRCA's water quality criteria for the site is an enhanced level of treatment (80% of TSS removal). The report has recommended options such as jellyfish and Stormceptor. We understand that a properly sized Jellyfish can provide 80% of TSS Removal whereas the Stormceptor provides less than 80%. Please ensure that the proposed water quality measure provides 80% TSS Removal. Please note, If the proposed OGS unit is installed upstream of the underground infiltration storage, then the configuration follows the treatment train approach that will provide the target 80% TSS Removal.
 - iii) The calculated storage for the water balance is acceptable. However, at the detailed design stage, please provide the exact location of the infiltration trench, the profile view of the trench, the profile view of the facility outlet, and demonstrate how the runoff collected from the roofs and is discharged to the trench.

Hydro/Telecommunications

43. Prior to the release of the plan for registration, the owner must submit in writing, evidence to the Commissioner, Planning and Development Services Department that satisfactory arrangements have been made with the telecommunications and hydro providers for the installation of their plants in the common trench, within the prescribed location in the road allowances.

Region of Peel

44. The following requirements/conditions will be required to be satisfactorily addressed as they relate to the Region's Conditions of Draft Plan Approval.
45. Prior to registration of the subdivision, the Developer shall execute a Subdivision Agreement with the local municipality and Region.
46. The Owner acknowledges and agrees that prior to the issuance of building permits, satisfactory arrangements must be made with the Region with regard to water and sanitary sewer servicing applications and payments of the required connection charges.
47. All works associated with the servicing of this site will be at the applicant's expense. The applicant will also be responsible for the payment of applicable fees, DC charges, legal costs and all other costs associated with the development of this site.

A clause shall be included in the Subdivision Agreement in respect of same.

48. The owner is responsible for the removal of existing services that will not be utilized. Removal of said services shall be carried out in accordance with the Region's standards as amended from time to time and at the sole expense of the Applicant.

A clause shall be included in the Subdivision Agreement in respect of same.

49. Prior to Registration of the subdivision the developer must submit a satisfactory Functional Servicing Report.
50. The Developer agrees that prior to the Region granting clearance of the draft plan conditions of subdivision approval, the following shall require to be forwarded to the Region's Legal Services Division:
 - a) A copy of the final signed M-Plan
 - b) A copy of the final draft R-Plan(s); and
 - c) Easement and conveyance documents required pursuant to this Agreement and the registration of this plan.

A clause shall be included in the Subdivision Agreement in respect of same.

Administrative — Clearance of Conditions

51. Prior to the signing of the final plan by the Commissioner, Planning and Development Services Department, or her designate, they shall be advised that the above noted conditions have been carried out to the satisfaction of the appropriate agencies and the City.

NOTE 1:

In accordance with City Council resolution C003-97, draft approval granted under Section 51 of the Planning Act, R.S.O., 1990, c.P.13 is valid until draft approval is either withdrawn, or the plan is registered. The conditions of draft approval will, however, be reviewed initially 3 years after draft approval is granted and subsequently every 2 years to determine if the conditions are appropriate or whether draft approval should be withdrawn.

NOTE 2:

In order to expedite the clearance of conditions, we suggest that a copy of the signed Subdivision Agreement be forwarded to the following agencies upon execution:

Canada Post Corporation
200 - 5210 Bradco Blvd
Mississauga, Ontario
L4W 1G7

Dufferin-Peel Catholic District School Board
40 Matheson Boulevard West
Mississauga, Ontario
L5R 105

Peel District School Board
5650 Hurontario Street
Mississauga, Ontario
L5R 1C6

Enbridge Gas Distribution Inc.
500 Consumers Road
North York, Ontario
M2J 1P8

Alectra Utilities
175 Sandalwood Parkway West
Brampton, Ontario
L7A 1E8

Bell Canada
100 Commerce Valley Drive West
Thornhill, Ontario
L3T 0A1

Rogers Cable Communications Inc.
3573 Wolfedale Road
Mississauga, Ontario
L5C 3T6

Region of Peel
10 Peel Centre Drive
Brampton, Ontario
L6T 4B9

Toronto and Region Conservation Authority
101 Exchange Avenue,
Vaughan, Ontario
L4K5R6

NOTE 3:

The costs of any relocations or revisions to Hydro One facilities which are necessary to Accommodate this subdivision will be borne by the owner, and further any easement rights of Hydro One are to be respected. The owner should contact the local Hydro One Area office to verify if any low voltage distribution lines may be affected by the proposal.

NOTE 4:

It is recommended that the owner or their consultant contact the Toronto and Region Conservation Authority to clarify specific requirements prior to preparation of detailed engineering reports.

Draft Plan of Subdivision Conditions of Draft Approval Comments and Conditions Memo Tracking Sheet

Candevcon Limited – Navjot Brar

File: OZS-2020-0017 & 21T-20005B

Planner: Nitika Jagtiani

Date of Draft Approval:

Department/Divisions/Sections	Memo Date		
	Initial Draft Approval	Revisions	
		Memo Date	Effective Draft Approval Date*
Public Works – Development Engineering			
Public Works – Transportation Engineering			
Planning & Development Services – Development Services	November 12 th , 2020		
Planning & Development Services – Building Division			
Public works & Engineering Development – Park Planning	September 9 th , 2020		
Region of Peel	October 15 th , 2020		

*day after 20 days after making decision (date of decision = date of cover memo signed by Commissioner/Director for minor amendments of Notice of Decision)

Note 1:

Any changes to the conditions (including minor amendments and revisions) to the conditions expressly identified in any Comment and Conditions Memo are subject to Section 51 (41) of the Planning Act and the amendment to the draft approval shall be deemed to have been made the day after the appeal period is over (the day after the 20-day appeal period), whether or not notice has been issued).

Accordingly, preparation of any agreement or supplementary agreement (as the case may be), will not occur until the appeal period has passed.



COMMENTS AND CONDITIONS MEMO

Date: November 9th, 2020

File: OZS-2020-0017 - 21T- 20005B

From: Nitika Jagtiani

Subject: Requirements for Plan of Subdivision
Proposed Draft Plan of Subdivision
Candevcon Limited – Navjot Brar
(To create three townhouse blocks with fifteen units)
10764 Bramalea Road
West side of Bramalea Road and south Father Tobin Road
Ward: 9

Circulation Date: August 21st, 2020

Plan: Part of Lot 14, Concession 4 E.H.S.

Plan Dated: February 20th, 2020

Comment Revision #:

1st

In response to the circulation of the above noted application, the following represents a summation of comments and conditions from the **Development Services Division of the Planning and Development Services Department** with respect to matters dealing with Zoning, community information maps, warnings, notices, growth management, other general requirements to be included in the subdivision agreement, among others.

A. PRIOR TO DRAFT PLAN APPROVAL

The following shall be addressed prior to the release of the application for draft plan approval.

Sales Office Homebuyers Information Map

1. Prior to draft plan approval, the owner shall prepare a preliminary Homebuyers Information Map of the subdivision to be posted in a prominent location in each sales office where homes in the subdivision are being sold. The map shall contain the following information and clauses as applicable:
 - a) The proposed land uses within the subdivision based on the latest draft plan.

- b) Where applicable, a statement indicating that church and school sites may be used for residential uses if they are not acquired for their original purpose within the time period specified in the subdivision agreement.
- c) The immediately surrounding existing and proposed land uses.
- d) Those lots or blocks that have existing and potential noise environmental problems based on the noise feasibility study. Include all relevant warning clauses on the map.
- e) The approximate locations of noise attenuation walls and berms;
- f) The approximate locations and types of other fencing within the subdivision
- g) Where parks and open space, storm water management facilities and walkways are located.
- h) The types and locations of parks, valley lands and other open space (i.e. passive or active) and a general description of their proposed facilities and anticipated level of maintenance (to be confirmed in each case with the Environment and Development Engineering Division).
- i) Potential locations of all Canada Post community mail boxes on corner lots (except corner lots at the intersection of an arterial road).
- j) The locations of all Brampton Transit routes through the subdivision.
- k) The following standard notes, using capital letters where noted:

i. "NOTICE AND ADVICE TO PURCHASERS:

THIS MAP IS INTENDED TO PROVIDE HOME BUYERS WITH GENERAL INFORMATION ABOUT THE SUBDIVISION AND THE SURROUNDING AREA. THE FOLLOWING IS A LIST OF POTENTIAL CONCERNS THAT HOMEBUYERS MAY HAVE AND THE TELEPHONE NUMBERS AT CITY HALL IF YOU NEED MORE INFORMATION. FOR THE BEST SERVICE, YOU ARE ENCOURAGED TO CALL DURING NORMAL BUSINESS HOURS WHICH ARE 8:30 AM TO 4:30 PM, MONDAY TO FRIDAY.

PLEASE NOTE:

PUBLIC NOTIFICATION IN ACCORDANCE WITH THE PLANNING ACT"

- ii. "The map shows that there will be conventional townhouse units and dual frontage townhouse units within this plan of subdivision. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."

THIS MAP IS BASED ON INFORMATION AVAILABLE ON (MONTH/YEAR) AND MAY BE REVISED WITHOUT

NOTICE TO PURCHASERS. HOWEVER, ANY CHANGE IN PERMITTED LAND USE INVOLVES A PLANNING PROCESS, INCLUDING

- iii. "There may be catch basins or utilities easements located on some lots in this subdivision. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- iv. "Some lots and development blocks will be affected by noise from adjacent roads, the railway, industries or aircraft and warning clauses will apply to purchasers. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- v. "The map shows that some of the lots affected by noise will be fitted with noise barriers and some of the homes will be provided with central air conditioning to allow bedroom windows to be closed if necessary due to the noise. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- vi. "The final location of walkways may change without notice. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- vii. "The development will be subject to an application for Site Plan Approval. Site details may change without notice. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- viii. "Door to door mail delivery will not be provided in this subdivision and Community mailboxes will be directly beside some lots. If you have any questions, please call 1-800-267-1177."
- ix. "Some streets will have sidewalks on both sides while others will have them on only one side or not at all. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- x. "The completion of some dwellings in this subdivision may be delayed until after the completion of exterior finishes on the adjacent buildings. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- xi. "There may be Brampton Transit bus routes on some streets within this subdivision with stops beside some homes. The City reserves the right to introduce transit

services and facilities such as bus stops, shelters, pads, benches and other associated amenities on any City right-of-way as determined by Brampton Transit to provide effective service coverage. If you have any questions, please call (905) 874-2750 or email transit@brampton.ca.”

- xii. “Boulevard trees will be planted according to City requirements approximately 12 to 18 metres apart and a tree will not necessarily be located in front of every home.”
- xiii. “The offer of purchase and sale may contain itemized charges for features covered in the City’s subdivision agreement. These features may include street trees, driveway paving, sodding, fencing, noise barriers, or gateway features, etc., on the public right-of-way. They may also be described in general terms, such as “community aesthetics enhancements”. Despite paying this charge, the purchaser may be left without a tree on the lot in question. The City does not encourage this type of extra billing and has no control over vendors charging for street trees. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca.”
- xiv. “The City will not reimburse purchasers, nor assist in any recovery of moneys paid, under any circumstance.’
- xv. “Although the developer is required to provide trees at regular intervals on the public boulevards within this subdivision, local site conditions may not allow for a tree to be planted in front of some homes.”
- xvi. “The design of features on public lands may change. Features shown in the Community Design Guidelines may be constructed as shown or altered, in the City’s discretion, without notification to purchasers. Builders’ sales brochures may depict these features differently from what is shown on the Community Design Guidelines or the as-built drawings. The City has no control over builders’ sales brochures.”
- xvii. “The City of Brampton’s Zoning By-law regulates the width of driveways. Please do not have your driveway widened before inquiring about the permitted driveway width for your lot.”
- xviii. “FOR FURTHER INFORMATION, ON PROPOSED AND EXISTING LAND USE, PLEASE CALL (905) 874-2050 or EMAIL PLANNING.DEVELOPMENT@BRAMPTON.CA.”

- xix. "FOR DETAILED BERMING AND GRADING INFORMATION, PLEASE CALL THE SUBDIVIDER'S ENGINEERING CONSULTANT.
- xx. FOR DETAILED INFORMATION PERTAINING TO STREETScape, PARKS OR OPEN SPACE, PLEASE CALL THE SUBDIVIDER'S LANDSCAPE ARCHITECTURAL CONSULTANT."

Growth Management/Staging and Sequencing

- 1. N/A

Digital Submissions of Plans

- 2. Prior to draft plan approval, a digital submission of the current draft plan to be draft-approved, shall be provided to the City, in accordance with the Planning and Development Services Department's digital submission requirements.
 - Further conditions to those set out in Section B below may be provided as a result of the resolution of matters identified in this Section A of the memo

B. DRAFT PLAN APPROVAL REQUIREMENTS/CONDITIONS

The following requirements are applicable as a condition of draft plan approval.

Final Homebuyers Information Map

1. Prior to registration of the plan, the owner shall prepare a detailed Final Homebuyers Information Map, based on the final M-plan, and approved by the City to replace the preliminary Homebuyers Information Map in all affected sales offices. This map shall contain the following information:

- a) all of the information required on the preliminary map;
- b) the locations of all sidewalks and walkways;
- c) the locations of all rear yard catch basins and utilities easements on private property where applicable;
- d) the locations of all above ground utilities;
- e) the locations of all bus stops (if known); and,
- f) the final locations of all Canada Post community mail boxes;

2. The owner shall ensure that each builder selling homes within the subdivision:

- a) provides prospective purchasers with a notice from the City in the prescribed format that includes all of the notes required on the Homebuyers Information Maps; and,

- b) attaches a copy of the preliminary Homebuyers Information Map to each offer of purchase and sale agreement.

Land Notices: Statements and Clauses

3. The owner shall include the following warnings in bold type in all offers of purchase and sale for all lots and blocks within the plan:

- a) A statement indicating that Block 1 to 3 will be developed for Residential purposes.
- b) A statement indicating that Block 4 will be developed as amenity space.
- c) A statement indicating that Block 5 will be developed as a mutual driveway with the adjacent property to the north municipally known as 10788 Bramalea Road.
- d) A statement indicating that Block 6 will be developed for a private road and visitor parking.
- e) A statement indicating that Block 4 will contain an active amenity area and may contain play equipment, lighted walkways, landscaping, passive use free-play areas, and a multi-purpose pad. The following wording shall also be included with respect to Block 4:

“Purchasers are advised that residents close to the amenity area may be disturbed by noise and night lighting. For more information, please call the Development Engineering Division of the Public Works Department, at (905) 874-2050 or email planning.development@brampton.ca.”
- f) A statement to the satisfaction of Brampton Transit that the City reserves the right to introduce transit services and facilities such as bus stops, shelters, pads, benches and other associated amenities on any City right-of-way as determined by Brampton Transit to provide effective service coverage.
- g) A statement which advises the prospective purchasers that mail delivery will be from a designated Community Mailbox.
- h) A statement indicating that some of the units may have a noise attenuation fence and/or berm located inside the lot line within the side and/or rear yard.
- i) A statement indicating that the City of Brampton's Zoning By-law regulates the width of driveways and that owners not widen their driveway before inquiring about the permitted driveway width for the lot.

- j) The following statements:
- i. "The offer of purchase and sale may contain itemized charges for features covered in the City's subdivision agreement. These features may include street trees, driveway paving, sodding, fencing, noise barriers, or gateway features, etc., on the public right-of-way. They may also be described in general terms, such as "community aesthetics enhancements". Despite paying this charge, the purchaser may be left without a tree on the lot in question. The City does not encourage this type of extra billing and has no control over vendors charging for street trees. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
 - ii. "The City will not reimburse purchasers, nor assist in any recovery of moneys paid, under any circumstance."
 - iii. "Although the developer is required to provide trees at regular intervals on the public boulevards within this subdivision, local site conditions may not allow for a tree to be planted in front of some homes."
 - iv. "The design of features on public lands may change. Features shown in the Community Design Guidelines may be constructed as shown or altered, in the City's discretion, without notification to purchasers. Builders' sales brochures may depict these features differently from what is shown on the Community Design Guidelines or the as-built drawings. The City has no control over builders' sales brochures."
 - v. "There are a number of subdivision homes being constructed in the area. Purchasers are advised that residents may be disturbed by noise, traffic and dust due to construction in the area."
- k) A statement indicating that subject property will be subject to a future application for Site Plan Approval. The site design and building elevations may change without further notice.
- l) The following clauses to the satisfaction of the Dufferin-Peel Catholic District School Board, until the permanent school for the area has been completed:
- i. "Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a

school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school.”

- ii. “That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board.”
- m) The following clause to the satisfaction of the Peel District School Board for a period of five (5) years from the date of registration of the plan:
 - i. “Whereas despite the best efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bussed to schools outside of the area, according to the Board’s Transportation Policy. You are advised to contact the School Accommodation Department of the Peel District School Board to determine the exact schools.”
 - ii. “That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board.”
- 4. The owner shall notify purchasers of the exact Community Mailbox locations prior to the closing of any sales.

Site Plan Approval

- 5. Approval of site development plans by the City in accordance with the City's site development plan approval procedure shall be a prerequisite to the issuance of a building permit.

Telecommunications

- 6. The owner shall permit all telecommunications service providers that are a “Canadian carrier” as defined in subsection 2(1) of the Telecommunications Act of a “distribution undertaking” as defined in subsection 2(1) of the Broadcasting Act and have entered into a Municipal Access Agreement with the City (“Telecommunication Providers”) to locate their plant in a common utility trench within any future public highway within the Plan. A list of Telecommunication Providers can be obtained from the City. Within 10 business days of the delivery of the pre-servicing letter, the owner shall notify all Telecommunication Providers of the Plan and request that the

Telecommunication Providers contact the owner directly within 10 business days if they intend to locate their plant within any future public highway within the Plan. The owner shall make satisfactory arrangements (financial and otherwise) with the City, Telecommunications Providers and other utilities for the installation of each of their facilities in a common utility trench within the future public highway prior to commencing any work with respect to any future public highway as shown on the draft approved plan of subdivision, and the owner shall provide evidence of same satisfactory to the City. Until such installation is completed, the owner shall not undertake any works that will limit the ability of any Telecommunications Provider to install its plant in a timely and efficient manner. The owner shall install, at its own expense, 100mm diameter ducts at all road crossing for the use of Telecommunications Providers. The exact location and detailed specifications for these ducts shall be shown on the approved drawings. The owner acknowledges and agrees that the City may refuse to accept or assume any or all streets within the plan until the provisions of this section have been complied with.

7. Prior to commencing any work within the plan, the owner must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the event that such infrastructure is not available, the owner is hereby advised that they may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the owner elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the owner shall be required to demonstrate to the telecommunication provider that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services.

Growth Management/Staging and Sequencing

8. N/A

Sustainability Score and Summary

9. The applicant has completed a Sustainability Assessment for the proposal and has provided a summary to measure the sustainability of the development proposal. The proposal achieves an overall sustainability score of 39 points, which satisfies the City's Bronze Threshold for sustainability assessment. The applicant will need to demonstrate through a future application for Site Plan Approval that the minimum standards for sustainable assessment are maintained. Staff will continue to work with the applicant to identify opportunities to further improve the sustainability score of the proposed development.

C.POST REGISTRATION:

The following are requirements that the Owner shall be required to fulfill as a condition of plan registration. Items are listed in typical order of completion:

Nil

D. GENERAL COMMENTS

The following general comments are provided to assist the developer in the preparation of the related drawings, finalization of any required studies or resolution of any identified issues.

- N/A

If you have any questions or require further clarification with respect to the above comments, please contact the undersigned.



Nitika Jagtiani MES, LEED AP ND
Development Planner
Planning & Development Services
905-874-3847
Nitika.Jagtiani@Brampton.ca

COMMENTS AND CONDITIONS MEMO

Date: November 24, 2020
File: **(OZS 2020 0017 and 21T-0005B)**
To: Nitika Jagtiani
From: Olti Mertiri
Subject: **Requirements for Plan of Subdivision 21T-0005B**
Location: 10764 BRAMALEA RD,
Circulation Date: November 2020
Plan: Draft Plan of Subdivision
Plan Dated: February 13, 2020, Revised November 20, 2020

In response to the circulation of the above noted application, the following represents a summation of comments and conditions from the Engineering and Development Services/Development Approvals (Engineering & Environmental) with respect to matters dealing with development and environmental engineering.

A. PRIOR TO DRAFT PLAN APPROVAL

The following shall be addressed prior to the release of the application for draft plan approval.

- The following studies shall be approved in support of servicing for this development.
 1. ~~Functional Servicing Report (FSR)~~ – Approved by Environmental Engineering
 2. ~~Feasibility Noise Report~~ – Approved by Development Engineering
 3. ~~Phase 1 Environmental Site Assessment (Phase 1 ESA) and Phase 2 Environmental Site Assessment (Phase 2 ESA) if required.~~ – Added Condition 8

B. DRAFT PLAN APPROVAL REQUIREMENTS

The following comments / requirements are applicable as a condition of draft plan approval.

1. Environmental Engineering

1.1. Acoustic

- 1.1.1. As part of the first engineering submission, the owner's consultant shall submit a detailed noise report prepared by a qualified acoustical consultant recommending noise control measures satisfactory to the Engineering and Development Services Division, in consultation with the Region of Peel as necessary. A copy of the report shall also be provided to the City's Chief Building Official.
- 1.1.2. The noise control measures and noise warnings recommended by the noise report shall be implemented to the satisfaction of the Engineering Division.
- 1.1.3. The owner will include the following clause in the Noise Schedule of the Subdivision Agreement: "Prior to the issuance of any Building Permits, the owner agrees to provide the City's Chief Building Official with a certificate certifying that the builder's plans for each dwelling unit to be constructed on the plan shows all of the noise attenuation works required by the approved noise report and the approved plans.

1.2. Environmental

- 1.2.1. Prior to the initiation of any grading or construction on the site the owner shall install adequate sediment and erosion control measures to the satisfaction of the City of Brampton and Toronto Regional Conservation Authority. These measures shall remain in place until all grading and construction on the site are completed.

1.3. Stormwater Management

- 1.3.1. Prior to the initiation of any site grading or servicing and as part of the first engineering submission, the owner shall provide a Stormwater Management Report which describes the existing and proposed stormwater drainage systems for the proposed development.

2. Road Reconstruction/Cash Contributions

2.1. N/A

3. Financial Impact

- 3.1. Development charges will be made payable to the City in accordance with the Development Charges By-law in effect at the time of payment.

3.2. No credits are anticipated with respect to the Transportation Component of the City Per Unit Levy to be assessed to this development.

4. Sidewalks

4.1. N/A

5. Land Dedications and Easements

5.1. Sufficient right of way for all roads associated with the plan, land dedications and easements required for proper servicing of the plan shall be granted gratuitously to the appropriate authority. The precise limits of the required land dedications and easements are to be determined to the satisfaction of the City's Ontario Land Surveyor.

6. 0.3 Metre Reserves/Reserve Block(s)

6.1. The 0.3 m reserves and reserve blocks are to be deeded gratuitously to the City.

7. Warning Clauses

7.1. N/A

8. Soil

8.1. Prior to the registration of this plan or any phase thereof, the owner shall provide a copy of a Record of Site Condition and confirmation of the filing of the Record of site Condition in the Environmental Site Registry.

C. GENERAL COMMENTS

The following general comments are provided to assist the owner in the preparation of the related drawings, finalization of any required studies or resolution of any identified issues.

1. Acoustic

Warning clauses that deal with any noise control features required to meet the noise level objectives of the City with respect to all noise sources, are to be included in the Agreements of Purchase and Sale and will be part of the Site Plan approvals for Block 1.

2. Subdivision Agreement

The owner will be required to enter into a Subdivision Agreement with the City for the construction of municipal services associated with these lands. The underground and aboveground municipal services are to be constructed in accordance with the latest O.P.S. and/or City standards and requirements, as applicable. Development of the lands shall be staged to the satisfaction of the City.

The owner will be required to provide the City with comprehensive insurance coverage, a financial guarantee for the installation of municipal works and maintain the municipal works in accordance with Clauses 27 Insurance, 24 Financial and 17 Maintenance Periods respectively, of the applicable standard Subdivision Agreement.

3. Site Grading/Erosion and Sediment Control By-law

The owner will be responsible for the proper drainage of all lands abutting the plan. An overall lot/block grading plan must be prepared by the owner's Engineering Consultant to form part of the Subdivision Agreement.

Draft Plans which are within 30 metres of the watercourse and/or which are comprised of an area in excess of 1 hectare shall be subject to the provisions of the Fill By-law No.143-95, as amended. The owner will be required to apply for and obtain a Fill Permit prior to undertaking any land stripping or regrading activities within these lands. An irrevocable letter of credit is required to cover 100% of the estimated cost of site control measures plus 10% allowance for contingencies, as per Schedule 'A' to the By-law.

4. Storm Drainage

Storm sewer works including connections to each lot and building block shall be designed in such a manner and be of adequate size and depth to provide for the drainage of the weeping tiles, for the development of all lands lying upstream within the watershed and/or provide for the drainage of such areas as may be designated by the Commissioner Public Works & Engineering.

As a part of detailed processing of servicing submissions, the owner's consultant will be required to include a drawing outlining the proposed overland flow route on these lands. The internal route is to coincide with roadways as much as possible. Should this route direct

drainage along a lot's side lot line, the size of the concerned lot(s) is to be increased in width to account for this route in addition to the usual lot sizes. All overland flow routes to be located on private lands shall be covered by a municipal easement to the satisfaction of the City and the appropriate Conservation Authority.

All storm drainage shall be conducted to an outlet considered adequate in the opinion of the Commissioner of Public Works & Engineering.

5. Sanitary and Water Service

Prior to servicing or registration of the plan, the Region of Peel is to confirm that all portions of this plan will be provided with adequate water and sanitary servicing.

6. Soil Conditions

The owner is required to retain a Geotechnical Consultant to prepare a detailed Soils Report. At first engineering submission, the Soils Report will be reviewed by the City and Ministry of Environment and Energy if necessary. Prior to the registration or servicing of this plan, the approved procedures are to be incorporated into the Subdivision Agreement.

7. Streetlighting

Streetlighting is to be provided by the owner in accordance with the City's latest standards and requirements. In addition to streetlighting within the plan, the facilities at the intersections of the proposed road(s) with the boundary roads are to be examined and if necessary, upgraded.

8. Signs

All street and traffic signs required for this plan are to be supplied, erected and maintained in accordance with the provisions of the Subdivision Agreement by and at the expense of the owner.

9. Utilities

Prior to preservicing and/or execution of the Subdivision Agreement, the owner shall name his/her telecommunication provider. In addition, as part of the first engineering submission, the City will also request telecommunications providers that have entered into a Letter of Understanding or a Municipal Access Agreement with the City whether they intend to install their plant within the streets of the proposed subdivision.

The owner covenants and agrees that it shall permit the telecommunication providers named by the City to locate their plants within the streets of the proposed development.

The owner, under separate arrangements or agreement with the various utility companies, is to determine the precise extent of their requirements.

Prior to execution of the Subdivision Agreement, the owner must submit in writing evidence to the Commissioner of Public Works & Engineering that satisfactory arrangements have

been made with the Telecommunications provider, Cable TV, Gas and Hydro for the installation of their plant in a common trench, within the prescribed location on the road allowance.

Any utility relocations necessary in support of the development of the Draft Plan of Subdivision shall be carried out by and at the expense of the owner.

10. Removal of Existing Buildings

The Security & Payment Statement of the Subdivision Agreement is to include sufficient securities to guarantee the removal of any existing buildings within the plan that will not conform to the requirements of the Zoning By-law after registration of the plan.

11. City Road Maintenance/Construction Access

The owner will be responsible for maintaining City Roadways within and in the vicinity of this development in a state satisfactory to the Commissioner of Public Works & Engineering until all construction and building activity is complete. Securities shall be included in the Security & Payment Statement of the Subdivision Agreement.

A construction access and the route for same will be finalized during processing of detailed engineering submissions. The construction access shall remain open at the discretion of the Commissioner of Public Works & Engineering.

12. Road Design

All internal roads shall be constructed by the owner and shall have asphalt pavement complete with concrete curbs and gutters designed and constructed in accordance with the latest O.P.S and /or City standards and requirements, as applicable.

The horizontal and vertical alignments of all roads, including their relative intersection geometrics, shall be designed to the latest City standards and requirements. In this regard, minor revisions to the road pattern may be required to accommodate intersection alignments and locations specified for bus bays and loading platforms.

All connecting roads shall be located such that they align precisely with their continuation beyond the limits of this Draft Plan.

13. Sodding of boulevards and private Lands/Maintenance of Undeveloped Lands

All portions of road allowance not covered by roads, sidewalks, splash pads, etc. shall be placed with 150 mm of topsoil and sodded with number 1 nursery sod.

The owner is to provide the City with securities to ensure that each of the lots will be sodded and topsoiled to City standards with driveways being provided. A security is to be established at time of detailed processing and is to be maintained with the City until substantial completion of the lots, and the securities reduced at the discretion of the Commissioner of Public Works & Engineering.

Lots and blocks with which there are no immediate development proposals shall be graded, seeded and maintained to the satisfaction of the Commissioner of Public Works & Engineering, and securities shall be included in the Security & Payment Statement of the Agreement to guarantee this.

14. Community Postal Boxes

Community Postal Delivery Box locations are to be shown on the servicing drawings in locations approved by Canada Post and are to be installed to City & Canada Post requirements by the owner when required by Canada Post or when constructing aboveground works, whichever is appropriate.

15. Preservicing

Preservicing will not be permitted until arrangements have been made to the satisfaction of the Commissioner of Public Works & Engineering for the necessary outlets for the municipal services and adequate access roads to service the lands. In addition, preservicing will not be permitted until the zoning for the development of the lands is in effect or has been approved by the Local Planning Appeal Tribunal.

Any external land dedications or easements required to service the property must be obtained by the owner and conveyed gratuitously to the City or the Region prior to the commencement of Preservicing of the lands.

Regards,



Olti Mertiri, P.Eng.
Supervisor, Development Approvals
Engineering Division
Public Works and Engineering Department
Tel.(905) 874-5 273 Fax (905) 874-3369
olti.mertiri@brampton.ca

Cc: Plantrak
Frank Mazzotta (Manager, Development Engineering)

COMMENTS & CONDITIONS MEMO

Date: November 23, 2020
File: OZS-2020-0017
To: Nikita Jagtiani, Development Services
From: Jaskiran Kaur Bajwa, Park Planning & Development
Subject: **REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT**
Proposed Draft Plan of Subdivision

(To permit development of 15 common element townhouse units of 2-3 storeys and private laneway with access from Bramalea Road.

(UPDATED) Conditions from the Park Planning & Development Section

Consultant: CANDEVCON LIMITED.
Owner: BRAR NAVJOT
Location: 10764 Bramalea Road, Brampton, ON.
Circulation Date: August 21, 2020
Ward: 9

In response to the Accela circulation of the above noted application for subdivision dated August 21, 2020 the following represents a summation of conditions from the **Park Planning and Development Section** and general comments from the **Park Planning Unit**. The **Open Space Development Unit** may also provide their own general comments through the Accela workflow.

A. PRIOR TO DRAFT PLAN APPROVAL

The following must be addressed prior to the release of the application for draft plan approval.

Requested Adjustments to Plan:

1. NIL

B. DRAFT PLAN APPROVAL REQUIREMENTS / CONDITIONS

The Owner is required to address the following prior to the identified milestone, in accordance with City standards, and to the satisfaction of the City.

a) Prior to Registration:

The following are requirements that the Owner shall be required to fulfill prior to the release of the plan for registration. Items are listed alphabetically.

Community Information Maps:

2. The Owner shall prepare a detailed Homebuyers' Information Map, based on the final M-plan, to the satisfaction of the City.

Fencing:

3. The Owner shall make satisfactory arrangements with the City to provide fencing, at their cost, in accordance with the City Fencing Policy and the approved Urban Design Brief/Community Design Guidelines (as applicable), for incorporation into the landscape drawings' submission, to the satisfaction of the City.

Maintenance Fees:

4. The Owner shall agree to contribute a maintenance fee for any landscape item deemed necessary by the Owner, but which exceeds the City standard. This may include, but not be limited to special entry feature structures and centre medians, irrigation systems, acoustical walls and architectural landscape elements located on public property.
5. The Owner shall agree to provide a cash-contribution in accordance with Council Resolution 181-2014 towards the long-term management of all Natural Heritage System (NHS) lands conveyed to the City. The payment shall be calculated at a rate of \$5,000 / hectare of NHS lands conveyed (per the final plan) and shall be documented in Schedule 'G' of the Subdivision Agreement.

Parkland Dedication:

6. Parkland Dedication requirements for the plan shall be in accordance with the Planning Act R.S.O. 1990, c.P.13 as amended (the Planning Act) and the City's Parkland Dedication By-law, as amended.

The City will not require the conveyance of parkland dedication (parkland or cash-in-lieu of parkland) as a condition of subdivision draft approval for this Plan as authorized by Section 51.1 of the Planning Act R.S.O. 1990, c.P. 13 as amended.

The Owner is put on notice that City By-laws and policies as amended require the payment of cash-in-lieu of parkland for this application pursuant to Section 42(6) of the Planning Act, as a condition of development of the land, and payable prior to the issuance of building permits.

To facilitate the calculation of CIL-payable for all lots and blocks identified in the plan, the Owner will be required to commission and submit an Appraisal, in accordance with City standards, and subject to the review and ratification by the City's Realty Services Section.

Plan Requirements for all Public Lands:

7. Prior to plan registration, the Owner shall provide detailed working drawings for all identified landscape buffer blocks, streetscape planting, walkways and fencing to the satisfaction of the applicable approving departments and in accordance with the latest City standards. Fencing shall be included along holdout properties where they abut the plan, subject to the approval of the existing property owners. The Owner shall comply with both the facility fit/concept plan approved prior to draft plan approval and/or the recommendations of the approved Design Brief.

Streetscape Plans:

8. Prior to plan registration, the Owner shall make satisfactory arrangements with the City, through the Subdivision Agreement and the landscape drawings' submission, to provide street trees along all internal streets within the subject plan and along immediately abutting street, including the implementation of boulevard and buffer planting, and entry features. The Owner shall comply with the recommendations of the approved Urban Design Brief/Community Design Guidelines (as amended and as applicable).

Summary Requirements:

9. Prior to registration, and in conjunction with the final landscape submission, the Owner agrees to provide the City with a detailed summary of all areas of open space and buffers including quantities or areas of boulevard and buffer sod, boulevard and buffer trees, shrub beds and irrigation systems that will be installed by the Owner and will become the City's responsibility to maintain.

Tableland Tree Compensation:

10. Prior to registration, the Owner shall provide restoration-planting drawings that detail compensation plantings for tableland trees removed to accommodate the development. Compensation plantings shall be in accordance to current City of Brampton compensation planting standards. Compensation plantings shall be provided by the Owner at no cost to the City.

Tableland Vegetation:

11. A Tree Evaluation Report, shall be finalized and approved in accordance with the City's Tableland Tree Assessment Guidelines, to the satisfaction of the City.

Note: The Owner shall ensure that no trees are removed or damaged prior to by-law approval or during any phase of the servicing and construction of the site, if applicable, without the prior approval of the Planning and Development Services and Public Works & Engineering Departments..

Warning Clauses – Street Trees

12. Prior to registration, the Owner shall ensure that the builder(s) include a warning clause in all Offers of Purchase and Sale indicating that:

"The Owner is required to provide street trees at regular intervals on all public boulevards within this subdivision. Local site conditions may not allow a tree to be planted in front of some homes. For more information, please call the City of Brampton's Public Works & Engineering Department at (905) 874-2050.

b) Post Registration:

The following are requirements that the Owner shall be required to fulfill as a condition of plan registration. Items are listed in typical order of completion:

Streetscape Implementation:

13. The Owner shall implement, at their expense and to the satisfaction of the City, all works shown on the approved streetscape plans in accordance with the Subdivision Agreement and the approved Urban Design Brief/Community Design Guidelines (where applicable) and will include the implementation of boulevard and buffer planting, and entry features including all structures and planting.

As-Built Drawings:

14. Prior to issuance of final acceptance of all landscape works the Owner shall provide as-built drawings in the form of digital files for all dedicated park, open space, landscape buffer blocks, etc. The submission of these drawings will meet the latest digital standards as prescribed by the City of Brampton.

C. GENERAL COMMENTS

The following General Comments are provided to assist the Owner. These comments shall be read in conjunction with the Draft Plan conditions (Section B).

NOTE:

The requirements for the following conditions will be addressed during the stage of Site Plan assessment.

Tableland Vegetation:

15. A [Tree Evaluation Report](#), must be submitted during the Site Plan assessment in accordance with the City's *Tableland Tree Assessment Guidelines*, to the satisfaction of the City.

Sustainability – Park and Open Space Requirements:

16. A Sustainability Score and Summary shall be submitted and approved to the satisfaction of the Director, Development Services. The Sustainability Score and Summary shall *comply with the* [latest requirements](#) set out by the City for the development of such documents.

If you have any questions or require further clarification with respect to the Park Planning & Development comments, please contact the undersigned.

Jaskiran Kaur Bajwa
Park Planner, Park Planning & Development Section
Parks Maintenance & Forestry Division
Community Services Department
Tel: (905) 874-3479 Fax: (905) 874-3819
jaskiran.bajwa@brampton.ca

cc. (via email only):
S. Bodrug, R. da Cunha, W. Kuemmling & G. Serravite

(Note: A digital copy has also been uploaded to Accela.)

Date: 2020-11-13

Subject: OZS-2020-0006 & 21T-20001B

Secondary Title: RECOMMENDATION REPORT
Proposed Plan of Subdivision
(To create a block on a plan of subdivision in order to register a common element condominium on the subject property)
Candevcon Limited – Sunfield Investments (McMurchy) Inc.
57 McMurchy Ave. South
West side of McMurchy Ave. South, south of Queen Street West
Ward: 3

Contact: Kelly Henderson, Development Planner, Development Services, 905-874-2619, Kelly.Henderson@brampton.ca; and, David VanderBerg, Manager, Development Services, 905-874-2325, David.Vanderberg@brampton.ca

Report Number: Planning, Building and Economic Development-2020-339

Recommendations:

1. **That** the report titled: **Recommendation Report**, for a Proposed Draft Plan of Subdivision, **Candevcon Limited– Sunfield Investments (McMurchy) Inc.**, 57 McMurchy Ave. South, west side of McMurchy Ave. South, south of Queen Street West, Ward 3 (OZS-2020-0006), dated November 13th, 2020 to the Planning and Development Committee Meeting of December 7th 2020, be received; and,
2. **THAT the** Draft Plan of Subdivision application submitted by Candevcon Limited on behalf of Sunfield Investments (McMurchy) Inc., Ward: 3, File: OZS-2020-0006, be approved, on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, has regard to Section 51 (24) of the Planning Act, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan and the City's Official Plan for the reasons set out in this Planning Recommendation Report; and

Overview:

- The applicant has submitted an application for a Draft Plan of Subdivision to create a block on a plan of subdivision for a 15-unit townhouse development at 57 McMurchy Street South.
- An Official Plan Amendment and Zoning By-law Amendment application was previously approved to permit the townhouse development (file: C01W05.041). No changes to the previously approved development are proposed with this application. This current application simply creates a block on a plan of subdivision to facilitate establishment of a common element condominium for the development.
- The property is designated 'Residential' on Schedule A of the Official Plan and Medium/High Density Residential' in the Downtown Brampton Secondary Plan (SPA 7). The property is zoned 'Residential Townhouse C – Section 2899' (R3C-2899) by By-law 270-2004, as amended. This zone permits dual frontage townhouse dwellings and townhouse dwellings.
- A Statutory Public Meeting for this application was held on June 8th 2020. Members of the public provided written comments on the application prior to the public meeting. Details of the Statutory Public Meeting are included in Appendix 8 of this report.
- The proposal is consistent with the "2018-2022 Term of Council Priorities" by supporting "A City of Opportunities" theme. The proposal is consistent with the direction of building complete communities to accommodate growth for people and jobs.

Background:

The applicant has submitted a Draft Plan of Subdivision to create a block on a plan of subdivision to facilitate the establishment of a common element condominium for a 15-unit townhouse development at 57 McMurchy Street South.

An Official Plan Amendment and Zoning By-law Amendment were previously approved to permit the townhouse development (file:C01W05.041). No changes to the previously approved development are proposed with this application. This application is intended to allow for a common element condominium to be able to be created for it.

The application was reviewed for completeness and found to be complete in accordance with the Planning Act. A formal Notice of Complete Application was provided to the applicant on May 4th, 2020. The application was heard at a public meeting on June 8th, 2020.

Current Situation:

Proposal:

The applicant has submitted an application to create a block on a Plan of Subdivision for a townhouse development. The ultimate development of the subject property is as follows:

- 15 townhouse units in a common element condominium;
- An amenity space block, approximately 40.47 square metres (435.6 square feet) in size;
- Visitor parking, and
- A private road to service the condominium units.

Please refer to Appendix 1 for the proposed Draft Plan of Subdivision.

Since the public meeting held June 8th, 2020, the proposed Draft Plan of Subdivision has been revised to only show one block, however, the proposed development remains the same.

Property Description and Surrounding Land Use (Refer to Appendix 2):

The lands have the following characteristics:

- is municipally known as 57 McMurphy Avenue South;
- has a total site area of approximately 0.28 hectares (0.69 acres)
- has a frontage of approximately 48.73 metres (159.88 feet) along McMurphy Avenue South

The surrounding land uses are described as follows:

North: townhouse dwellings

South: single detached dwellings

East: McMurphy Aveue South beyond which are single detached dwellings, Brampton Curling club and David Dash Memorial Field.

West: townhouse dwellings

Summary of Recommendations:

This report recommends that Council approve the draft plan of subdivision application.

Planning Analysis Summary:

The proposed land use was previously evaluated and approved under file C01W05.041. That review found that the 15-unit townhouse development represents good planning, including that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan and the City's Official Plan.

This application does not propose any changes to the approved townhouse land use for the site. The development was proposed to have a common element condominium form of tenure when the earlier application was approved. This current application simply creates a block on a plan of subdivision that facilitates creation of the common element condominium. Details for the design of the development will be addressed through the site plan approval process.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized in Appendix 8), and advise that the proposed application satisfies these criteria. It is considered to represent proper and orderly planning and can be supported from a land use perspective.

Community Engagement

The application was circulated to City Departments, commenting agencies and property owners within 240 metres of the subject lands in accordance with and exceeding the Planning Act requirement of 120 metres for such applications. A copy of all department/agency comments are attached as Appendix 9 to this report. Notice signs were placed on the subject lands to advise members of the public that an application for a Proposed Draft Plan of Subdivision had been filed with the City.

A Statutory Public Meeting for this application was held on June 8th, 2020. Details of the Statutory Public Meeting are included in Appendix 8 of this report.

Corporate Implications:

Financial Implications:

There are no financial implications directly associated with this report. Revenue collected through development application fees are accounted for in the approved operating budget.

Other Implications:

There are no other corporate implications associated with the applications.

Term of Council Priorities:

The application is consistent with the “A City of Opportunities” theme. It supports the building of complete communities to accommodate growth for people and jobs.

Living the Mosaic – 2040 Vision

This report has been prepared in full consideration of the overall vision that the people of Brampton will ‘Live the Mosaic’. This report aligns with the vision that Brampton will be a mosaic of complete neighbourhoods and vibrant centres.

Conclusion:

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act (as summarized in Appendix 8) applicable to the review of the application, and advise that the proposed application is considered to represent proper and orderly planning and can be supported from a land use perspective. Staff therefore recommend that the proposed draft plan of subdivision be approved.

Conclusion:

Authored by:

Kelly Henderson, MCIP, RPP
Development Planner, Development
Services

Reviewed by:

Allan Parsons, MCIP, RPP.
Director, Development Services

Approved by:

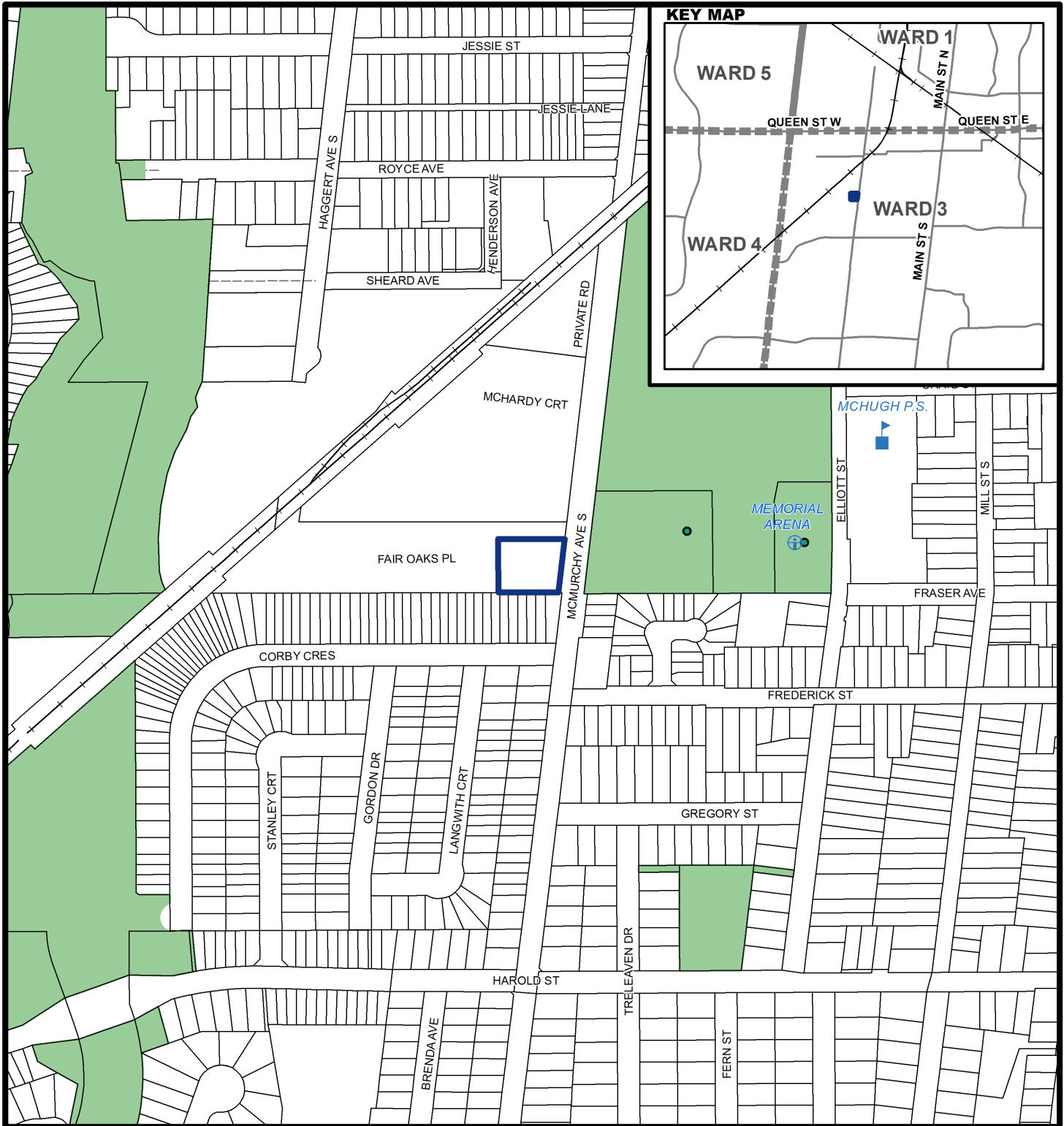
Richard Forward, MBA, M.Sc., P.Eng.
Commissioner
Planning and Development Services
Department

Submitted by:

David Barrick
Chief Administrative Officer
City of Brampton

Attachments:

Appendix 1: Draft Plan of Subdivision
Appendix 2: Location Map
Appendix 3: Official Plan Designations
Appendix 4: Secondary Plan Designations
Appendix 5: Zoning Designations
Appendix 6: Aerial & Existing Land Use
Appendix 7: Planning Analysis
Appendix 8: Results of the Public Meeting
Appendix 9: Results of the Application Circulation
Appendix 10: Conditions of Draft Approval

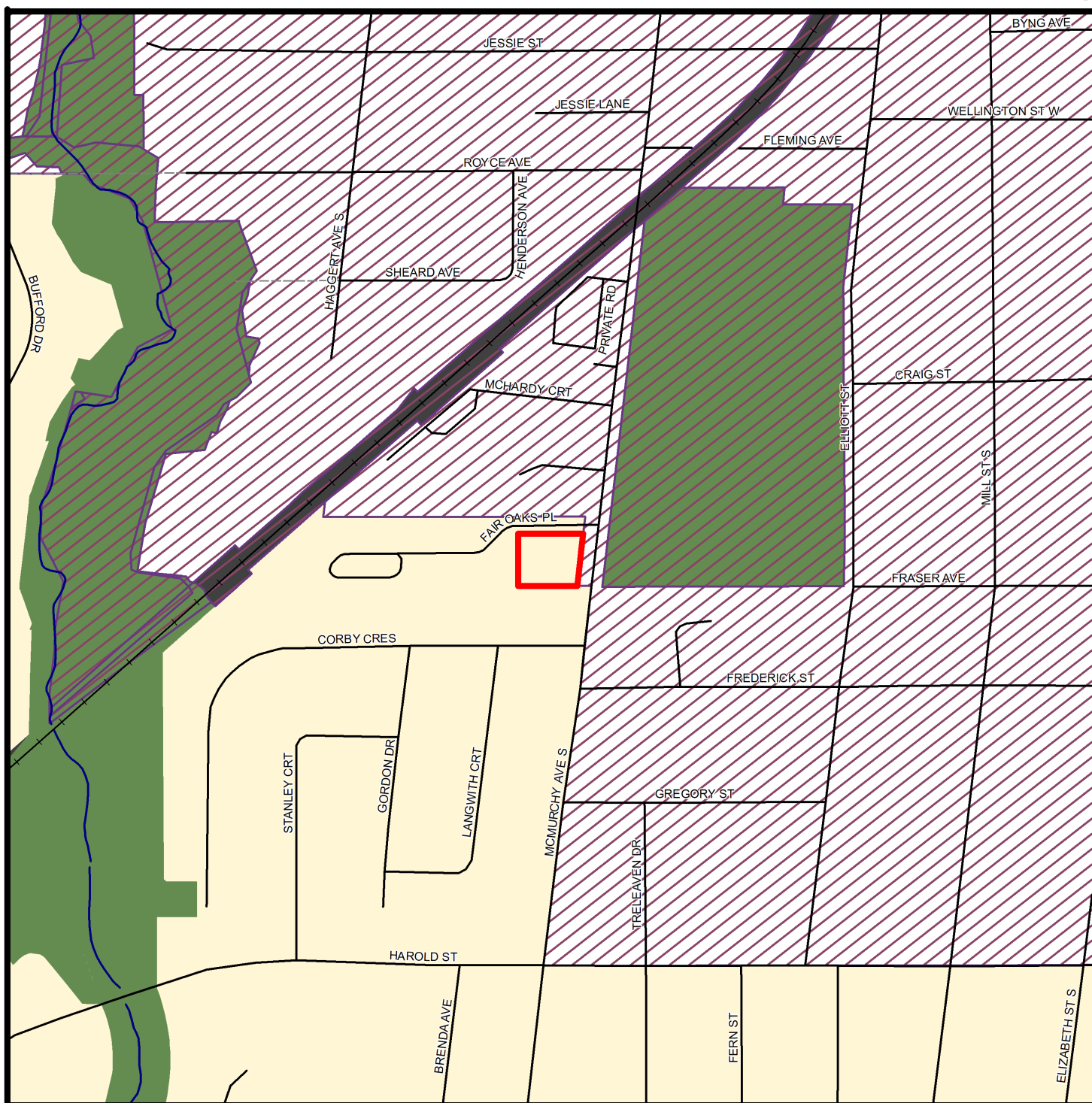


- SUBJECT LAND
- GREENSPACE
- SCHOOLS
- RECREATIONAL FACILITY
- PROPERTY LINE
- RAILWAYS

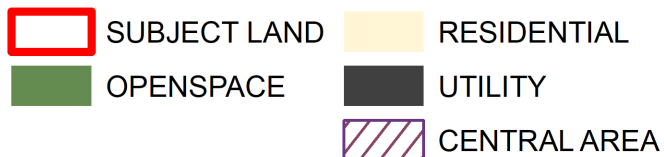


APPENDIX 2 LOCATION MAP

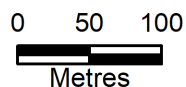
CANDEVCON LIMITED
SUNFIELD INVESTMENTS (MCMURCHY) INC.



EXTRACT FROM SCHEDULE A (GENERAL LAND USE DESIGNATIONS) OF THE CITY OF BRAMPTON OFFICIAL PLAN



PLANNING AND DEVELOPMENT SERVICES



Author: CKovac
Date: 2020/03/23

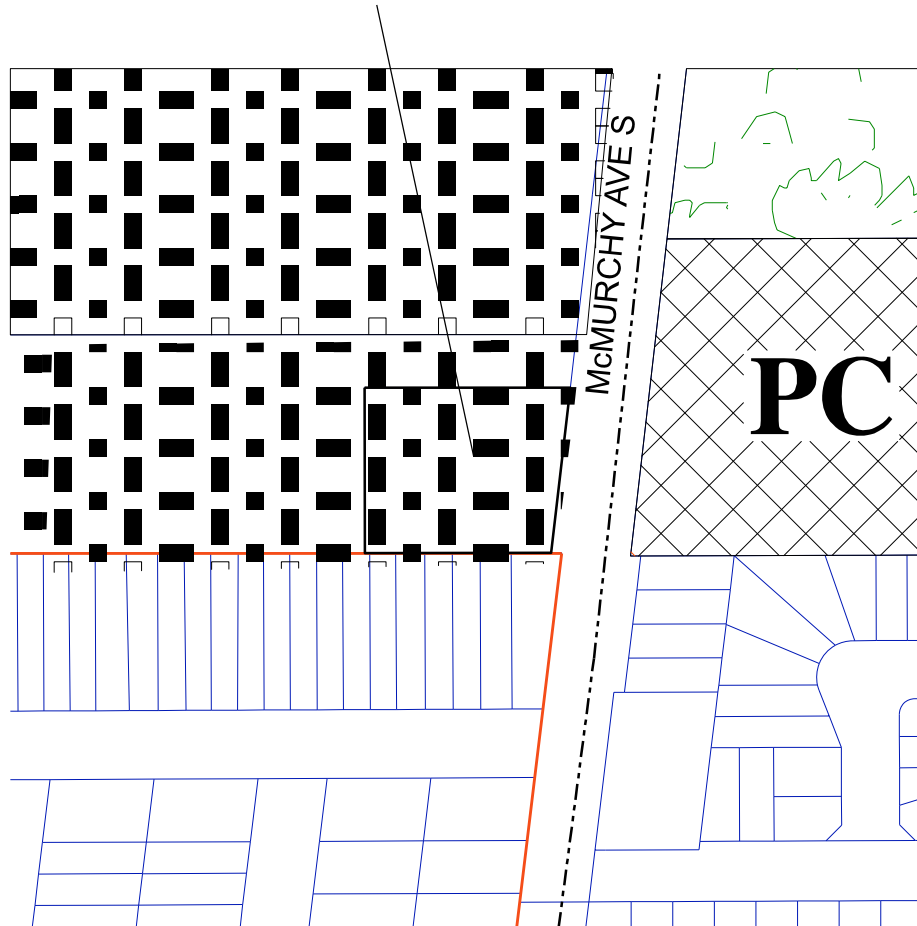


APPENDIX 3

OFFICIAL PLAN DESIGNATIONS

CANDEVCON LIMITED
SUNFIELD INVESTMENTS (MCMURCHY) INC.

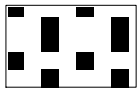
SUBJECT LANDS



EXTRACT FROM SCHEDULE SP7(A) OF THE DOCUMENT KNOWN AS THE DOWNTOWN BRAMPTON SECONDARY PLAN

Subject Lands

RESIDENTIAL



**Medium High /
High Density**



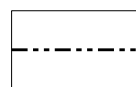
**Private Commercial /
Recreation**

PUBLIC OPEN SPACE

TRANSPORTATION



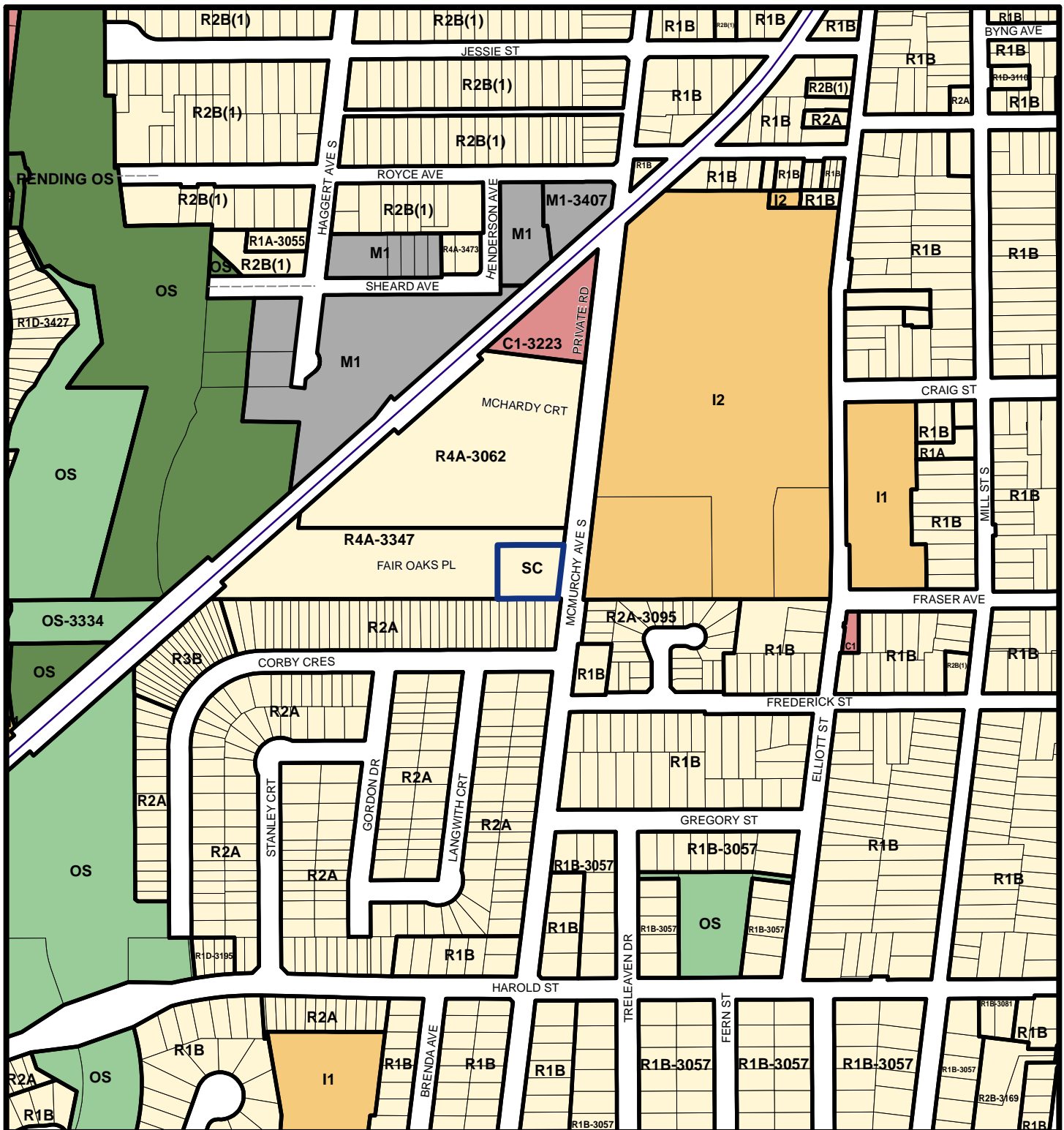
Neighbourhood Park









Collector Road



APPENDIX 5



-  SUBJECT LAND
  COMMERCIAL
  INSTITUTIONAL
 RESIDENTIAL
  INDUSTRIAL
  OPEN SPACE



A scale bar with markings at 0, 50, and 100. Below the bar is the word "Metres".

Author: ckovac
Date: 2020/03/20

APPENDIX 5

ZONING DESIGNATIONS

CANDEVCON LIMITED
SUNFIELD INVESTMENTS (MCMURCHY) INC.



Legend

	SUBJECT LAND		AGRICULTURAL		INSTITUTIONAL		ROAD
	COMMERCIAL		OPEN SPACE		UTILITY		
	INDUSTRIAL		RESIDENTIAL				

AERIAL PHOTO DATE: SPRING 2019



Planning Analysis
City File Numbers: OZS-2020-0006

The proposed medium density land use was previously evaluated and approved under file C01W05.041, with the Recommendation Report dated January 18th, 2017 at the Planning and Development Committee. That review found that the 15-unit townhouse development represents good planning, including that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan and the City's Official Plan.

This application does not propose any changes to the approved townhouse land use for the site. The development was proposed to have a common element condominium form of tenure. This current application simply creates a block on a plan of subdivision that facilitates the creation of the common element condominium.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act, and advise the application satisfies these criteria. That the proposed application is considered to represent proper and orderly planning and can be supported from a land use perspective.

The application is in compliance with Section 51(24) of the Planning in terms of the following:

Criteria to Be Considered	Analysis
a) <i>The effect of development of the proposed subdivision on matters of provincial interest:</i>	The subject application would facilitate a particular form of tenure, being a common element condominium, for a townhouse development that was approved under an earlier application. That development proposed townhouse dwellings which will add to the existing housing stock in the area, in a compatible and appropriate location. The application does not conflict with matters of provincial interest.
b) <i>Whether the proposal is premature or in the public interest;</i>	The proposal is not premature as there are adequate existing services in the area. The application is in the public interest and it will provide another form of housing within the city.
c) <i>Whether the plan conforms to the</i>	The Official Plan designates the subject

<i>official plan and adjacent plans of subdivision, if any;</i>	property as 'Residential' and the application meets the general intent of the applicable policies. Furthermore, the proposed development is compatible with the surrounding land uses.
<i>d) The suitability of the land for the purposes for which it is to be subdivided;</i>	The proposed development is suitable for the lands, as it is within an existing neighbourhood with nearby amenities and existing municipal services. Suitability was thoroughly reviewed through the Official Plan and Zoning By-law application approved to permit the townhouse development.
<i>e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</i>	The proposal proposes a private road connecting to a municipal street. Traffic Services have reviewed and have no traffic and/or transportation concerns.
<i>f) The dimensions and shapes of the proposed lots;</i>	The proposed lots' dimensions and shapes are appropriate for the proposed townhouse development and meet the required provisions of the applicable Zoning By-law.
<i>g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	The proposal meets the existing zoning provisions of the subject property and appropriate restrictions will be included as a condition of the subdivision application.
<i>h) The conservation of natural resources and flood control;</i>	The subject property is not within the vicinity of any natural resources and/or flood control area.
<i>i) The adequacy of utilities and municipal services;</i>	There are no anticipated impediments to servicing the property with respect to water, storm water, sanitary sewer connections and utilities.
<i>j) The adequacy of school sites;</i>	The schoolboards were circulated on the subject application and no concerns were

	identified.
k) <i>The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	No land is required to be dedicated for public purposes.
l) <i>The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy</i>	The proposed development optimizes the efficient use of land by providing an appropriate density that meets the existing Official Plan and Secondary Plan criteria.
m) <i>The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.</i>	The proposed development will undergo site plan approval in order to ensure high quality design that is compatible with the surrounding land uses.

Staff has undertaken a thorough review of this proposal, relative to the provisions prescribed within Section 51(24) of the Planning Act applicable to the review of the application, and advise that the proposed application is considered to represent proper and orderly planning and can be supported from a land use perspective. Staff therefore recommend that the proposed draft plan of subdivision be approved.

RESULTS OF PUBLIC MEETING AND CORRESPONDENCE RECEIVED

RESULTS OF PUBLIC MEETING AND CORRESPONDENCE RECEIVED

Planning and Development Committee
Regular Meeting – June 8th 2020
City File Number – OZS-2020-0006

Members Present

Regional Councillor M. Medeiros – Wards 3 and 4 (Chair)
Regional Councillor P. Fortini – Wards 7 and 8 (Vice Chair)
Regional Councillor R. Santos – Wards 1 and 5
Regional Councillor P. Vicente – Wards 1 and 5
Regional Councillor M. Palleschi – Wards 2 and 6
Regional Councillor G. Dhillon – Wards 9 and 10
City Councillor D. Whillans – Wards 2 and 6
City Councillor J. Bowman – Wards 3 and 4
City Councillor C. Williams – Wards 7 and 8
City Councillor H. Singh – Wards 9 and 10

Staff Present

D. Barrick, Chief Administrative Officer

Planning and Development Services:

R. Forward, Commissioner
A. Parsons, Director, Development Services
R. Conard, Director of Building, and Chief Building Official
Yin Xiao, Development Planner
Kelly Henderson, Development Planner
Rob Nykyforchyn, Development Planner
Cynthia Owusu-Gyimah, Development Planner
Dan Watchorn, Development Planner

City Clerk's Office:

P. Fay, City Clerk
C. Gravlev, Deputy City Clerk
S. Danton, Legislative Coordinator

Members of the Public:

Erik Mirtsou, Candevcon Limited

Staff Report:

Kelly Henderson, Development Planner, Planning and Economic Development, presented an overview of the application that included the location of the subject lands, area context, design details, current land use designations, preliminary issues, technical considerations, concept plan, next steps and contact information.

Following the presentation, it was indicated that there were no questions or clarification from Committee or pre-registered delegations.

The application received comments from three members of the public. At the time of the public meeting area residents provided their views, suggestions, concerns and posed questions with respect to traffic concerns, density, crime, property value, privacy, clarification on the development and timing of the proposal.

The following is a summary of the concerns raised by area residents prior to the Statutory Public Meeting.

Traffic Impact

Residents were concerned about traffic congestion and access to the development.

Response: The City's Transportation Planning staff have reviewed the access and is satisfied that the surrounding road network and key intersection can accommodate the traffic generated by the proposed development. It is noted that the entrance/exit directly onto McMurchy is for garbage truck use only and not general vehicular access. It should be noted that traffic matters were considered under the previous development application and is not a matter affected by the subdivision application.

Built Form Compatibility

Residents raised concerns that the development would not fit the character of the area.

Response: The built form was considered and evaluated through the application approved to amend the Official Plan and Zoning by-law to permit the development. The subdivision application does not affect the proposed built form. In addition, the proposed development will be required to go through the site plan process where design details will be reviewed to ensure compatibility with the surrounding neighbourhood.

Increase in Crime

Residents were concerned that the nature of the proposed development would attract only investors, therefore resulting in the units being rented out and potentially leading to more crime and violence in the area.

Response: Staff notes that there is no correlation between rental units/townhouse units and increase in crime. This issue was further reviewed during the previous evaluation on the development application.

Privacy

Privacy and overlook concerns were raised by residents.

Response: Staff note that the subject proposal if approved will be required to go through site plan approval. There will also be trees required between the proposed development and the existing adjacent residential development. This issue was further analyzed during the previous development application.

Correspondence Received

Henderson, Kelly

From: Anthony Melo < >
Sent: 2020/05/24 4:41 PM
To: Henderson, Kelly; City Clerks Office
Cc: Brown, Patrick - Mayor; Bowman, Jeff - Councillor
Subject: [EXTERNAL]Regarding: Draft Plan, 57 McMurphy Avenue S.

Follow Up Flag: Follow up
Flag Status: Completed

Regarding the below proposal (scroll down).

I feel there is a huge lack of vision here with this proposal. This calls for densely packed condominium townhomes, adjacent to government housing, even sharing the same street. Do you not feel this is a bit of a social mix match?

There are beautiful people who live in Fair Oaks Place and McHardy Ct. But none the less the area deals with huge issues related to crime. There have been multiple shooting's, robberies and break ins over the years. **I would like City Staff to review the vision for not just this proposal but the future of the McHardy Ct/ Fair Oaks Place and McMurphy area, stuffing condominium townhomes into a socially struggling area with higher then average crime is not the way to go.**

<https://www.brampton.ca/EN/City-Hall/Documents/Planning%20Notices/2020/Item%202%20-%20Candevcon%20Ltd.%20%E2%80%93%20Sunfield%20Investments%20Inc.%20-%20Ward%203.pdf>

R0 CAD Draft Plan of Subdivision

May 4, 2020 To Whom It May Concern: RE: Virtual Public Meeting Process Application for Draft Plan of Subdivision 57 McMurphy Ave. S. File: OZS-2020-0006

www.brampton.ca

Henderson, Kelly

From: John Armstrong < >
Sent: 2020/05/19 8:12 PM
To: Henderson, Kelly
Cc: Bowman, Jeff - Councillor
Subject: [EXTERNAL]57 McMurchy Avenue South

Follow Up Flag: Follow up
Flag Status: Completed

Kelly,

We received notice of a Virtual Public Meeting for the above noted property in our neighborhood today, and I am writing this email to express our concerns about this proposal.

I am an Honours graduate from the University of Waterloo School of Urban & Regional Planning and was an MCIP & RPP from 1992 until 2006, before a career change in 2006. I understand the principles of urban planning & sound physical site design. I have also known and evaluated Candevcon development proposals as a planner for the City of Brampton in the past.

First, I'm confused by the public notice that was circulated. Your written description suggests the proposal is for 15 townhouse units, yet the site plan shown in Appendix 1 shows a Block 1 of 8 units (units 1-8) and Block 2 of 6 units (units 9-14), whereas a physical count confirms your written description of 15 being the actual count proposed. Which is correct?

Second, the notice suggests this is an application for a plan of subdivision. Is this not a plan of condominium? Again, confusing.

Third, the site plan shows another access from the site to McMurchy Avenue. This access is offset from the existing entrance to the curling club on the east side of McMurchy and it adds to a number entrances from private property to McMurchy which makes pedestrian navigation across McMurchy difficult now. Frederick Street, Corby Crescent, several entrances to McHardy Court, Fairgrounds Park, and the plaza at 51 McMurchy are all offset. Councilor Bowman may recall that the school crossing and 40 km zone for this stretch of McMurchy was put in place due to the tragic death of a young child many years ago. Let's not make this street more challenging to navigate. A simple cul-de-sac on site with one fewer unit would achieve this goal.

Finally, what is the ultimate end game for this project? We just saw a similar townhouse proposal on Clarence Street get approved through the OMB for 33 townhouse units and is now under consideration by the city for 96 units. If the McMurchy development is approved, what guarantee do we have that this developer doesn't attempt a similar ploy to incrementally increase density in a similar fashion?

I would appreciate a response from both of you on behalf on both my wife, Joanne and me.

Thank you,
John Armstrong

Sent from my iPad

Henderson, Kelly

From: Michael Ben < >
Sent: 2020/05/27 11:13 AM
To: Henderson, Kelly
Subject: Re: [EXTERNAL]Re: Virtual Public Meeting Process - Application for Draft Plan of Subdivision 57 McMurchy Ave. S File: OZS-2020-0006

Follow Up Flag: Follow up
Flag Status: Completed

Hi Kelly,
Sorry for the late response and thanks very much for sending this link to me. Very valuable information.
My questions would be:
1 - what would be the impact of this development on the property value of residential properties on McMurchy Avenue South, south of Corby?
2 - what would be the impact to traffic on McMurchy Ave South?
3 - what would be the impact on the privacy of residential owners of properties (and their backyards) on Corby Street and McMurchy Ave South south of Corby?
4 - would this be rental properties owned and managed by Sunfield or would be townhomes people can buy and own?
5 - would this be low income rental property?
6 - what is the timeline for construction and completion of the project?
7 - How would traffic on McMurchy Ave South be managed during the construction?

Thanks,
Mike

On Thursday, May 21, 2020, 11:29:20 a.m. EDT, Henderson, Kelly <kelly.henderson@brampton.ca> wrote:

Hi Mike,

Thank you for your e-mail. In the attached PDF there is a link to access the public meeting. If you have comments you can submit them to me ahead of time or can provide them to the clerks office. If you wish to speak at the virtual public meeting you need to send an e-mail to the clerks office as per the instructions attached.

The agenda for the meeting will be posted the Friday prior to the public meeting and all information in regards to the application can be found online here: <https://www.brampton.ca/EN/Business/planning-development/devapps/Pages/Submitted-Documents.aspx?FileNo=OZS-2020-0006>

Please let me know if you have any concerns with the proposal and/or any questions.

OZS-2020-0006 – RESULTS OF APPLICATION CIRCULATION

March 30, 2020

City of Brampton
2 Wellington Street West
Brampton, Ontario L6Y 4R2
Attn: Kelly Henderson

Re: Request for Comments
CANDEVCON LIMITED – SUNFIELD INVESTMENTS INC
57 McMurphy Avenue South
COB File: OZS-2020-006
Alectra EP File: F4-190

Dear Kelly,

As per your request for comments regarding the above project, we respond as follows:

A) Please include the following as conditions of approval:

- The owner/developer shall grant all necessary aerial or underground easements, as may be required to service this development, at no cost to Alectra Utilities. Alectra Utilities requires blanket easement on condominium developments. These will be confirmed during the final design of the roads and subdivision.
- The owner/developer shall enter to a servicing agreement (offer-to-connect) and will be responsible for the cost sharing as detailed in the offer-to-connect.
- The owner/developer shall be responsible for the costs associated with the hydro plant expansion to supply the development.
- The owner/developer shall be responsible for the costs of the relocation of existing plant to accommodate the new road(s).

B) The owner/developer shall contact Alectra Utilities Subdivisions Department for the availability of adjacent plant capable of servicing this site and to discuss the electrical service installation requirements and schedule.

C) The owner/developer or their representative is strongly advised to consult Alectra Utilities' Conditions of Service, as they must adhere to all the conditions.

If you have any questions or concerns, feel free to contact me at 416.819.4975.

Yours Truly,

Henry Gamboa, CET
Supervisor, Distribution Design – Subdivisions

Henderson, Kelly

From: circulations@wsp.com
Sent: 2020/03/20 3:17 PM
To: Henderson, Kelly
Subject: [EXTERNAL]Draft Plan of Subdivision Application (OZS-2020-006); 57 McMurchy Ave. S., Brampton

2020-03-20

Kelly Henderson

Brampton

, ,

Attention: Kelly Henderson

Re: Draft Plan of Subdivision Application (OZS-2020-006); 57 McMurchy Ave. S., Brampton; Your File No. OZS-2020-006

Our File No. 86634

Dear Sir/Madam,

We have reviewed the circulation regarding the above noted application.

The following paragraph is to be included as a condition of approval:

“The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements”.

We hereby advise the Developer to contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development.

As you may be aware, Bell Canada is Ontario’s principal telecommunications infrastructure provider, developing and maintaining an essential public service. It is incumbent upon the Municipality and the Developer to ensure that the development is serviced with communication/telecommunication infrastructure. In fact, the 2014 Provincial Policy Statement (PPS) requires the development of coordinated, efficient and cost-effective infrastructure, including telecommunications systems (Section 1.6.1).

The Developer is hereby advised that prior to commencing any work, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is available. In the event that such infrastructure is unavailable, the Developer shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure.

If the Developer elects not to pay for the above noted connection, then the Developer will be required to demonstrate to the satisfaction of the Municipality that sufficient alternative communication/telecommunication will be provided to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e., 911 Emergency Services).

WSP operates Bell Canada's development tracking system, which includes the intake and processing of municipal circulations. Please note, however, that **all responses to circulations and other requests, such as requests for clearance, come directly from Bell Canada, and not from WSP.** WSP is not responsible for the provision of comments or other responses.

As of June 1, 2019, Meaghan Palynchuk will be taking maternity leave and returning in the first quarter of 2020. In my absence please contact Ryan Courville for any matters concerning this file.

Yours truly,

Ryan Courville
Access Network Provisioning Manager
Municipal Relations
Phone: 416-570-6726
Email: planninganddevelopment@bell.ca

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-LAEmHhHzdJzBITWfa4Hgs7pbKl

October 27, 2020

Kelly Henderson

Development Planner
The City of Brampton
Planning & Development Services
2 Wellington St W
Brampton ON L6Y 4R2

Reference: **Notice of Application and Request for Comments**
Application for Draft Plan of Subdivision
CANDEVCON LIMITED
SUNFIELD INVESTMENTS (MCMURCHY) INC.
57 McMurphy Ave. South
West side of McMurphy Ave. South, south of Queen St West
City File Number: **OZS-2020-0006**

Canada Post Corporation appreciates the opportunity to comment on the above noted application and we have no objections to its approval. In reviewing the proposal, we have determined that mail delivery for the proposed project will be effected via **Community Mailbox**

In order to establish mail service we request that the following be included in the project's Conditions of Draft Approval:

- ⇒ The owner/developer will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans;
- ⇒ The owner/developer will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads;
- ⇒ The owner/developer will install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings;
- ⇒ If applicable, the owner/developer will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy;

- ⇒ The owner/developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.
- ⇒ The owner/developer agrees, prior to offering any of the units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the City of Brampton;
- ⇒ The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post;
- ⇒ The owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, to which the homeowner(s) will sign off.

Should there be any concerns pertaining to our mail delivery policy requirements, please contact the undersigned

Regards,



Christopher Fearon
Delivery Services Officer | Delivery Planning
200-5210 Bradco Blvd
Mississauga ON L4W 1G7

416-433-6271

christopher.fearon@canadapost.ca

Henderson, Kelly

From: Koops, Krystina <Krystina.Koops@dpcdsb.org>
Sent: 2020/03/23 12:44 PM
To: Henderson, Kelly
Cc: Hanson, Nicole
Subject: [EXTERNAL]Comments 21T-20001B (OZS 2020-0006)

Follow Up Flag: Follow up
Flag Status: Flagged

RE: Notice of Application and Request for Comments
Application for a Draft Plan of Subdivision
57 McMurphy Avenue South
East of McLaughlin Rd S, south of Queen St W
21T-20001B (OZS-2020-0006)

The Dufferin-Peel Catholic District School Board has reviewed the above-noted application based on its School Accommodation Criteria and provides the following comments:

The applicant proposed the development of 15 townhouse units which are anticipated to yield:

- 2 Junior Kindergarten to Grade 8 Students; and
- 1 Grade 9 to Grade 12 Students

The proposed development is located within the following school catchment areas which currently operate under the following student accommodation conditions:

Catchment Area	School	Enrolment	Capacity	# of Portables / Temporary Classrooms
Elementary School	St. Mary, Brampton	305	188	5
Secondary School	Cardinal Leger	1277	1239	6

The Board requests that the following conditions be incorporated in the conditions of draft approval:

1. That the applicant shall agree in the Servicing and/or Subdivision Agreement to include the following warning clauses in all offers of purchase and sale of residential lots until the permanent school for the area has been completed.
 - a) "Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school."
 - b) "That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board."

The Board will be reviewing the accommodation conditions in each elementary and secondary planning area on a regular basis and will provide updated comments if necessary.

Regards,

Krystina Koops, MCIP, RPP

Planner - Planning Department

Dufferin-Peel Catholic District School Board

40 Matheson Boulevard West, Mississauga ON L5R 1C5

Tel: 905-890-0708 ext. 24407 | Email: krystina.koops@dpcdsb.org

Website: www.dpcdsb.org | Twitter: [@DPCDSBSchools](https://twitter.com/DPCDSBSchools) | YouTube: [DPCDSBVideos](https://www.youtube.com/DPCDSBVideos)

Extraordinary lives start with a great Catholic education.

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April 28, 2020

Kelly Henderson
Development Planner
City of Brampton
2 Wellington St W
Brampton, ON L6Y 4R2

Dear Kelly,

Re: Draft Plan of Subdivision
Sunfield Investments (McMurchy) Inc.
57 McMurchy Avenue South
City of Brampton
File No.: OZS-2020-006

Enbridge Gas Inc. does not object to the proposed application(s) however, we reserve the right to amend or remove development conditions.

This response does not constitute a pipe locate, clearance for construction or availability of gas.

The applicant shall contact Enbridge Gas Inc.'s Customer Connections department by emailing SalesArea20@Enbridge.com to determine gas availability, service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.

In the event that easement(s) are required to service this development, and any future adjacent developments, the applicant will provide the easement(s) to Enbridge Gas Inc. at no cost.

Sincerely,

A handwritten signature in black ink that reads 'Alice Coleman'.

Alice Coleman
Municipal Planning Analyst
Long Range Distribution Planning

ENBRIDGE GAS INC.
TEL: 416-495-5386
MunicipalPlanning@enbridge.com
500 Consumers Rd, North York, ON, M2J 1P8

enbridgegas.com
Safety. Integrity. Respect.

Henderson, Kelly

From: Tony Dulisse <tdulisse@orangeville.ca>
Sent: 2020/04/09 10:43 AM
To: Henderson, Kelly
Cc: Ed Brennan; Trdoslavic, Shawntelle
Subject: [EXTERNAL]RE: OZS-2020-0006 Notice of Application and Request for Comments - DUE APR 3/2020-57 McMurchy Avenue South, Brampton
Attachments: External Circulation Letter OZS-2020-0006.pdf; R0_Application.pdf; R0_Draft Plan of Subdivision.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning. Apologies for the delay in responding.

Thank you for the opportunity to comment on the above noted development.

The Orangeville Rail Development Corporation (ORDC) has the following comments as it relates to this development application.

1. The following warning clause shall be included in the Subdivision agreement and included in all Agreements of Purchase and Sale or Lease for each dwelling unit. Provisions are to be included in the Subdivision Agreement to ensure that the warning clause survives the release of the Owner's obligations under the subdivision agreement and remain on title:

"WARNING: the Orangeville-Brampton Railway operates a railway right-of-way within 300 meters of these lands. There may be alterations to or expansions of railway facilities or operations in the future. This expansion may have the effect of affecting the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration control attenuating measures in the design of the development and individual dwellings(s). The Orangeville-Brampton Railway or the Town of Orangeville will not be responsible for any complaints or claims arising from the use of such facilities and/or operations on, over or under the rail right-of-way."

Please circulate any future correspondence related to this application to the undersigned.

Should you have any questions, please feel free to contact me.

Thank you.

Kind regards,

Tony Dulisse, CET |Transportation and Development Technologist|Infrastructure Services-ORDC

Office Number- 519-941-0440 Ext. 2248 | Toll Free 1-866-941-0440 Ext. 2248 | Cell: 519-942-6885

Connect with the Town of Orangeville online!

From: Trdoslavic, Shawntelle <Shawntelle.Trdoslavic@brampton.ca>

Sent: April 8, 2020 3:34 PM

To: Tony Dulisse <tdulisse@orangeville.ca>; Ed Brennan <ebrennan@orangeville.ca>
Cc: Henderson, Kelly <Kelly.Henderson@brampton.ca>
Subject: FW: OZS-2020-0006 Notice of Application and Request for Comments - DUE APR 3/2020

Hi Tony,

As requested please see attached. Please let me know if you have any further questions.

Thanks,

Shawntelle Trdoslavic

Development Services Clerk

City of Brampton

Planning & Development Services Dept.

shawntelle.trdoslavic@brampton.ca

From: Trdoslavic, Shawntelle

Sent: 2020/03/20 2:03 PM

To: circulations@mmm.ca; Municipal Planning <municipalplanning@enbridge.com>; Henry Gamboa <Henry.Gamboa@aletrautilities.com>; gtaw.newarea@rci.rogers.com; 'stephanie. cox' <stephanie.cox@dpcdsb.org>; 'Krystina Koops DPCDSB' <krystina.koops@dpcdsb.org>; 'Branko Vidovic' <Branko.vidovic@peelsb.com>; ebrennan@orangeville.ca; tdulisse@orangeville.ca

Cc: Henderson, Kelly <Kelly.Henderson@brampton.ca>; Vanderberg, David (PD&D) <David.Vanderberg@brampton.ca>

Subject: OZS-2020-0006 Notice of Application and Request for Comments - DUE APR 3/2020

Good Afternoon,

Please find attached the **Notice of Application and Request for Comments** for the above noted file.

If you have any concerns please **contact the assigned Planner, Kelly Henderson** at Kelly.Henderson@brampton.ca

Please note comments are due by April 3, 2020.

Thank you and have a great weekend!

Shawntelle Trdoslavic

Development Services Clerk

Planning & Development Services Dept.

shawntelle.trdoslavic@brampton.ca

Please review the City of Brampton e-mail disclaimer statement at: <http://www.brampton.ca/EN/Online-Services/Pages/Privacy-Statement.aspx>

April 2nd, 2020

Kelly Henderson
Development Planner
City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Dear Ms. Henderson:

**RE: Application for a Proposed Plan of Subdivision – OZS-2020-006
Candevcon Limited – Sunfield Investments Inc.
57 McMurchy Avenue South
West side of McMurchy Avenue South and south of Queen Street
City of Brampton (Ward 3)**

The Peel District School Board has reviewed the above-noted application (15 residential townhouse units) based on its School Accommodation Criteria and has the following comments:

The anticipated student yield from this plan is as follows:

4	K-5
2	6-8
2	9-12

The students are presently within the following attendance areas:

	<u>Enrolment</u>	<u>Capacity</u>	<u># of Portables</u>
McHugh P.S.	152	317	0
Centennial Sr. P.S.	747	855	0
Brampton Centennial S.S.	1,256	1,380	0

The Board requires the inclusion of the following conditions in the Development Agreement as well as the Engineering Agreement:

1. Prior to final approval, the City of Brampton shall be advised by the School Board(s) that satisfactory arrangements regarding the provision and distribution of educational facilities have been made between the developer/applicant and the School Board(s) for this plan.

Trustees

Brad MacDonald, Chair
David Green, Vice-Chair
Carrie Andrews
Susan Benjamin
Stan Cameron
Robert Crocker

Nokha Dakroub
Will Davies
Sue Lawton
John Marchant
Kathy McDonald
Balbir Sohi

Director of Education and Secretary

Peter Joshua

Associate Director, Instructional & Equity Support Services

Poleen Grewal

Associate Director, Operational Support Services

Jaspal Gill

Associate Director, School Support Services

Mark Haarmann

2. The Peel District School Board requires the following clause be placed in any agreement of purchase and sale entered into with respect to any units on this plan, within a period of five years from the date of registration of the development agreement:
 - a) “Whereas, despite the efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in the neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bused to schools outside of the area, according to the Board’s Transportation Policy. You are advised to contact the School Accommodation department of the Peel District School Board to determine the exact schools.”
 - b) “The purchaser agrees that for the purposes of transportation to school the residents of the development shall agree that the children will meet the school bus on roads presently in existence or at another designated place convenient to the Board.”
3. The developer shall agree to erect and maintain signs at the entrances to the development which shall advise prospective purchases that due to present school facilities, some of the children from the development may have to be accommodated in temporary facilities or bused to schools, according to the Peel District School Board’s Transportation Policy.”

The Board wishes to be notified of the decision of Council with respect to this proposed application.

If you require any further information please contact me at 905-890-1010, ext. 2217.

Yours truly,

Nicole N. Hanson, MES (Pl.), MCIP, RPP
Planning Officer - Development
Planning and Accommodation Dept.

- c. S. Blakeman, Peel District School Board
K. Koops, Dufferin-Peel Catholic District School Board (email only)

OZS-2020-006 comment.doc

Henderson, Kelly

From: GTAW New Area <gtaw.newarea@rci.rogers.com>
Sent: 2020/04/02 1:42 PM
To: Henderson, Kelly
Subject: [EXTERNAL]FW: OZS-2020-0006 Notice of Application and Request for Comments - DUE APR 3/2020
Attachments: External Circulation Letter OZS-2020-0006.pdf; R0_Application.pdf; R0_Draft Plan of Subdivision.pdf

Hi Kelly

Rogers has no objections.

Prior to registration of the Plan of Subdivision, the developer/owner will, at its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telecommunications companies and broadcasting distribution companies intending to serve the Subdivision (collectively the "Communications Service Providers"). Immediately following registration of the Plan of Subdivision, the developer/owner will cause these documents to be registered on title.

Prior to registration of the plan of subdivision, the developer/owner will, with consultation with the applicable utilities and Communications Service Providers, prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.

Thank you

Debbie Purves
System Planner

Outside Plant Engineering
3573 Wolfedale Rd
Mississauga, ON L5C 3T6

Debbie.purves@rci.rogers.com
416-305-0466



From: Trdoslavic, Shawntelle [mailto:Shawntelle.Trdoslavic@brampton.ca]
Sent: Friday, March 20, 2020 2:03 PM
To: circulations@mmm.ca; Municipal Planning <municipalplanning@enbridge.com>; Henry Gamboa <henry.gamboa@alectrautilities.com>; GTAW New Area <gtaw.newarea@rci.rogers.com>; Cox, Stephanie <stephanie.cox@dpcdsb.org>; Koops, Krystina <krystina.koops@dpcdsb.org>; Vidovic, Branko

<branko.vidovic@peelsb.com>; ebrennan@orangeville.ca; tdulisse@orangeville.ca

Cc: Henderson, Kelly <Kelly.Henderson@brampton.ca>; Vanderberg, David (PD&D) <David.Vanderberg@brampton.ca>

Subject: OZS-2020-0006 Notice of Application and Request for Comments - DUE APR 3/2020

Good Afternoon,

Please find attached the **Notice of Application and Request for Comments** for the above noted file.

If you have any concerns please contact the assigned Planner, Kelly Henderson at Kelly.Henderson@brampton.ca

Please note comments are due by April 3, 2020.

Thank you and have a great weekend!

Shawntelle Trdoslavic

Development Services Clerk

Planning & Development Services Dept.

shawntelle.trdoslavic@brampton.ca

Please review the City of Brampton e-mail disclaimer statement at: <http://www.brampton.ca/EN/Online-Services/Pages/Privacy-Statement.aspx>

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Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800
peelregion.ca

September 24, 2020

Kelly Henderson
Planner III
City of Brampton
2 Wellington Street West
Brampton ON, L6Y 4R2
Kelly.Henderson@brampton.ca

**RE: Draft Plan of Subdivision
57 McMurchy Avenue South
Sunfield Investments (McMurchy) Inc.
Brampton
City File: OZS-2020-006
Region File: 21T-20001B**

Dear Ms. Henderson,

The Region has reviewed the materials submitted in support of the Draft Plan of Subdivision Plan for the above-noted application. Our comments and Draft Plan Conditions can be found below.

Region of Peel Conditions of Draft Approval

As per the Conditions of Draft Approval for Draft Plan of Subdivision 21T-20001B, the developer is required to fulfill the Conditions to the satisfaction of the Region. Release for Registration will not be provided by the Region until such time as all Regional requirements have been satisfactorily addressed.

General Comments

The following general comments are provided to assist the developer in the preparation of the related drawings.

Sanitary Sewer Facilities

- Municipal sanitary sewer facilities consist of an existing 300mm diameter sanitary sewer on McMurchy Avenue South.

Water Facilities

- The subject lands are located within Water Pressure Zone 5
- Municipal water facilities consist of an existing 300mm diameter watermain along McMurchy Avenue South.

Functional Servicing Report

- The Region is in receipt of the satisfactory FSR (dated May 1, 2018) prepared by Candevcon Limited as per the approved official plan amendment and rezoning application (Regional File No. OZ-14-1W5-41B).

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

Development Charges

- The Developer acknowledges that the lands are subject to the Region's Development Charges By-law in effect from time to time. The applicable development charges shall be paid in the manner and at the times provided by this By-law.

Capital Budget

- There is no negative impact upon the Regional Capital Budget as this development does not create a need for sanitary sewer, watermain, or road improvements in the Five-Year Capital Budget and Forecast.

Waste Management Requirements

- The Region of Peel will provide curbside waste collection provided that future submissions satisfy the requirements outlined in sections 2.0 and 3.0 of the Waste Collection Design Standards Manual.
- For more information, please consult the Waste Collection Design Standards Manual available at: <https://www.peelregion.ca/pw/standards/design/waste-collection-design-manual-2016.pdf>

Conditions of Draft Approval

The following requirements/conditions will be required to be satisfactorily addressed as they relate to the Region's Conditions of Draft Plan Approval:

1. Prior to registration of the subdivision, the Developer shall execute a Subdivision Agreement with the local municipality and Region.
2. The Owner acknowledges and agrees that prior to the issuance of building permits, satisfactory arrangements must be made with the Region with regard to water and sanitary sewer servicing applications and payments of the required connection charges.
3. All works associated with the servicing of this site will be at the applicant's expense. The applicant will also be responsible for the payment of applicable fees, DC charges, legal costs and all other costs associated with the development of this site.

A clause shall be included in the Subdivision Agreement in respect of same.

4. The owner is responsible for the removal of existing services that will not be utilized. Removal of said services shall be carried out in accordance with the Region's standards as amended from time to time and at the sole expense of the Applicant.

A clause shall be included in the Subdivision Agreement in respect of same.

5. The Developer agrees that prior to the Region granting clearance of the draft plan conditions of subdivision approval, the following shall require to be forwarded to the Region's Legal Services Division:
 - a. A copy of the final signed M-Plan
 - b. A copy of the final draft R-Plan(s); and
 - c. Easement and conveyance documents required pursuant to this Agreement and the registration of this plan.

A clause shall be included in the Subdivision Agreement in respect of same.

If you have any questions or concerns, please contact me (Alex.Martino@peelregion.ca 905.791.7800 x4645) at your earliest convenience.

Yours truly,



Alex Martino
Planner, Development Services
Region of Peel

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

OZS-2020-0006 – DRAFT CONDITIONS OF DRAFT APPROVAL

SCHEDULE "A"
CONDITIONS OF DRAFT APPROVAL

DRAFT APPROVAL

DATE: (Day After Last Day for Filing an Appeal if No Appeal has been Filed)

APPLICANT: Candevcon Limited/Sunfield Investments (McMurphy) Inc.

SUBJECT: Draft Plan of Subdivision
OZS-2020-0006/ 21T-20001B
City of Brampton
Planner: Kelly Henderson

In accordance with By-law 10-97 the Council of the City of Brampton has made a decision to authorize the draft approval of the above noted draft plan of subdivision subject to the following conditions.

Approved Plan and Redlines

1. The final plan shall conform to the draft plan prepared by Thomas Salb O.L.S., J.D. Barnes Limited, dated February 18th, 2020, revised October 22nd, 2020.

Subdivision Agreement

2. Prior to registration, the owner shall enter into a Subdivision Agreement and any other agreements deemed necessary by the City of Brampton, Region or any other approval authority.

These agreements shall deal with any matter and include any term or condition which an approval authority may require, where such matters, terms, or conditions, are reasonable in the opinion of the approval authority, having regard to the nature of the development proposed for the subdivision, in accordance with s.51 of the Planning Act. These agreements may address matters including but not limited to the following:

- 2.1 Planning matters such as parkland/open space dedications and development, residential reserves, buffer blocks, tree preservation, trails, site development plan, utilities, architectural control, homebuyers' information map, heritage conservation and landscape plan approvals, phasing/staging of development, warning clauses and notices.
- 2.2 Engineering matters such as municipal services, road widening, construction and reconstruction, transit infrastructure, traffic signals, grading, fencing, well monitoring, septic systems, waste management, pressure testing/chlorination, noise mitigation and warning clauses.

2.3 Financial issues such as cash contributions, levies (development charges), land dedications or reserves, securities or letters of credit.

2.4 Details regarding all matters and requirements referenced in these conditions of draft approval may be provided by way of Comments and Conditions Memos from approval authorities, or from agencies and departments of the City and/or Region, in response to the circulation of the draft plan of subdivision. The conditions expressly identified in the Comments and Conditions Memos as referenced and/or attached to this draft approval and/or any such additional or amended Comments and Conditions Memos as may be provided to the owner in accordance with this draft approval shall be deemed to be conditions for the purposes of this draft approval. General requirements of the City's Subdivision Manual, Development Design Guidelines, Region's Design Criteria and Material Specification Manual, and Landscape Guidelines, as applicable and as amended or replaced from time to time, shall be implemented through the terms and conditions of the Subdivision Agreement.

Fees

3. Prior to registration, all processing and administrative fees shall be paid. Such fees will be charged at prevailing rates of approved City and Regional Policies and Bylaws on the day of payment.

Easement and Land Dedication within the Plan

5. Prior to registration of the Plan, the owner shall gratuitously convey and/or dedicate any required road or highway widening, 0.3 m (1 ft.) reserves, walkways, sight triangles, radius roundings, buffer blocks other land required for municipal purposes and utility or drainage easements to the satisfaction of the City, Region, or other authority.
6. All lands which are to be conveyed to the City shall be free and clear of any and all encumbrances, unless otherwise approved by the City.

External Easements and Land Dedications

7. Prior to registration, the owner shall gratuitously convey all necessary external easements and lands for access, drainage, servicing, utility purposes and for any other municipal purposes, as may be required, to the appropriate municipality, agency or public authority. The owner is advised that no servicing works shall be permitted until the detailed engineering drawings are approved and external easements and lands granted.
8. All lands which are to be conveyed to the City shall be free and clear of any and all encumbrances, unless otherwise approved by the City.
9. Where the City has required as a condition of registration that the owner convey lands gratuitously to the City for municipal purposes, and where the lands have been so conveyed to the City, and where prior to assumption of the plan the City determines in its

sole and absolute discretion that said lands (or any interest therein) are surplus to its requirements and are no longer required, then the City may reconvey said lands (or any interest therein) to the Owner, gratuitously, provided that the Owner shall be required to pay for any fees, taxes, and/or disbursements related to the reconveyance, including but not limited to registration fees and the cost of preparing and filing a reference plan.

Parkland Dedication

10. Prior to registration, the owner shall provide all outstanding reports, plans or studies required by the appropriate Municipality, agency or public authority and the approved recommendations shall be incorporated into the plans, agreements or otherwise implemented to the satisfaction of the City in consultation with the applicable agency and/or public authority.

Studies

11. Prior to registration, the owner shall provide all outstanding reports, plans or studies required by the appropriate Municipality, agency or public authority and the approved recommendations shall be incorporated into the plans, agreements or otherwise implemented to the satisfaction of the City in consultation with the applicable agency and/or public authority.

Staging

12. Development of the plan shall be staged to the satisfaction of the City and the Region in accordance with the approved Growth Management Staging and Sequencing Strategy. In this regard provision shall be made in the subdivision agreement to allow for the registration of this plan in phases, only in accordance with the approved Growth Management Staging and Sequencing Strategy.
13. Where a Growth Management Staging and Sequencing Strategy has not been required by the City, staging shall be based on the timing of essential services that serve the plan including, but not limited to: servicing capacity, road improvements, school availability, etc. In this regard the owner shall agree to enter into a phasing agreement, the provisions of which may be incorporated into the Subdivision agreement to allow the registration of this plan in phases.

Drawings

14. Prior to registration the owner shall submit drawings to the satisfaction of the City in consultation with the applicable agency and/or public authority for approval.

Servicing

15. Prior to registration, the recommendations of the approved Functional Servicing Report shall have been incorporated into all engineering plans.

Cost-share Agreement

16. Prior to registration the owner shall sign the Landowners Cost Share Agreement (or other named agreement), and provide the City with a written acknowledgment from the Trustee appointed pursuant to the agreement, that the owner has signed the agreement and has delivered the deeds or made the payments required by the agreement, and that the plan may be released for registration.

School Boards

17. Prior to final approval, the City of Brampton shall be advised by the School Board(s) that satisfactory arrangements regarding the adequate provision and distribution of educational facilities have been made between the owner and the School Boards for this Plan.

Dufferin-Peel Catholic District School Board

18. The following clauses to the satisfaction of the Dufferin-Peel Catholic District School Board:

"Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school."

"That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board."

Peel District School Board

20. The owner shall undertake the following to the satisfaction of the Peel District School Board:

- a) to erect and maintain signs to the satisfaction of the Peel District School Board at the entrances to the subdivision which shall advise prospective purchasers that due to present school facilities, some of the children from the subdivision may have to be accommodated in temporary facilities or bused to schools according to the Board's Transportation Policy.

- b) the following clauses in any agreement of purchase and sale entered into with respect to any units in the plan to the satisfaction of the Peel District School Board for a period of five (5) years from the date of registration of the Plan:

"Whereas despite the best efforts of the Peel District School Board, sufficient

accommodation may not be available for all anticipated students in neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bussed to schools outside of the area, according to the Board's Transportation Policy. You are advised to contact the School Accommodation Department of the Peel District School Board to determine the exact schools."

"The purchaser agrees that for the purposes of transportation to school the residents of the development shall agree that children will meet the school bus on roads presently in existence or at another designated place convenient to the Board."

21. Prior to final approval, the City of Brampton shall be advised by the School Board(s) that satisfactory arrangements regarding the provision and distribution of educational facilities have been made between the developer/applicant and the School Board(s) for this plan.

Canada Post

Prior to the registration of the subdivision, the owner shall:

22. Consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.
23. Confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.
24. Install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings.
25. Agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy.
26. Communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.
27. Prior to offering any of the residential units for sale, to place a "Display Map" on the wall of the sales office in a place readily available to the public which indicates the location of all Canada Post Community Mailbox site locations, as approved by Canada Post and the City of Brampton.

28. Include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.
29. Be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales with specific clauses in the Purchase offer, on which the homeowners do a sign off.

Enbridge Gas Distribution

Prior to the registration of the subdivision, the owner shall:

30. Contact Enbridge Gas Distribution's Customer Connections Department by emailing SalesArea20@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.
31. Agree that if the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.
32. Agree that any easement(s) that are required to service this development and any future adjacent developments will be provided to Enbridge Gas Distribution at no cost.

Rogers Telecommunications

Prior to registration of the subdivision, the owner shall:

33. At its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to serve the Subdivision (collectively the "Communications Service Providers"). Immediately following registration of the Plan of Subdivision, the owner will cause these documents to be registered on title.
34. With consultation with the applicable utilities and Communications Service Providers, prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the Subdivision, as well as the timing and phasing of installation.

Bell Canada

Prior to the registration of the subdivision, the owner shall:

35. Agree in the subdivision agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services.

Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/owner shall be responsible for the relocation of such facilities or easements.

Alectra Utilites

Prior to the registration of the subdivision, the owner shall:

36. Grant all necessary aerial or underground easements, as may be required, as not cost t Alectra Utilities. Alectra Utilities requires blanket easement on condominium developments. These will be confirmed during the final design of the road and subdivision.
39. Shall enter into a servicing agreement (offer-to-connect) and will be responsible for the cost sharing as detailed in the offer-to-connect.
40. Be responsible for the costs associated with the hydro plant expansion to supply the development, and responsible for the costs of the relocation of existing plant to accommodate the new road(s).
41. Contact Alectra Utilities (Brampton Hydro) Subdivisions Department for the availability of adjacent plant capable of servicing this site and to discuss the electrical service installation requirements and schedule.
42. The owner/developer or their representative is strongly advised to consult Alectra Utilities' (Brampton Hydro's) Conditions of Service, as they must adhere to all the conditions.

Orangeville Rail Development Corporation (ORDC)

44. The following warning clause shall be included in the Subdivision agreement and included in all Agreements of Purchase and Sale or Lease for each dwelling unit. Provisions are to be included in the Subdivision Agreement to ensure that the warning clause survives the release of the Owner's obligations under the subdivision agreement and remain on title:

"WARNING: The Orangeville-Brampton Railway operates a railway right-of-way within 300 metres of these lands. There may be alterations t or expansions of railway facilities or operations in the future. This expansion may have the effect of affecting the living environment of residents in the vicinity, notwithstanding the inclusion of any noise and vibration control attenuating measures in the design of the development and individual dwelling(s). the Orangeville-Brampton Railway or the Town of Orangeville will not be responsible for any complaints or claims arising from the use of such facilities and/or operations on, over or under the rail right-of-way."

Hydro/Telecommunications

44. Prior to the release of the plan for registration, the owner must submit in writing, evidence to the Commissioner, Planning and Development Services Department that satisfactory arrangements have been made with the telecommunications and hydro providers for the installation of their plants in the common trench, within the prescribed location in the road allowances.

Region of Peel

The following requirements/conditions will be required to be satisfactorily addressed as they relate to the Region's Conditions of Draft Plan Approval.

45. Prior to registration of the subdivision, the Developer shall execute a Subdivision Agreement with the local municipality and Region.

46. The Owner acknowledges and agrees that prior to the issuance of building permits, satisfactory arrangements must be made with the Region with regard to water and sanitary sewer servicing applications and payments of the required connection charges.

47. All works associated with the servicing of this site will be at the applicant's expense. The applicant will also be responsible for the payment of applicable fees, DC charges, legal costs and all other costs associated with the development of this site.

A clause shall be included in the Subdivision Agreement in respect of same.

48. The owner is responsible for the removal of existing services that will be utilized. Removal of said services shall be carried out in accordance with the Region's standards as amended from time to time and at the sole expense of the Applicant.

A clause shall be included in the Subdivision Agreement in respect of same.

49. The Developer agrees that prior to the Region granting clearance of the draft plan conditions of subdivision approval, the following shall require to be forwarded to the Region's Legal Services Division:

- a. A copy of the final signed M-Plan
- b. A copy of the final draft R-Plan(s); and
- c. Easement and conveyance documents required pursuant to this Agreement and the registration of this plan.

A clause shall be included in the Subdivision Agreement in respect of same.

Administrative — Clearance of Conditions

50. Prior to the signing of the final plan by the Commissioner, Planning and Development

Services Department, or her designate, they shall be advised that the above noted conditions have been carried out to the satisfaction of the appropriate agencies and the City.

NOTE 1:

In accordance with City Council resolution C003-97, draft approval granted under Section 51 of the Planning Act, R.S.O., 1990, c.P.13 is valid until draft approval is either withdrawn, or the plan is registered. The conditions of draft approval will, however, be reviewed initially 3 years after draft approval is granted and subsequently every 2 years to determine if the conditions are appropriate or whether draft approval should be withdrawn.

NOTE 2:

In order to expedite the clearance of conditions, we suggest that a copy of the signed Subdivision Agreement be forwarded to the following agencies upon execution:

Canada Post Corporation
200 - 5210 Bradco Blvd
Mississauga, Ontario
L4W 1G7

The Dufferin-Peel Catholic District School Board
40 Matheson Boulevard West
Mississauga, Ontario
L5R 105

Peel District School Board
5650 Hurontario Street
Mississauga, Ontario
L5R 1C6

Enbridge Gas Distribution Inc.
500 Consumers Road
North York, Ontario
M2J 1P8

Alectra Utilities
175 Sandalwood Parkway West
Brampton, Ontario
L7A 1E8

Bell Canada
100 Commerce Valley Drive West
Thornhill, Ontario
L3T 0A1

Rogers Cable Communications Inc.

3573 Wolfedale Road
Mississauga, Ontario
L5C 3T6

Region of Peel
10 Peel Centre Drive
Brampton, Ontario
L6T 4B9

NOTE 3:

The costs of any relocations or revisions to Hydro One facilities which are necessary to accommodate this subdivision will be borne by the owner, and further any easement rights of Hydro One are to be respected. The owner should contact the local Hydro One Area office to verify if any low voltage distribution lines may be affected by the proposal.

NOTE 4:

It is recommended that the owner or their consultant contact the Toronto and Region Conservation Authority to clarify specific requirements prior to preparation of detailed engineering reports.

Draft Plan of Subdivision Conditions of Draft Approval Comments and Conditions Memo Tracking Sheet

Candevcon Limited – 2047189 Ontario Inc.

File: OZS-2020-0006 & 21T-20001B

Planner: Kelly Henderson

Date of Draft Approval:

Department/Divisions/Sections	Memo Date		
	Initial Draft Approval	Revisions	
		Memo Date	Effective Draft Approval Date*
Public Works – Development Engineering	October 22 nd , 2020		
Public Works – Transportation Engineering		October 21 st 2020	
Planning & Development Services – Development Services	October 7 th , 2020		
Planning & Development Services – Building Division	October 21 st , 2020		
Public works & Engineering Development – Park Planning	October 27 th , 2020		
Region of Peel	September 24 th , 2020		

*day after 20 days after making decision (date of decision = date of cover memo signed by Commissioner/Director for minor amendments of Notice of Decision)

Note 1:

Any changes to the conditions (including minor amendments and revisions) to the conditions expressly identified in any Comment and Conditions Memo are subject to Section 51 (41) of the Planning Act and the amendment to the draft approval shall be deemed to have been made the day after the appeal period is over (the day after the 20-day appeal period), whether or not notice has been issued).

Accordingly, preparation of any agreement or supplementary agreement (as the case may be), will not occur until the appeal period has passed.

COMMENTS AND CONDITIONS MEMO

Date: October 7th, 2020

File: OZS-2020-0006 - 21T- 20001B

From: Kelly Henderson

Subject: Requirements for Plan of Subdivision
Proposed Draft Plan of Subdivision
Candevcon Limited – Sunfield Investments (McMurchy) Inc.
(To create a block on a plan of subdivision in order to register a townhouse condominium on the subject property)
57 McMurchy Ave. South
West side of McMurchy Ave. South, south of Queen Street West
Ward: 3

Circulation Date: October 7th, 2020

Plan: Part of West Half of Lot 5, Concession 1 West of Hurontario Street
Plan Dated: February 20th, 2020
Comment Revision #: 1st

In response to the circulation of the above noted application, the following represents a summation of comments and conditions from the **Development Services Division of the Planning and Development Services Department** with respect to matters dealing with Zoning, community information maps, warnings, notices, growth management, other general requirements to be included in the subdivision agreement, among others.

A. PRIOR TO DRAFT PLAN APPROVAL

The following shall be addressed prior to the release of the application for draft plan approval.

Sales Office Homebuyers Information Map

1. Prior to draft plan approval, the owner shall prepare a preliminary Homebuyers Information Map of the subdivision to be posted in a prominent location in each sales office where homes in the subdivision are being sold. The map shall contain the following information and clauses as applicable:

- a) The proposed land uses within the subdivision based on the latest draft plan.
- b) Where applicable, a statement indicating that church and school sites may be used for residential uses if they are not acquired for their original purpose within the time period specified in the subdivision agreement.
- c) The immediately surrounding existing and proposed land uses.
- d) Those lots or blocks that have existing and potential noise environmental problems based on the noise feasibility study. Include all relevant warning clauses on the map.
- e) The approximate locations of noise attenuation walls and berms;
- f) The approximate locations and types of other fencing within the subdivision
- g) Where parks and open space, storm water management facilities and walkways are located.
- h) The types and locations of parks, valley lands and other open space (i.e. passive or active) and a general description of their proposed facilities and anticipated level of maintenance (to be confirmed in each case with the Environment and Development Engineering Division).
- i) Potential locations of all Canada Post community mail boxes on corner lots (except corner lots at the intersection of an arterial road).
- j) The locations of all Brampton Transit routes through the subdivision.
- k) The following standard notes, using capital letters where noted:

i. “NOTICE AND ADVICE TO PURCHASERS:

THIS MAP IS INTENDED TO PROVIDE HOME BUYERS WITH GENERAL INFORMATION ABOUT THE SUBDIVISION AND THE SURROUNDING AREA. THE FOLLOWING IS A LIST OF POTENTIAL CONCERNS THAT HOMEBUYERS MAY HAVE AND THE TELEPHONE NUMBERS AT CITY HALL IF YOU NEED MORE INFORMATION. FOR THE BEST SERVICE, YOU ARE ENCOURAGED TO CALL DURING NORMAL BUSINESS HOURS WHICH ARE 8:30 AM TO 4:30 PM, MONDAY TO FRIDAY.

PLEASE NOTE:

THIS MAP IS BASED ON INFORMATION AVAILABLE ON (MONTH/YEAR) AND MAY BE REVISED WITHOUT NOTICE TO PURCHASERS. HOWEVER, ANY CHANGE IN PERMITTED LAND USE INVOLVES A PLANNING PROCESS, INCLUDING PUBLIC NOTIFICATION IN ACCORDANCE WITH THE PLANNING ACT”

- ii. “The map shows that there will be conventional townhouse units and dual frontage townhouse units within this plan of subdivision. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca.”

- iii. "There may be catch basins or utilities easements located on some lots in this subdivision. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- iv. "Some lots and development blocks will be affected by noise from adjacent roads, the railway, industries or aircraft and warning clauses will apply to purchasers. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- v. "The map shows that some of the lots affected by noise will be fitted with noise barriers and some of the homes will be provided with central air conditioning to allow bedroom windows to be closed if necessary due to the noise. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- vi. "The final location of walkways may change without notice. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- vii. "The development will be subject to an application for Site Plan Approval. Site details may change without notice. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- viii. "Door to door mail delivery will not be provided in this subdivision and Community mailboxes will be directly beside some lots. If you have any questions, please call 1-800-267-1177."
- ix. "Some streets will have sidewalks on both sides while others will have them on only one side or not at all. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- x. "The completion of some dwellings in this subdivision may be delayed until after the completion of exterior finishes on the adjacent buildings. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca."
- xi. "There may be Brampton Transit bus routes on some streets within this subdivision with stops beside some homes. The City reserves the right to introduce transit services and facilities such as bus stops, shelters, pads, benches and other associated amenities on any City right-of-way as determined by Brampton Transit to provide

effective service coverage. If you have any questions, please call (905) 874-2750 or email transit@brampton.ca.”

- xii. “Boulevard trees will be planted according to City requirements approximately 12 to 18 metres apart and a tree will not necessarily be located in front of every home.”
- xiii. “The offer of purchase and sale may contain itemized charges for features covered in the City’s subdivision agreement. These features may include street trees, driveway paving, sodding, fencing, noise barriers, or gateway features, etc., on the public right-of-way. They may also be described in general terms, such as “community aesthetics enhancements”. Despite paying this charge, the purchaser may be left without a tree on the lot in question. The City does not encourage this type of extra billing and has no control over vendors charging for street trees. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca.”
- xiv. “The City will not reimburse purchasers, nor assist in any recovery of moneys paid, under any circumstance.’
- xv. “Although the developer is required to provide trees at regular intervals on the public boulevards within this subdivision, local site conditions may not allow for a tree to be planted in front of some homes.”
- xvi. “The design of features on public lands may change. Features shown in the Community Design Guidelines may be constructed as shown or altered, in the City’s discretion, without notification to purchasers. Builders’ sales brochures may depict these features differently from what is shown on the Community Design Guidelines or the as-built drawings. The City has no control over builders’ sales brochures.”
- xvii. “The City of Brampton’s Zoning By-law regulates the width of driveways. Please do not have your driveway widened before inquiring about the permitted driveway width for your lot.”
- xviii. “FOR FURTHER INFORMATION, ON PROPOSED AND EXISTING LAND USE, PLEASE CALL (905) 874-2050 or EMAIL PLANNING.DEVELOPMENT@BRAMPTON.CA.”
- xix. “FOR DETAILED BERMING AND GRADING INFORMATION, PLEASE CALL THE SUBDIVIDER’S ENGINEERING CONSULTANT.

- xx. FOR DETAILED INFORMATION PERTAINING TO
STREETSCAPE, PARKS OR OPEN SPACE, PLEASE CALL THE
SUBDIVIDER'S LANDSCAPE ARCHITECTURAL CONSULTANT."

Growth Management/Staging and Sequencing

2. N/A

Digital Submissions of Plans

3. Prior to draft plan approval, a digital submission of the current draft plan to be draft-approved, shall be provided to the City, in accordance with the Planning and Development Services Department's digital submission requirements.
- Further conditions to those set out in Section B below may be provided as a result of the resolution of matters identified in this Section A of the memo

B. DRAFT PLAN APPROVAL REQUIREMENTS/CONDITIONS

The following requirements are applicable as a condition of draft plan approval.

Final Homebuyers Information Map

1. Prior to registration of the plan, the owner shall prepare a detailed Final Homebuyers Information Map, based on the final M-plan, and approved by the City to replace the preliminary Homebuyers Information Map in all affected sales offices. This map shall contain the following information:
 - a) all of the information required on the preliminary map;
 - b) the locations of all sidewalks and walkways;
 - c) the locations of all rear yard catch basins and utilities easements on private property where applicable;
 - d) the locations of all above ground utilities;
 - e) the locations of all bus stops (if known); and,
 - f) the final locations of all Canada Post community mail boxes;
2. The owner shall ensure that each builder selling homes within the subdivision:
 - a) provides prospective purchasers with a notice from the City in the prescribed format that includes all of the notes required on the Homebuyers Information Maps; and,
 - b) attaches a copy of the preliminary Homebuyers Information Map to each offer of purchase and sale agreement.

Land Notices: Statements and Clauses

-
3. The owner shall include the following warnings in bold type in all offers of purchase and sale for all lots and blocks within the plan:
- a) A statement indicating that:

“Purchasers are advised that residents close to the amenity area may be disturbed by noise and night lighting. For more information, please call the Development Engineering Division of the Public Works Department, at (905) 874-2050 or email planning.development@brampton.ca.”
 - b) A statement to the satisfaction of Brampton Transit that the City reserves the right to introduce transit services and facilities such as bus stops, shelters, pads, benches and other associated amenities on any City right-of-way as determined by Brampton Transit to provide effective service coverage.
 - c) A statement which advises the prospective purchasers that mail delivery will be from a designated Community Mailbox.
 - d) A statement indicating that some of the units may have a noise attenuation fence and/or berm located inside the lot line within the side and/or rear yard.
 - e) A statement indicating that the City of Brampton’s Zoning By-law regulates the width of driveways and that owners not widen their driveway before inquiring about the permitted driveway width for the lot.
 - f) The following statements:
 - i. “The offer of purchase and sale may contain itemized charges for features covered in the City’s subdivision agreement. These features may include street trees, driveway paving, sodding, fencing, noise barriers, or gateway features, etc., on the public right-of-way. They may also be described in general terms, such as “community aesthetics enhancements”. Despite paying this charge, the purchaser may be left without a tree on the lot in question. The City does not encourage this type of extra billing and has no control over vendors charging for street trees. If you have any questions, please call (905) 874-2050 or email planning.development@brampton.ca.”
 - ii. “The City will not reimburse purchasers, nor assist in any recovery of moneys paid, under any circumstance.”
 - iii. “Although the developer is required to provide trees at regular intervals on the public boulevards within this subdivision, local site

conditions may not allow for a tree to be planted in front of some homes.”

- iv. “The design of features on public lands may change. Features shown in the Community Design Guidelines may be constructed as shown or altered, in the City’s discretion, without notification to purchasers. Builders’ sales brochures may depict these features differently from what is shown on the Community Design Guidelines or the as-built drawings. The City has no control over builders’ sales brochures.”
- v. “There are a number of subdivision homes being constructed in the area. Purchasers are advised that residents may be disturbed by noise, traffic and dust due to construction in the area.”
- g) A statement indicating that Block 1 and 2 will be subject to a future application for Site Plan Approval. The site design and building elevations may change without further notice.
- h) The following clauses to the satisfaction of the Dufferin-Peel Catholic District School Board, until the permanent school for the area has been completed:
 - i. “Whereas, despite the best efforts of the Dufferin-Peel Catholic District School Board, sufficient accommodation may not be available for all anticipated students from the area, you are hereby notified that students may be accommodated in temporary facilities and/or bussed to a school outside of the neighbourhood, and further, that students may later be transferred to the neighbourhood school.”
 - ii. “That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board.”
- i) The following clause to the satisfaction of the Peel District School Board for a period of five (5) years from the date of registration of the plan:
 - i. “Whereas despite the best efforts of the Peel District School Board, sufficient accommodation may not be available for all anticipated students in neighbourhood schools, you are hereby notified that some students may be accommodated in temporary facilities or bussed to schools outside of the area, according to the Board’s Transportation Policy. You are advised to contact the School Accommodation Department of the Peel District School Board to determine the exact schools.”

- ii. “That the purchasers agree that for the purpose of transportation to school, the residents of the subdivision shall agree that children will meet the bus on roads presently in existence or at another place designated by the Board.”
4. The owner shall notify purchasers of the exact Community Mailbox locations prior to the closing of any sales.

Site Plan Approval

5. Approval of site development plans by the City in accordance with the City's site development plan approval procedure shall be a prerequisite to the issuance of a building permit for Block 1 and 2.

Telecommunications

6. The owner shall permit all telecommunications service providers that are a “Canadian carrier” as defined in subsection 2(1) of the Telecommunications Act or a “distribution undertaking” as defined in subsection 2(1) of the Broadcasting Act and have entered into a Municipal Access Agreement with the City (“Telecommunication Providers”) to locate their plant in a common utility trench within any future public highway within the Plan. A list of Telecommunication Providers can be obtained from the City. Within 10 business days of the delivery of the pre-servicing letter, the owner shall notify all Telecommunication Providers of the Plan and request that the Telecommunication Providers contact the owner directly within 10 business days if they intend to locate their plant within any future public highway within the Plan. The owner shall make satisfactory arrangements (financial and otherwise) with the City, Telecommunications Providers and other utilities for the installation of each of their facilities in a common utility trench within the future public highway prior to commencing any work with respect to any future public highway as shown on the draft approved plan of subdivision, and the owner shall provide evidence of same satisfactory to the City. Until such installation is completed, the owner shall not undertake any works that will limit the ability of any Telecommunications Provider to install its plant in a timely and efficient manner. The owner shall install, at its own expense, 100mm diameter ducts at all road crossing for the use of Telecommunications Providers. The exact location and detailed specifications for these ducts shall be shown on the approved drawings. The owner acknowledges and agrees that the City may refuse to accept or assume any or all streets within the plan until the provisions of this section have been complied with.
7. Prior to commencing any work within the plan, the owner must confirm that sufficient wire-line communication/telecommunication infrastructure is currently available within the proposed development to provide communication/telecommunication service to the proposed development. In the

event that such infrastructure is not available, the owner is hereby advised that they may be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure. If the owner elects not to pay for such connection to and/or extension of the existing communication/telecommunication infrastructure, the owner shall be required to demonstrate to the telecommunication provider that sufficient alternative communication/telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services.

Growth Management/Staging and Sequencing

8. N/A

Sustainability Score and Summary

9. The applicant has completed a Sustainability Assessment for the proposal and has provided a summary to measure the sustainability of the development proposal. The proposal achieves an overall sustainability score of 35 points, which satisfies the City's Bronze Threshold for sustainability assessment. The applicant will need to demonstrate through a future application for Site Plan Approval that the minimum standards for sustainable assessment are maintained. Staff will continue to work with the applicant to identify opportunities to further improve the sustainability score of the proposed development.

C. GENERAL COMMENTS

The following general comments are provided to assist the developer in the preparation of the related drawings, finalization of any required studies or resolution of any identified issues.

- N/A

If you have any questions or require further clarification with respect to the above comments, please contact the undersigned.

Kelly Henderson, MCIP, RPP
Development Planner
Planning & Development Services
905-874-2619
Kelly.Henderson@brampton.ca

COMMENTS AND CONDITIONS MEMO

Date: March 26, 2020
File: **OZS-2020-0006, 21T- 20001B**
To: Kelly Henderson
From: Scott McIntyre
Subject: Requirements for Plan of Subdivision 21T-20001B
Townhouse Block
Applicant Name - CANDEVCON LIMITED
Developer Name - SUNFIELD INVESTMENTS (MCMURCHY) INC.
Location - 57 McMurchy Ave. S.

Circulation Date: March 20, 2020
Plan: PL-1
Plan Dated: Feb 20, 2020
Comment Revision #: **#1**

A. PRIOR TO DRAFT PLAN APPROVAL

1. Confirmation that an access easement has been obtained over Fair Oaks Place, to/from McMurchy Avenue South, in favour of the subject parcel. **Cleared Oct 21, 2020 SM.**

Further conditions to those set out in Section B below may be provided as a result of the resolution of matters identified in this Section A of the memo

B. DRAFT PLAN APPROVAL REQUIREMENTS/CONDITIONS

1. N/A

C. GENERAL COMMENTS

1. Parking supply is to be as per the City zoning requirements.
2. Registration of the Plan will be dependant of the procurement of the access easement over Fair Oaks Place, to/from McMurchy Avenue south, in favour of the subject parcel.

Regards,



Scott McIntyre

Transportation Engineering | Engineering Division | Public Works & Engineering Dept | City of Brampton

T: 905.874.2540 | F: 905-874-2599 | 2 Wellington Street West | ON L6S 6E5

COMMENTS AND CONDITIONS MEMO

Date: October 21, 2020

File: **OZS-2020-0006 and 21T-20001B**

To: Kelly Henderson

From: Anthony Magnone

Subject: Requirements for
SUNFIELD INVESTMENTS (MCMURCHY) INC.
57 McMurphy Avenue

In response to the circulation of the above noted application, the following represents a summation of comments and conditions from the **BUILDING DIVISION** with respect to the above matter.

A. PRIOR TO DRAFT PLAN APPROVAL

The following shall be addressed prior to the release of the application for draft plan approval.

- Not Applicable

B. DRAFT PLAN APPROVAL REQUIREMENTS/CONDITIONS

The following comments / requirements are applicable as a condition of draft plan approval.

- Not Applicable

C. GENERAL COMMENTS

The following general comments are provided to assist the developer in the preparation of the related drawings, finalization of any required studies or resolution of any identified issues.

- **Prior to registration of the Plan, or any phase thereof**, provide a **final version** of the detailed soils investigation of the site prepared, signed and sealed by a qualified Geotechnical Engineer.

Building Removal

- Prior to registration, the applicant shall remove any existing buildings on the site.

Exposed Basements

- Where a building style incorporating an exposed basement is proposed, the external treatment of the exposed basement shall be consistent with the exterior treatment of the balance of the structure.

Fire Break Lots

- For those lots designated as fire break lots by the Building Division the erection of the superstructure shall be permitted only upon the approval of the Chief Building Official.

Foundations

- Prior to the issuance of any building permit, the applicant shall provide an engineering report, to the satisfaction of the Chief Building Official, indicating special foundation requirements, if any, to support structures that may be erected on disturbed ground or lots where filling has occurred.

Noise Abatement

- **Prior to registration**, site plan approval, and prior to the applicant entering into any purchase and sale agreements, the applicant shall engage the services of a qualified acoustical consultant to complete a noise study recommending noise control measures satisfactory to the City (and Region of Peel when requested by the Region). A copy of this report shall be provided to the City's Chief Building Official.
- The noise control measures and noise warnings recommended by the acoustical report shall be implemented to the satisfaction of the City of Brampton. (and Region of Peel as required)
- **Prior to registration** and site plan approval the applicant shall prepare a Noise Attenuation Statement, a copy of which shall be provided to the City's Chief Building Official.
- **Prior to the issuance of any building permits**, the applicant shall provide the City's Chief Building Official with a certificate certifying that the builder's plans for

each dwelling unit to be constructed on the plan shows all of the noise attenuation works required by the approved acoustical report and the approved plans.

Municipal Addressing

- **Prior to registration**, the applicant shall forward the proposed plan of subdivision to be registered in digital format (Autocad) to the Digital Innovation & Information Technology department for uploading to the City's GIS system.

If you have any questions or require further clarification with respect to the above comments, please contact the undersigned.



Anthony D. Magnone
Regulatory Co-ordinator
Tel: (905) 874-2415 Fax: (905) 874-2499
anthony.magnone@brampton.ca

COMMENTS AND CONDITIONS MEMO

Date: October 22, 2020
File: **(C01W05.042 File and 21T- 20001B)**
To: Kelly Henderson
From: Olti Mertiri
Subject: **Requirements for Plan of Subdivision 21T-20001B**
Owner Name Sunfield Investments (McMurphy) Inc.
Location 57 McMurphy Avenue South
Circulation Date: October 2020
Plan Dated: February 20, 2020

In response to the circulation of the above noted application, the following represents a summation of comments and conditions from the Engineering and Development Services/Development Approvals (Engineering & Environmental) with respect to matters dealing with development and environmental engineering.

A. PRIOR TO DRAFT PLAN APPROVAL

The following shall be addressed prior to the release of the application for draft plan approval.

- The following studies shall be approved in support of servicing for this development.
 1. ~~Function Servicing Report (FSR)~~ - Cleared by Environmental Engineering
 2. ~~Feasibility Noise Report~~ - Cleared Development Engineering
 3. ~~Phase 1 Environmental Site Assessment (Phase 1 ESA) and Phase 2 Environmental Site Assessment (Phase 2 ESA) if required~~ - Added condition 8

B. DRAFT PLAN APPROVAL REQUIREMENTS

The following comments / requirements are applicable as a condition of draft plan approval.

1. Environmental Engineering

1.1. Acoustic

- 1.1.1. As part of the first engineering submission, the owner's consultant shall submit a detailed noise report prepared by a qualified acoustical consultant recommending noise control measures satisfactory to the Engineering and Development Services Division, in consultation with the Region of Peel as necessary. A copy of the report shall also be provided to the City's Chief Building Official.
- 1.1.2. The noise control measures and noise warnings recommended by the noise report shall be implemented to the satisfaction of the Engineering Division.
- 1.1.3. As part of the first engineering submission, the owner shall prepare and submit a Noise Attenuation Statement. A copy of the final approved Noise Attenuation Statement shall also be provided to the City's Chief Building Official.
- 1.1.4. The owner will include the following clause in the Noise Schedule of the Subdivision Agreement: "Prior to the issuance of any Building Permits, the owner agrees to provide the City's Chief Building Official with a certificate certifying that the builder's plans for each dwelling unit to be constructed on the plan shows all of the noise attenuation works required by the approved noise report and the approved plans.

1.2. Environmental

- 1.2.1. Prior to the initiation of any grading or construction on the site the owner shall install adequate sediment and erosion control measures to the satisfaction of the City of Brampton and Credit Valley Conservation Authority. These measures shall remain in place until all grading and construction on the site are completed.

1.3. Stormwater Management

- 1.3.1. Prior to the initiation of any site grading or servicing and as part of the first engineering submission, the owner shall provide a Stormwater Management Report which describes the existing and proposed stormwater drainage systems for the proposed development.

2. Road Reconstruction/Cash Contributions

2.1. N/A

3. Financial Impact

- 3.1. Development charges will be made payable to the City in accordance with the Development Charges By-law in effect at the time of payment.
- 3.2. No credits are anticipated with respect to the Transportation Component of the City Per Unit Levy to be assessed to this development.

4. Sidewalks

- 4.1. N/A

5. Land Dedications and Easements

- 5.1. Sufficient right of way for all roads associated with the plan, land dedications and easements required for proper servicing of the plan shall be granted gratuitously to the appropriate authority. The precise limits of the required land dedications and easements are to be determined to the satisfaction of the City's Ontario Land Surveyor.

6. 0.3 Metre Reserves/Reserve Block(s)

- 6.1. The 0.3 m reserves and reserve blocks are to be deeded gratuitously to the City.

7. Warning Clauses

- 7.1. Warning clauses are to be included in the Agreements of Purchases and Sale and registered on the title of all affected lots and blocks noting:
 - 7.1.1. Any noise control features required to meet the noise level objectives of the City, to the satisfaction of the City, with respect to all noise sources,
 - 7.1.2. The possibility of future transit routes within the internal collector/local road network to serve the residents of this community, including possible establishment of transit stops and platforms,

8. Soil

- 8.1. Prior to the registration of this plan or any phase thereof, the owner shall provide a copy of a Record of Site Condition and confirmation of the filing of the Record of site Condition in the Environmental Site Registry.

C. GENERAL COMMENTS

The following general comments are provided to assist the owner in the preparation of the related drawings, finalization of any required studies or resolution of any identified issues.

1. Subdivision Agreement

The owner will be required to enter into a Subdivision Agreement with the City for the construction of municipal services associated with these lands. The underground and aboveground municipal services are to be constructed in accordance with the latest O.P.S. and/or City standards and requirements, as applicable. Development of the lands shall be staged to the satisfaction of the City.

The owner will be required to provide the City with comprehensive insurance coverage, a financial guarantee for the installation of municipal works and maintain the municipal works in accordance with Clauses 27 Insurance, 24 Financial and 17 Maintenance Periods respectively, of the applicable standard Subdivision Agreement.

2. Site Grading/Erosion and Sediment Control By-law

The owner will be responsible for the proper drainage of all lands abutting the plan. An overall lot/block grading plan must be prepared by the owner's Engineering Consultant to form part of the Subdivision Agreement.

Draft Plans which are within 30 metres of the watercourse and/or which are comprised of an area in excess of 1 hectare shall be subject to the provisions of the Fill By-law No.143-95, as amended. The owner will be required to apply for and obtain a Fill Permit prior to undertaking any land stripping or regrading activities within these lands. An irrevocable letter of credit is required to cover 100% of the estimated cost of site control measures plus 10% allowance for contingencies, as per Schedule 'A' to the By-law.

3. Storm Drainage

Storm sewer works including connections to each lot and building block shall be designed in such a manner and be of adequate size and depth to provide for the drainage of the weeping tiles, for the development of all lands lying upstream within the watershed and/or provide for the drainage of such areas as may be designated by the Commissioner Public Works & Engineering.

As a part of detailed processing of servicing submissions, the owner's consultant will be required to include a drawing outlining the proposed overland flow route on these lands. The internal route is to coincide with roadways as much as possible. Should this route direct drainage along a lot's side lot line, the size of the concerned lot(s) is to be increased in width to account for this route in addition to the usual lot sizes. All overland flow routes to be located on private lands shall be covered by a municipal easement to the satisfaction of the City and the appropriate Conservation Authority.

All storm drainage shall be conducted to an outlet considered adequate in the opinion of the Commissioner of Public Works & Engineering.

4. Sanitary and Water Service

Prior to servicing or registration of the plan, the Region of Peel is to confirm that all portions of this plan will be provided with adequate water and sanitary servicing.

5. Soil Conditions

The owner is required to retain a Geotechnical Consultant to prepare a detailed Soils Report. At first engineering submission, the Soils Report will be reviewed by the City and Ministry of Environment and Energy if necessary. Prior to the registration or servicing of this plan, the approved procedures are to be incorporated into the Subdivision Agreement.

6. Streetlighting

Streetlighting is to be provided by the owner in accordance with the City's latest standards and requirements. In addition to streetlighting within the plan, the facilities at the intersections of the proposed road(s) with the boundary roads are to be examined and if necessary, upgraded.

7. Signs

All street and traffic signs required for this plan are to be supplied, erected and maintained in accordance with the provisions of the Subdivision Agreement by and at the expense of the owner.

8. Utilities

Prior to preservicing and/or execution of the Subdivision Agreement, the owner shall name his/her telecommunication provider. In addition, as part of the first engineering submission, the City will also request telecommunications providers that have entered into a Letter of Understanding or a Municipal Access Agreement with the City whether they intend to install their plant within the streets of the proposed subdivision.

The owner covenants and agrees that it shall permit the telecommunication providers named by the City to locate their plants within the streets of the proposed development.

The owner, under separate arrangements or agreement with the various utility companies, is to determine the precise extent of their requirements.

Prior to execution of the Subdivision Agreement, the owner must submit in writing evidence to the Commissioner of Public Works & Engineering that satisfactory arrangements have been made with the Telecommunications provider, Cable TV, Gas and Hydro for the installation of their plant in a common trench, within the prescribed location on the road allowance.

Any utility relocations necessary in support of the development of the Draft Plan of Subdivision shall be carried out by and at the expense of the owner.

9. Removal of Existing Buildings

The Security & Payment Statement of the Subdivision Agreement is to include sufficient securities to guarantee the removal of any existing buildings within the plan that will not conform to the requirements of the Zoning By-law after registration of the plan.

10. City Road Maintenance/Construction Access

The owner will be responsible for maintaining City Roadways within and in the vicinity of this development in a state satisfactory to the Commissioner of Public Works & Engineering until all construction and building activity is complete. Securities shall be included in the Security & Payment Statement of the Subdivision Agreement.

A construction access and the route for same will be finalized during processing of detailed engineering submissions. The construction access shall remain open at the discretion of the Commissioner of Public Works & Engineering.

11. Road Design

All internal roads shall be constructed by the owner and shall have asphalt pavement complete with concrete curbs and gutters designed and constructed in accordance with the latest O.P.S and /or City standards and requirements, as applicable.

The horizontal and vertical alignments of all roads, including their relative intersection geometrics, shall be designed to the latest City standards and requirements. In this regard, minor revisions to the road pattern may be required to accommodate intersection alignments and locations specified for bus bays and loading platforms.

All connecting roads shall be located such that they align precisely with their continuation beyond the limits of this Draft Plan.

12. Sodding of boulevards and private Lands/Maintenance of Undeveloped Lands

All portions of road allowance not covered by roads, sidewalks, splash pads, etc. shall be placed with 150 mm of topsoil and sodded with number 1 nursery sod.

The owner is to provide the City with securities to ensure that each of the lots will be sodded and topsoiled to City standards with driveways being provided. A security is to be established at time of detailed processing and is to be maintained with the City until substantial completion of the lots, and the securities reduced at the discretion of the Commissioner of Public Works & Engineering.

Lots and blocks with which there are no immediate development proposals shall be graded, seeded and maintained to the satisfaction of the Commissioner of Public Works &

Engineering, and securities shall be included in the Security & Payment Statement of the Agreement to guarantee this.

13. Acoustical

At first engineering submission, the owner is to submit a Noise Report prepared by an Acoustical Consultant. The report is to address methods of dealing with acoustical aspects evolving from all the noise sources. The report should also detail the type of noise attenuation that will be implemented for all noise sources.

14. Community Postal Boxes

Community Postal Delivery Box locations are to be shown on the servicing drawings in locations approved by Canada Post and are to be installed to City & Canada Post requirements by the owner when required by Canada Post or when constructing aboveground works, whichever is appropriate.

15. Preservicing

Preservicing will not be permitted until arrangements have been made to the satisfaction of the Commissioner of Public Works & Engineering for the necessary outlets for the municipal services and adequate access roads to service the lands. In addition, preservicing will not be permitted until the zoning for the development of the lands is in effect or has been approved by the Local Planning Appeal Tribunal.

Any external land dedications or easements required to service the property must be obtained by the owner and conveyed gratuitously to the City or the Region prior to the commencement of Preservicing of the lands.

Regards,



Olti Mertiri, P.Eng.
Supervisor, Development Approvals
Engineering Division
Public Works and Engineering Department
Tel.(905) 874-5 273 Fax (905) 874-3369
olti.mertiri@brampton.ca

Cc: Plantrak
Frank Mazzotta (Manager, Development Engineering)

COMMENTS & CONDITIONS MEMO

Date: October 27, 2020

File: OZS-2020-0006 & 21T-20001B

To: K. Henderson, Development Services

From: C. Heike, Park Planning & Development

Subject: **REQUIREMENTS FOR RESIDENTIAL DEVELOPMENT
Proposed Draft Plan of Subdivision**
(Plan of Subdivision application submitted for the purpose of registering a townhouse block as will be required pursuant to a future common element condominium. The proposal consists of fifteen (15) townhouse units at 23 storeys and a private laneway with access from Fair Oaks Place. A site plan application is concurrently being submitted with this application.) **UPDATED** Conditions from the Park Planning & Development Section

Consultant: **CANDEVCON LTD.**

Owner: **SUNFIELD INVESTMENTS (MCMURCHY) INC.**

Location: 57 McMurphy Avenue South
Circulation Date: September 22, 2020
Ward: 3

In response to the REVISED circulation of the above noted Proposed Draft Plan of Subdivision application dated September 22, 2020, the following represents an **UPDATED** summation of conditions from the **Park Planning and Development Section** in the Parks Maintenance & Forestry Division – Community Services Department.

A. PRIOR TO DRAFT PLAN APPROVAL

The following must be addressed prior to the release of the application for draft plan approval.

Requested Adjustments to Plan:

1. NIL

B. DRAFT PLAN APPROVAL REQUIREMENTS / CONDITIONS

The Owner is required to address the following prior to the identified milestone, in accordance with City standards, and to the satisfaction of the Environment and Development Engineering Division.

a) Prior to 1st Engineering Submission:

Hoarding of Natural Features:

2. The Owner shall erect and maintain in good condition, hoarding along the drip line of any vegetation identified for preservation in the approved Tree Evaluation Report, to the satisfaction of the Director, Environment & Development Engineering.

b) Prior to Registration:

The following are requirements that the Owner shall be required to fulfill prior to the release of the plan for registration. Items are listed alphabetically.

Community Information Maps:

3. The Owner shall prepare a detailed Homebuyers' Information Map, based on the final M-plan, to the satisfaction of the City.

Fencing:

4. The Owner shall make satisfactory arrangements with the City to provide fencing, at their cost, in accordance with the City Fencing Policy and the approved Urban Design Brief (as applicable), for incorporation into the landscape drawings' submission, to the satisfaction of the Director, Environment & Development Engineering.

Parkland Dedication:

5. Parkland Dedication requirements for the plan shall be in accordance with the Planning Act R.S.O. 1990, c.P.13 as amended (the Planning Act) and the City's Parkland Dedication By-law, as amended.

The City will not require the conveyance of parkland dedication (parkland or cash-in-lieu of parkland) as a condition of subdivision draft approval for this Plan as authorized by Section 51.1 of the Planning Act R.S.O. 1990, c.P. 13 as amended.

The Owner is put on notice that City By-laws and policies as amended require the payment of cash-in-lieu of parkland for this application pursuant to Section 42(6) of the Planning Act, as a condition of development of the land, and payable prior to the issuance of building permits.

To facilitate the calculation of CIL-payable for all lots and blocks identified in the plan, the Owner will be required to commission and submit an Appraisal, in accordance with City standards, and subject to the review and ratification by the City's Realty Services Section.

Plan Requirements for all Public Lands:

6. Prior to plan registration, the Owner shall provide detailed working drawings for all identified landscape buffer blocks, streetscape planting and fencing to the satisfaction of the applicable approving departments and in accordance with the latest City standards. Fencing shall be included along holdout properties where they abut the plan, subject to the approval of the existing property owners. The Owner shall comply with both the facility fit/concept plan approved prior to draft plan approval and/or the recommendations of the approved Design Brief.

Streetscape Plans:

7. Prior to plan registration, the Owner shall make satisfactory arrangements with the City, through the Subdivision Agreement and the landscape drawings' submission, to provide street trees along all internal streets within the subject plan and along immediately abutting street, including the implementation of boulevard and buffer planting, and entry features. The Owner shall comply with the recommendations of the approved Urban Design Brief (as amended and as applicable).

Summary Requirements:

8. Prior to registration, and in conjunction with the final landscape submission, the Owner agrees to provide the City with a detailed summary of all areas of buffers including quantities or areas of boulevard and buffer sod, boulevard and buffer trees, shrub beds and irrigation systems that will be installed by the Owner and will become the City's responsibility to maintain.

Warning Clauses – Street Trees

9. Prior to registration, the Owner shall ensure that the builder(s) include a warning clause in all Offers of Purchase and Sale indicating that:

"The Owner is required to provide street trees at regular intervals on all public boulevards within this subdivision. Local site conditions may not allow a tree to be planted in front of some homes. For more information, please call the City of Brampton's Public Works & Engineering Department at (905) 874-2050.

c) Post Registration:

The following are requirements that the Owner shall be required to fulfill as a condition of plan registration. Items are listed in typical order of completion:

Development of all Public Lands:

10. The Owner is responsible for the development of all dedicated open space (e.g. landscape buffer blocks) in accordance with the approved plans and the approved

Subdivision Agreement subject to the satisfaction of the Director, Environment & Development Engineering.

Streetscape Implementation:

11. The Owner shall implement, at their expense and to the satisfaction of the City, all works shown on the approved streetscape plans in accordance with the Subdivision Agreement and the approved Urban Design Brief (where applicable) and will include the implementation of boulevard and buffer planting, and entry features including all structures and planting.

As-Built Drawings:

12. Prior to issuance of final acceptance of all landscape works the Owner shall provide as-built drawings in the form of digital files for all dedicated landscape buffer blocks, etc. The submission of these drawings will meet the latest digital standards as prescribed by the City of Brampton.

d.) Prior to Assumption:

13. NIL

C. GENERAL COMMENTS

The following General Comments are provided to assist the Owner. These comments shall be read in conjunction with the Draft Plan conditions (Section B).

14. NIL

If you have any questions or require further clarification with respect to the Park Planning & Development comments, please contact the undersigned.

Christopher Heike B.Sc., M.Pl., MCIP, RPP
 Park Planner, Park Planning & Development Section
 Parks Maintenance & Forestry Division
 Community Services Department
 City of Brampton
 Tel: (905) 874-2422 Fax: (905) 874-3819
christopher.heike@brampton.ca

cc. (via email only):
 S. Bodrug, R. da Cunha, W. Kuemmling, D. Quinn

(Note: A digital copy has also been uploaded to Accela.)

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800
peelregion.ca

September 24, 2020

Kelly Henderson
Planner III
City of Brampton
2 Wellington Street West
Brampton ON, L6Y 4R2
Kelly.Henderson@brampton.ca

**RE: Draft Plan of Subdivision
57 McMurchy Avenue South
Sunfield Investments (McMurchy) Inc.
Brampton
City File: OZS-2020-006
Region File: 21T-20001B**

Dear Ms. Henderson,

The Region has reviewed the materials submitted in support of the Draft Plan of Subdivision Plan for the above-noted application. Our comments and Draft Plan Conditions can be found below.

Region of Peel Conditions of Draft Approval

As per the Conditions of Draft Approval for Draft Plan of Subdivision 21T-20001B, the developer is required to fulfill the Conditions to the satisfaction of the Region. Release for Registration will not be provided by the Region until such time as all Regional requirements have been satisfactorily addressed.

General Comments

The following general comments are provided to assist the developer in the preparation of the related drawings.

Sanitary Sewer Facilities

- Municipal sanitary sewer facilities consist of an existing 300mm diameter sanitary sewer on McMurchy Avenue South.

Water Facilities

- The subject lands are located within Water Pressure Zone 5
- Municipal water facilities consist of an existing 300mm diameter watermain along McMurchy Avenue South.

Functional Servicing Report

- The Region is in receipt of the satisfactory FSR (dated May 1, 2018) prepared by Candevcon Limited as per the approved official plan amendment and rezoning application (Regional File No. OZ-14-1W5-41B).

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

Development Charges

- The Developer acknowledges that the lands are subject to the Region's Development Charges By-law in effect from time to time. The applicable development charges shall be paid in the manner and at the times provided by this By-law.

Capital Budget

- There is no negative impact upon the Regional Capital Budget as this development does not create a need for sanitary sewer, watermain, or road improvements in the Five-Year Capital Budget and Forecast.

Waste Management Requirements

- The Region of Peel will provide curbside waste collection provided that future submissions satisfy the requirements outlined in sections 2.0 and 3.0 of the Waste Collection Design Standards Manual.
- For more information, please consult the Waste Collection Design Standards Manual available at: <https://www.peelregion.ca/pw/standards/design/waste-collection-design-manual-2016.pdf>

Conditions of Draft Approval

The following requirements/conditions will be required to be satisfactorily addressed as they relate to the Region's Conditions of Draft Plan Approval:

1. Prior to registration of the subdivision, the Developer shall execute a Subdivision Agreement with the local municipality and Region.
2. The Owner acknowledges and agrees that prior to the issuance of building permits, satisfactory arrangements must be made with the Region with regard to water and sanitary sewer servicing applications and payments of the required connection charges.
3. All works associated with the servicing of this site will be at the applicant's expense. The applicant will also be responsible for the payment of applicable fees, DC charges, legal costs and all other costs associated with the development of this site.

A clause shall be included in the Subdivision Agreement in respect of same.

4. The owner is responsible for the removal of existing services that will not be utilized. Removal of said services shall be carried out in accordance with the Region's standards as amended from time to time and at the sole expense of the Applicant.

A clause shall be included in the Subdivision Agreement in respect of same.

5. The Developer agrees that prior to the Region granting clearance of the draft plan conditions of subdivision approval, the following shall require to be forwarded to the Region's Legal Services Division:
 - a. A copy of the final signed M-Plan
 - b. A copy of the final draft R-Plan(s); and
 - c. Easement and conveyance documents required pursuant to this Agreement and the registration of this plan.

A clause shall be included in the Subdivision Agreement in respect of same.

If you have any questions or concerns, please contact me (Alex.Martino@peelregion.ca 905.791.7800 x4645) at your earliest convenience.

Yours truly,



Alex Martino
Planner, Development Services
Region of Peel

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

Date: 2020-11-03

Subject: **RECOMMENDATION REPORT: Application to Amend the Zoning By-Law (To permit two hotels, a banquet hall, and office/retail uses) 1942411 ONTARIO INC. – HENRY CHIU ARCHITECT LIMITED 2009 Steeles Avenue West & 7920 Mississauga Road South-west corner of Mississauga**

Contact: Nasir Mahmood, Development Planner, Development Services, (nasir.mahmood@brampton.ca) or 905-874-2094, and Cynthia Owusu Gyimah, Acting Manager, Development Services, (Cynthia.OwusuGyimah@brampton.ca) or 905-874-2064

Report Number: Planning, Building and Economic Development-2020-396

Recommendations:

1. **THAT** the report titled: **RECOMMENDATION REPORT**, Application to Amend the Zoning By-Law (To permit two hotels, a banquet hall, and office/retail uses) 1942411 ONTARIO INC. – HENRY CHIU ARCHITECT LIMITED, 2009 Steeles Avenue West & 7920 Mississauga Road, South-west corner of Mississauga Road and Steeles Avenue West, Ward: 6, File: T05W15.004, to the Planning and Development Committee Meeting of December 07, 2020, be received;
2. **THAT** the application to amend the Zoning By-law, submitted by Henry Chiu Architect Limited on behalf of 1942411 Ontario Inc., Ward: 6, File T05W15.004, be approved on the basis that it represents good planning, including that it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City's Official Plan for the reasons set out in this report;
3. **THAT** the amendment to the Zoning By-law, generally in accordance with Appendix 10 of this report, be adopted.

4. **THAT** no further notice or public meeting be required for the attached Zoning By-law amendment pursuant to Section 34(17) of the *Planning Act*, R.S.O. c.P. 13, as amended.

Overview:

- This application to amend the Zoning By-law has been submitted to permit the development of the subject lands for a mixed-use complex consisting of two hotels, a banquet hall, and an office tower with retail at grade.
- The property is designated “Office”, “Industrial”, and “Open Space” in the Official Plan, and “Office Centre”, “Valley Land”, “Primary Gateway”, and “Prestige Industrial” in the Bram West Secondary Plan (Area 40b). An amendment to the Official Plan is not required.
- The property is zoned “Agricultural (A)” and “Floodplain (F)” by By-Law 270-2004, as amended. An amendment to the Zoning By-law is required to permit the proposed uses.
- A Statutory Public Meeting for this application was held on November 19, 2018. No member of the public attended the Public Meeting. Details of the Statutory Public Meeting are included in Appendix 8 of this report.
- This application represents good planning, is consistent with the Provincial Policy Statement, and conforms to the Provincial Growth Plan, the Region of Peel Official Plan, and the City of Brampton Official Plan.
- The proposal is consistent with the “2019-2022 Term of Council Direction: A Compass for our Community” and supports the “A City of Opportunities” theme. The proposal is consistent with the direction of building complete communities to accommodate growth for people and jobs.

Background:

This application was submitted by Henry Chiu Architect Limited on behalf of 1942411 Ontario Inc. It was reviewed for completeness and found to be complete in accordance with the *Planning Act*, and Notice of Complete Application was issued on August 28, 2018. A statutory Public Meeting for this application was held on November 19, 2018. The initial proposal was for the development of the property for two hotels and two banquet halls, to be developed in two phases. The proposal was subsequently revised to propose two hotels, a banquet hall and an office tower containing retail at grade, to conform to the Official Plan policy.

Current Situation:

Proposal (Refer to Appendix 1 and 1A):

The applicant is proposing to amend the Zoning By-law to permit two hotels, a banquet hall, and an office tower with retail at grade.

Details of the proposal are as follows:

- Two 7 storey hotels, each with a gross floor area of approximately 6,212 square metres (66,865 square feet);
- A single storey banquet hall with a gross floor area of approximately 3,659 sq. metres (39,385 Sq. feet);
- A 10 storey office building with a gross floor area of approximately 8,705 sq. metres (93,700 sq. feet), including a retail component on the ground floor with a gross floor area of 990 sq. metres (10,656 sq. feet);
- A total of 834 parking spaces, including 254 surface parking spaces, 112 parking spaces in a parking deck, and 468 underground parking spaces;
- Two accesses; one located at the north-west corner from Steeles Avenue West, and another at the south-east corner from Mississauga Road;
- The existing dwelling located at the northeastern corner of the property is proposed to be retained, and is not part of the proposed development.

Property Description and Surrounding Land Use (Refer to Appendix 2):

The lands have the following characteristics:

- are located on the south side of Steeles Avenue West, and west side of Mississauga Road;
- are comprised of two properties, known municipally as 2009 Steeles Avenue West, and 7920 Mississauga Road;
- have a site area of approximately 5.25 hectares (12.97 acres); and,
- have a frontage of 192 metres (629.9 feet) along Mississauga Road, and 291 metres (954.72 feet) along Steeles Avenue West.

The surrounding land uses are described as follows:

- North: Steeles Avenue West, beyond is Canon Canada's corporate headquarters and a stormwater management pond;
- South: Industrial warehouse;
- East: Mississauga Road, beyond are valleylands and vacant lands subject to an Application to Amend the Zoning By-law to permit retail, office and hotel uses (City File: T04W15.027); and,
- West: Industrial warehouse buildings.

Summary of Recommendations

This report recommends that Council enact the Zoning By-law amendment attached as Appendix 10.

Planning Analysis Summary:

The proposed Zoning By-law amendment is consistent with the Provincial Policy Statement and is in conformity with the Growth Plan for the Greater Golden Horseshoe as well as the Region's Official Plan. The proposal also conforms to the City of Brampton's Official Plan, and has regard to matters of provincial interest as set out in Section 2 of the *Planning Act*.

A detailed planning analysis is included in Appendix 7.

Planning Act

Matters of Provincial Interest

This development proposal has regard to the following matters of Provincial interest as set out in Section 2 of the *Planning Act*:

- *the orderly development of safe and healthy communities;*
- *the adequate provision of employment opportunities;*
- *the protection of ecological systems, including natural areas, features and functions;*
- *the protection of the financial and economic well-being of the Province and its municipalities;*
- *the adequate provision and distribution of education, health, social, cultural and recreational facilities; and,*
- *the appropriate location of growth and development.*

The subject proposal conforms to the matters of provincial interests in supporting orderly development and appropriate growth, providing for a significant number of job opportunities, providing a mix of office and industrial/commercial uses that are well served with the existing infrastructure, transit and road network, and preserving the natural features of the site.

Provincial Policy Statement

This application is consistent with the Provincial Policy Statement.

Section 1.1.1: Healthy, livable and safe communities are sustained by:

- *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over time;*
- *accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs;*
- *avoiding development and land use patterns which may cause environmental or public health and safety concerns.*

Section 1.1.3.1: Settlement areas shall be the focus of growth and development.

Section 1.1.3.2: Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- *efficiently use land and resources;*
- *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- *prepare for the impacts of a changing climate;*
- *support active transportation;*
- *are transit-supportive, where transit is planned, exists or may be developed;*
and,
- *are freight-supportive.*

Section 1.3.1: 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;*
- *encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and,*

- *ensuring the necessary infrastructure is provided to support current and projected needs.*

The current proposal is an efficient and appropriate use of the subject employment lands for a mix of office, industrial and commercial uses, and has regard for the protection of the natural and environmental features, meets the intent of the Provincial Policy Statement. By way of its location at the intersection of two major transit routes and in proximity to Highway 407, it supports active transportation, and is transit and freight supportive. The proposed development will meet the current and future needs of the local industry and community. It relies on the existing infrastructure and services available in the area and does not require unnecessary extension of the infrastructure. The proposal is consistent with the Provincial Policy Statement.

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

The subject lands are situated within the 'Built-up Area' as per the 2019 Growth Plan. As such, the proposal conforms with the following policies of the plan:

Section 2.2.1.a): the vast majority of growth will be directed to settlement areas that:

- *have a built boundary;*
- *have existing or planned municipal water and wastewater systems; and,*
- *can support the achievement of complete communities.*

Section 2.2.1.c): Within settlement areas, growth will be focused in:

- *delineated built-up areas;*
- *strategic growth areas;*
- *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and,*
- *areas with existing or planned public service facilities.*

Section 2.2.5.1: Economic development and competitiveness in GGH will be promoted by:

- *making more efficient use of existing employment areas and vacant and underutilized employment lands and by employment densities.*

Section 2.2.5.2: Major office and appropriate major institutional development will be directed to urban growth centres, major transit station areas, or other strategic growth areas with existing or planned frequent transit service.

Section 4.2.2.3: Within the Natural Heritage System for the Growth Plan:

- *new development or site alteration will demonstrate that:*
 - i) *There are no negative impacts on key natural heritage features or key hydrological features or their functions.*

The proposed high density mixed use development, is located within Brampton's built boundary, is situated at the intersection of two major transit corridors, and lies within a Major Transit Station Area. It will be served with the existing water/wastewater and transit systems, will support the achievement of complete communities, and will lead to the efficient utilization of the vacant employment lands. The proposal will also have no negative impact on the key natural heritage features. The proposed application conforms with the policies of the Growth Plan.

Region of Peel Official Plan

The subject lands are located within the 'Urban System' and 'Built-up Area' designations in the Region of Peel Official Plan. The proposal conforms with the following policies of the Official Plan:

Section 5.3.1.1: To conserve the environmental and resources attributes of the Region.

Section 5.3.1.2: To achieve sustainable development within the Urban System.

Section 5.3.1.3: To establish healthy complete urban communities that contain living, working, and recreational activities which respect the natural environment, resources and characteristics of the existing communities.

Section 5.3.1.4: To achieve intensified and compact form and a mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances while taking into account the characteristics of existing communities and services.

Section 5.3.1.9: Preserve and protect land adjacent to highways, rail corridors, rail yards and major truck terminals for employment lands and infrastructure uses, where appropriate.

Section 5.6.1.4: To attract and retain a range of employment types in Peel.

Section 5.6.1.5: To concentrate higher density employment Uses in appropriate locations such as urban growth centres, Regional intensification corridors, mobility hubs, nodes and corridors and in other areas served by transit.

The proposed high-density mixed-use development comprises a compact and healthy mix of prestige industrial, hospitality, office and retail uses that will meet the current and

future needs of the local businesses and community. It will lead to the creation of a significant number of job opportunities, and make an efficient use of the strategically located employment lands, and existing infrastructure, and public services. The proposed development will be transit supportive, will respect the natural environment and resources, and support sustainable development within the Urban System. The proposal conforms with the Region of Peel Official Plan.

City of Brampton Official Plan

The property is designated “Employment”, “Office”, “Industrial”, and “Open Space” in the Official Plan. The segments of Steeles Avenue West and Mississauga Road along the property are designated “Primary Intensification Corridor” in the Official Plan. The Steeles Avenue West/Mississauga Road intersection is designated “Major Transit Station Area” in the Official Plan. The “Office” designation portion of the property is part of a larger office area that is referred to as “The Mississauga Road Corridor (Bram West)”.

The proposed development conforms with the Official Plan policies relating to Employment Area, Industrial, Office, The Mississauga Road Corridor (Bram West), Major Transit Station Area, Primary Intensification Corridor, Valleyland/Watercourse Corridor, and Sustainable Development.

Bram West Secondary Plan

The property is designated “Office Centre”, “Valley Land”, “Primary Gateway”, and “Prestige Industrial” in the Bram West Secondary Plan (Area 40b). The proposed banquet hall/convention centre, hotels, and office/retail at grade uses are permitted in both the “Office Centre” and “Prestige Industrial” designations provided that urban design related policies are satisfied.

The proposed development conforms with the Bram West Secondary Plan policies relating to Office Centre, Prestige Industrial, Employment Target Area, and Open Space/Valleyland designations.

Zoning By-law 270-2004

The property is zoned “Agricultural (A)” and “Floodplain (F)” by Zoning By-Law 270-2004, as amended. The ‘Agricultural (A)’ zone does not permit the proposed land uses. The applicant has submitted a draft zoning by-law to amend the Zoning By-law to re-designate a part of the property (situated to the west and south of Levi Creek – developable area) from ‘Agricultural (A)’ zone to ‘Office Commercial (OC)’ zone to permit office, hotel, banquet hall/convention centre, and a number of retail uses to be allowed in conjunction with the primary land uses.

Staff is satisfied that the proposed amendment to the Zoning By-law captures the intent and vision of the Official Plan policy and will facilitate the development of the subject

property with mixed-use, high density, transit supportive, and pedestrian friendly employment uses.

Community Engagement

The application was circulated to City Departments, commenting agencies and property owners within 240 metres of the subject lands in accordance with and exceeding the *Planning Act* requirement of 120 metres for such applications. A copy of all department/agency comments and conditions are attached as Appendix 9 to this report. Notice signs were placed on the subject lands to advise members of the public that an application for a Zoning By-law Amendment has been submitted.

A Statutory Public Meeting for this application was held on November 19, 2018. No member of the public made a presentation relating to the proposed development. Please refer to Appendix 8 for details of the Statutory Public Meeting.

Corporate Implications:

Financial Implications:

There are no financial implications associated with this application. Revenue that was collected through the development application fees are accounted for in the approved operating budget.

Other Implications:

There are no other corporate implications associated with this application.

Term of Council Priorities (2019-2022):

This application is consistent with the “A City of Opportunities” theme. It supports the building of complete communities to accommodate growth for people and jobs. The proposal satisfies this by efficiently using land and resources and providing opportunity for efficient growth within the City’s built boundary. Several elements that are contributing fundamentals of a complete community, such as a balanced mix of industrial, office, recreational and commercial uses, safety, pedestrian comfort, design, environmental preservation and community character, are contemplated in the planning of the proposed development.

Living the Mosaic – 2040 Vision

This report directly aligns with the vision that Brampton will be a mosaic of complete neighbourhoods and vibrant centres. This report has been prepared in full consideration of the overall vision that the people of Brampton will ‘Live the Mosaic.’ The proposed development supports Brampton 2040 Vision (Vision 2) for a mosaic of vibrant centres with quality jobs, a rich range of activities, and integrated living as it will be built around the principles of job creation, provision of quality services, and the generation of a variety

of commercial options to cater to the needs of the local businesses and community, without adversely impacting the natural environment and resources.

Conclusion:

Staff recommends approval of the proposed Zoning By-law Amendment (as attached in Appendix 10) as the following criteria have been satisfied:

- The subject application represents good planning, including that it is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe and the Peel Region Official Plan. Further, the application is in conformity with the principles and overall policy direction of the City of Brampton Official Plan; and,
- Located at a gateway location, the subject lands are well suited to accommodate the proposed hotels, office tower (with ground level retail) and banquet hall/convention centre complex. The proposal will be attractively designed, and will serve to protect on-site valleyland and watercourse features. It is intended to be a compact, higher density, upscale, pedestrian friendly development which will act as a community landmark contributing to a positive sense of place. The proposal represents a desirable development and an opportunity for the City to add to its inventory of offices, hotels and banquet halls/convention centres.

Authored by:

Reviewed and Recommended by:

Nasir Mahmood MCIP, RPP
Development Planner
Development Services

Allan Parsons, MCIP, RPP
Director, Development Services
Planning, Building & Economic
Development

Approved by:

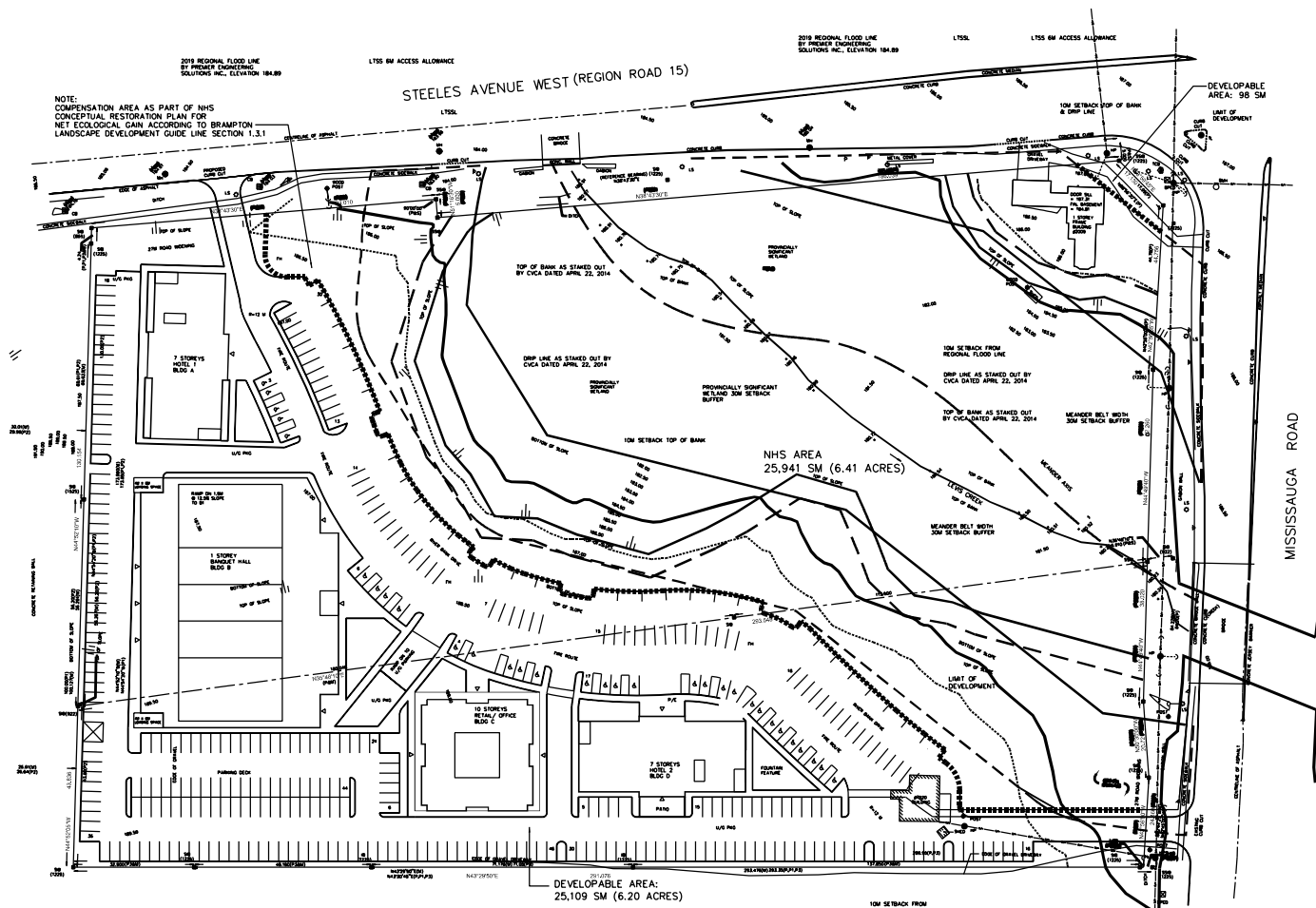
Submitted by:

Richard Forward, MBA, M.Sc., P. Eng.
Commissioner
Planning, Building & Economic Development

David Barrick
Chief Administrative Officer
City of Brampton

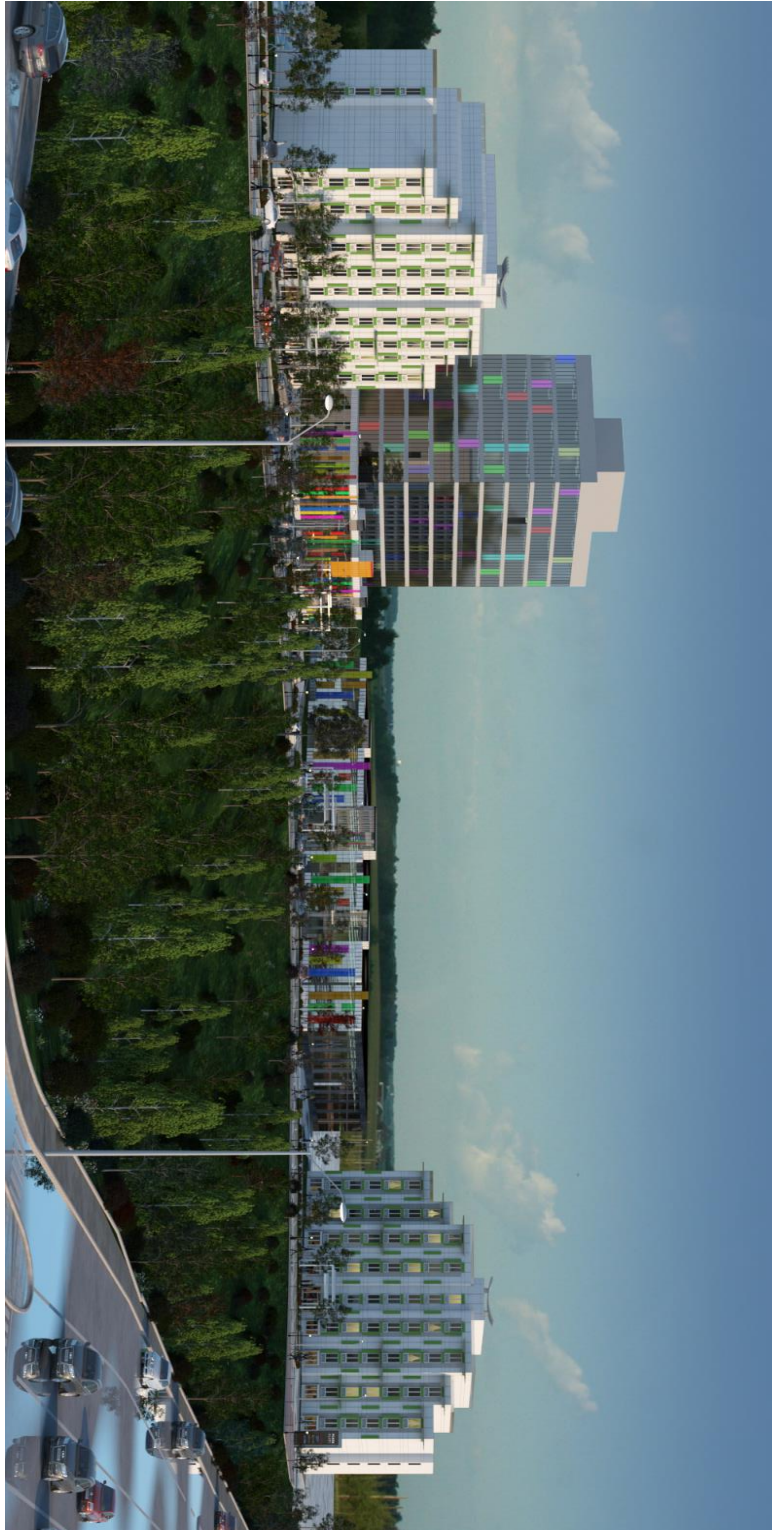
Appendices:

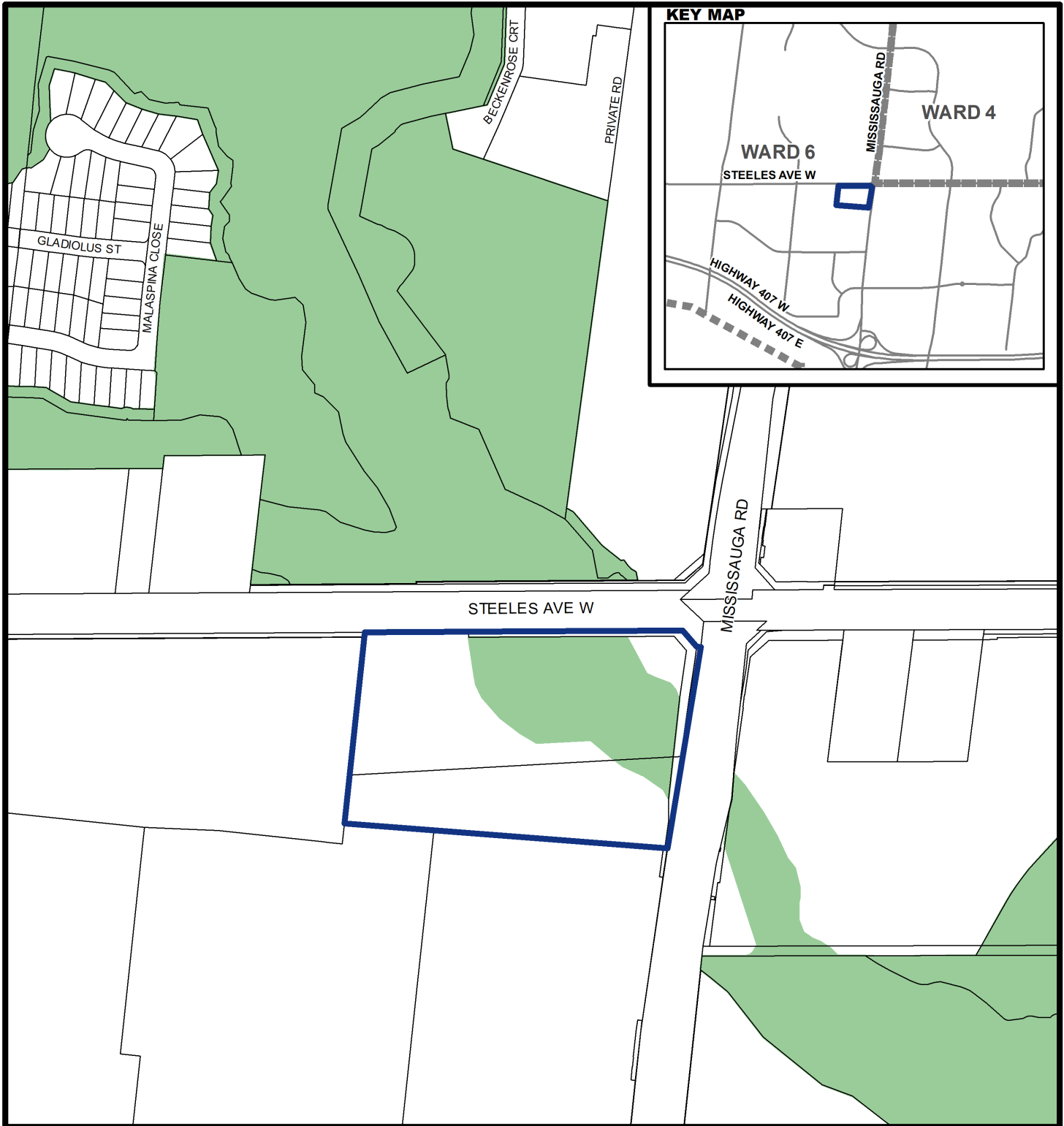
APPENDIX 1:	Concept Site Plan
APPENDIX 1A:	Renderings
APPENDIX 2:	Location Map
APPENDIX 3:	Official Plan Designation
APPENDIX 4:	Secondary Plan Designation
APPENDIX 5:	Zoning By-Law Designation
APPENDIX 6:	Aerial & Existing Land Use
APPENDIX 7:	Detailed Planning Analysis
APPENDIX 8:	Results of the Public Meeting
APPENDIX 9:	Results of Circulation
APPENDIX 10:	Draft Zoning By-law Amendment



APPENDIX 1A

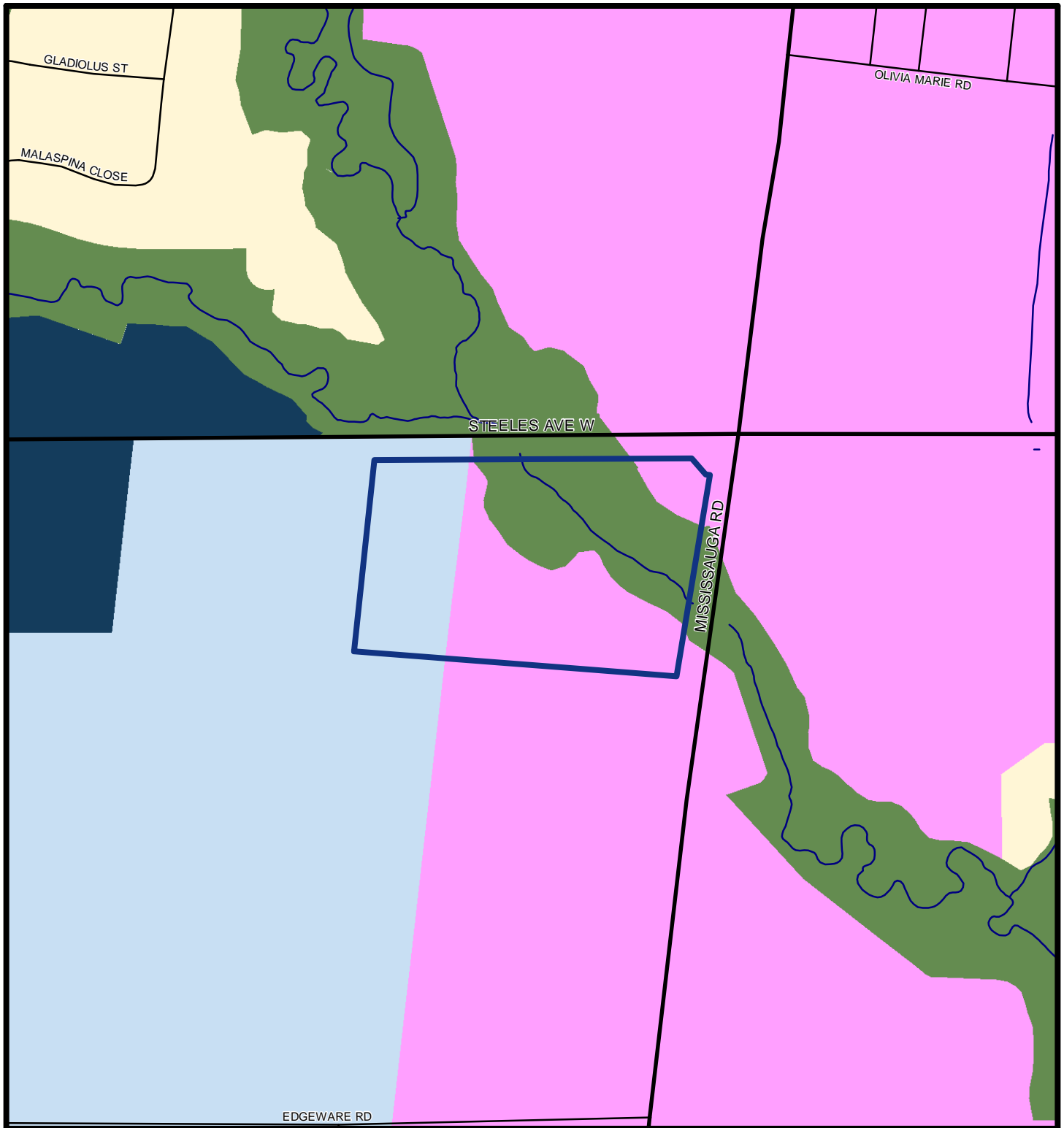
Renderings - South-West View from Steeles Ave W/Mississauga Rd Intersection








- SUBJECT LAND
 GREENSPACE
- PROPERTY LINE

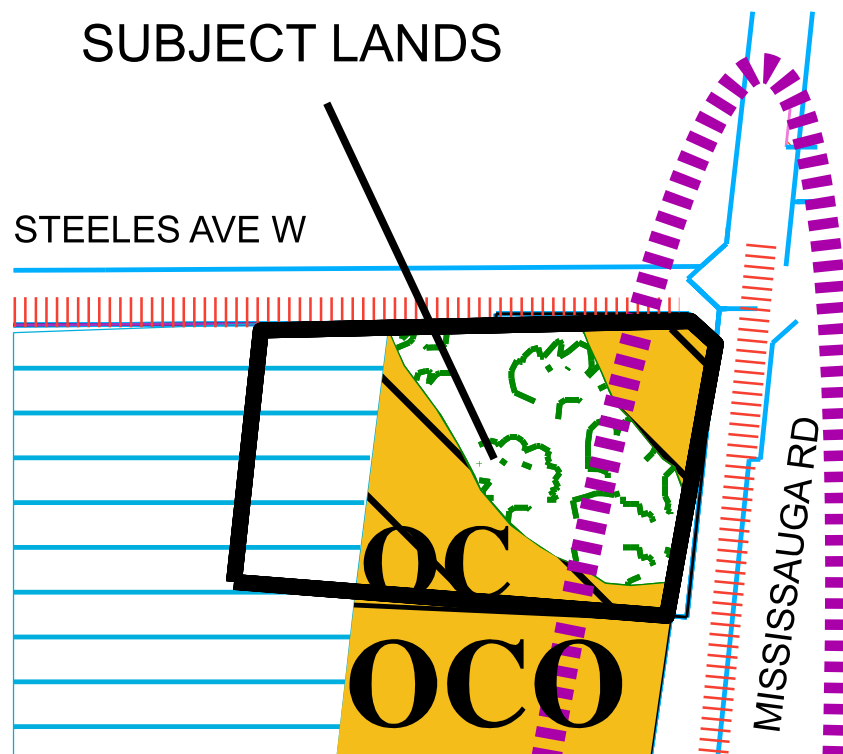




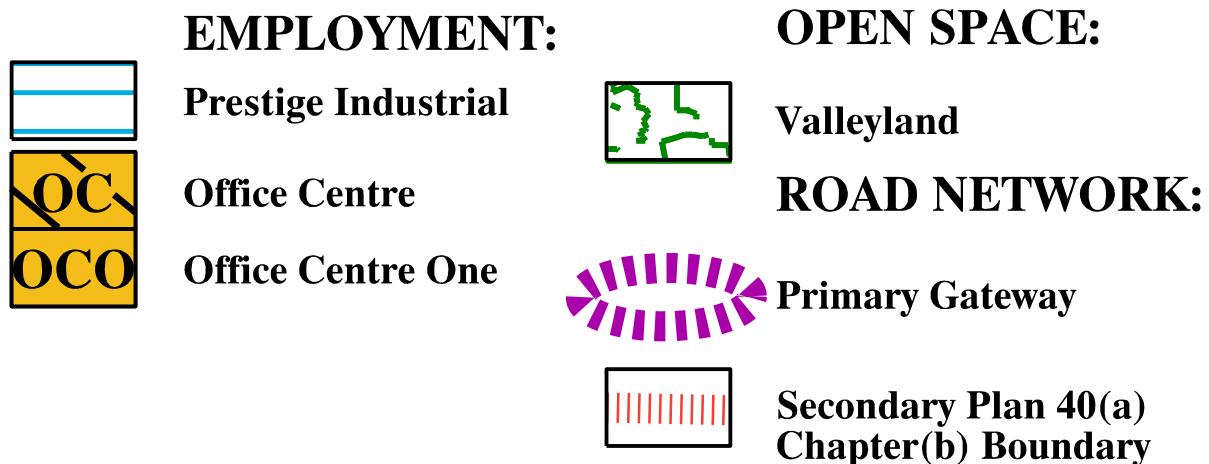
EXTRACT FROM SCHEDULE A (GENERAL LAND USE DESIGNATIONS) OF THE CITY OF BRAMPTON OFFICIAL PLAN

- | | | |
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|  SUBJECT LAND |  INDUSTRIAL |  OPENSACE |
|  BUSINESS CORRIDOR |  OFFICE |  RESIDENTIAL |





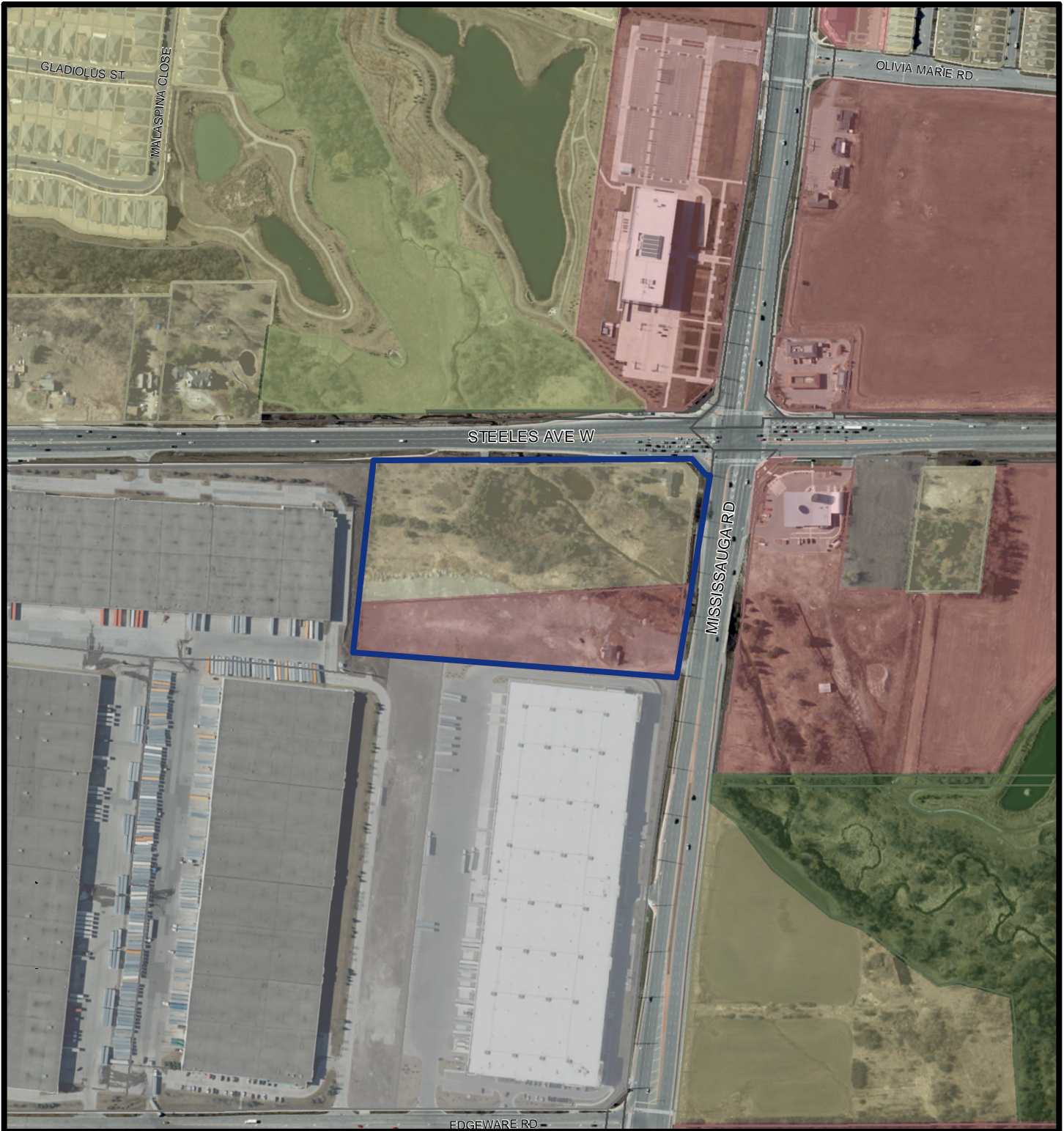
EXTRACT FROM SCHEDULE SP40(B) OF THE DOCUMENT KNOWN AS THE BRAM WEST SECONDARY PLAN














- SUBJECT LAND
- COMMERCIAL
- AGRICULTURAL
- FLOODPLAIN
- RESIDENTIAL
- INDUSTRIAL
- OPEN SPACE





AERIAL PHOTO DATE: SPRING 2020

Legend

	SUBJECT LAND		AGRICULTURAL		INSTITUTIONAL		ROAD
			COMMERCIAL		OPEN SPACE		UTILITY
			INDUSTRIAL		RESIDENTIAL		



APPENDIX 7

DETAILED PLANNING ANALYSIS

City File Number: T05W15.004

The *Planning Act*, Provincial Policy Statement (PPS), the Growth Plan for the Greater Golden Horseshoe (Growth Plan), the Region of Peel Official Plan, and the City's Official Plan provide directions that support land use planning in a logical, well-designed manner that supports sustainable long term economic viability. An analysis of the subject proposal was completed against these documents, which determined that the proposal meets the intent of the policy framework.

Planning Act

This development proposal has regard to the following matters of provincial interest as set out in Section 2 of the *Planning Act*:

- *the orderly development of safe and healthy communities;*
- *the adequate provision of employment opportunities;*
- *the protection of ecological systems, including natural areas, features and functions;*
- *the protection of the financial and economic well-being of the Province and its municipalities;*
- *the adequate provision and distribution of education, health, social, cultural and recreational facilities;*
- *the appropriate location of growth and development; and,*
- *the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.*

The subject proposal has regard to matters of the provincial interest in proposing a sustainable development, supporting appropriate growth, providing for a significant number of job opportunities, providing a mix of office and industrial/commercial uses, and preserving the natural features of the site.

Regard to these matters of Provincial interests will result from the proposed development that:

- Supports orderly development and appropriate growth in a designated employment area.
- Provides a significant number of employment opportunities directly through the proposed hotels, banquet hall/convention centre, and office tower/grade level retail, and indirectly through the related industries.
- Protects the ecological systems, including natural areas, features and functions.

- Generates a significant amount of tax revenues for the City of Brampton and the province.
- Promotes economic activity and stimulates competitiveness.
- Provides work, services and cultural/recreational opportunities for the local industry and residents.
- Development of employment lands that are well serviced by the existing and future infrastructure, transit, and road network.

Provincial Policy Statement

The Provincial Policy Statement (PPS) sets out fundamental planning principles and provides policy direction on matters of provincial interest related to land use planning and development. This application is consistent with the Provincial Policy Statement.

Section 1.1.1: Healthy, livable and safe communities are sustained by:

- *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- *accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long term needs;*
- *avoiding development and land use patterns which may cause environmental or public health and safety concerns.*

The current proposal that contemplates an efficient and appropriate use of the subject employment lands for a mix of office, industrial and commercial uses, and has regard for the protection of the natural and environmental features, meets the intent of the Provincial Policy Statement.

Section 1.1.3.1: Settlement areas shall be the focus of growth and development.

Section 1.1.3.2: Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- *efficiently use land and resources;*
- *are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- *minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- *prepare for the impacts of a changing climate;*
- *support active transportation;*
- *are transit-supportive, where transit is planned, exists or may be developed; and,*
- *are freight-supportive.*

The proposed development has been contemplated on lands that are located within a major settlement area, and proposes a high density mixed-use development that efficiently uses land and resources, relies on the existing infrastructure, public service facilities, and has no adverse impacts on air quality. By way of its location at the intersection of two major transit routes and in proximity to Highway 407, it supports active transportation, and is transit and freight supportive.

Section 1.3.1: 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;*
- *encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and,*
- *ensuring the necessary infrastructure is provided to support current and projected needs.*

Section 2.1.1: Natural features and areas shall be protected for the long term.

Section 2.1.2: The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

The proposed development of hotels, banquet hall/convention centre, and office tower/with grade level retail constitutes a compact mixed-use complex comprising industrial, hospitality, employment, and commercial uses that will meet the current and future needs of the local industry and community. The proposal utilizes the existing infrastructure and services available in the area and does not require unnecessary extension of the infrastructure. In addition, it also seeks to protect the natural features, and maintain the long-term ecological functions and biodiversity of the natural heritage system.

The proposal is consistent with the Provincial Policy Statement.

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

The subject lands are situated within the 'Built-up Area' as per the 2019 Growth Plan. As such the policies of the plan that are applicable and the proposal conform with are as follows:

Section 2.2.1.a): the vast majority of growth will be directed to settlement areas that:

- *have a built boundary;*
- *have existing or planned municipal water and wastewater systems; and,*
- *can support the achievement of complete communities.*

Section 2.2.1.c): Within settlement areas, growth will be focused in:

- *delineated built-up areas;*
- *strategic growth areas;*
- *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and,*
- *areas with existing or planned public service facilities.*

Section 2.2.5.1: Economic development and competitiveness in GGH will be promoted by:

- *making more efficient use of existing employment areas and vacant and underutilized employment lands and by employment densities.*

Section 2.2.5.2: Major office and appropriate major institutional development will be directed to urban growth centres, major transit station areas, or other strategic growth areas with existing or planned frequent transit service.

Section 4.2.2.3: Within the Natural Heritage System for the Growth Plan:

- *new development or site alteration will demonstrate that:*
 - There are no negative impacts on key natural heritage features or key hydrological features or their functions.*

The proposed high-density mixed use development, is located within Brampton's built boundary, is situated at the intersection of two major transit routes, and lies within a Major Transit Station Area. It will be serviced by the existing water/wastewater and transit systems, will support the achievement of complete communities, and will lead to the efficient utilization of the vacant employment lands. The proposal will also have no negative impact on the key natural heritage features as described in detail later below.

The proposed development conforms with the policies of the Growth Plan.

Region of Peel Official Plan

The Region of Peel Official Plan provides a policy framework that facilitates decisions with respect to land use matters. It is intended to guide how the Region will grow and

develop while protecting the environment, managing resources and provides a basis for efficiently managing growth.

The subject lands are located within the 'Urban System' and 'Built-up Area' designations in the Region of Peel Official Plan. The proposal conforms with the following policies of the Official Plan:

5.3.1.1: To conserve the environmental and resources attributes of the Region.

5.3.1.2: To achieve sustainable development within the Urban System.

5.3.1.3: To establish healthy complete urban communities that contain living, working, and recreational activities which respect the natural environment, resources and characteristics of the existing communities.

5.3.1.4: To achieve intensified and compact form and a mix of land uses in appropriate areas that efficiently use land, services, infrastructure and public finances while taking into account the characteristics of existing communities and services.

5.3.1.9: Preserve and protect land adjacent to highways, rail corridors, rail yards and major truck terminals for employment lands and infrastructure uses, where appropriate.

5.6.1.4: To attract and retain a range of employment types in Peel.

5.6.1.5: To concentrate higher density employment Uses in appropriate locations such as urban growth centres, Regional intensification corridors, mobility hubs, nodes and corridors and in other areas served by transit.

The proposed high-density mixed-use development comprises a compact and healthy mix of prestige industrial, hospitality, office and retail uses that will meet the current and future needs of the local business and community. It will lead to the creation of a significant number of job opportunities, and make an efficient use of the strategically located employment lands, infrastructure, and public services. Benefitting from its key location along two rapid transit corridors and Highway 407, the proposed development will be transit supportive, will respect the natural environment and resources, and support sustainable development within the Urban System.

The proposal conforms with the Region of Peel Official Plan.

City of Brampton Official Plan

The property is designated "Office", "Industrial", and "Open Space" in Schedule A General Land Use Designations of the Official Plan. It is designated "Employment" and "Open Space" in Schedule 1 City Concept of the Official Plan. The segments of Steeles Avenue West and Mississauga Road along the property are designated "Primary Intensification Corridor" in the Official Plan. The Steeles Avenue West/Mississauga Road intersection is

designated “Major Transit Station Area” in the Official Plan. The “Office” designation portion of the property is part of a larger office area that is referred to as “The Mississauga Road Corridor (Bram West)”. The proposed development conforms with the following Official Plan policies:

Employment Area:

4.4 b): Designate high quality employment areas close to major transportation and transit facilities that support the principles of complete communities by providing convenient access to jobs and that are compatible with adjacent natural areas and land uses.

4.4 d): Protect the supply of designated employment areas within the City for purposes including, but not limited to, manufacturing, warehousing, offices and associated retail and ancillary services.

The subject lands constitute employment lands that are located along two major transit corridors, within a Major Transit Station Area, and in proximity to Highway 407. As a result, the proposed development comprising hotels, banquet hall/convention centres, and office/retail at grade will create a significant number of job opportunities, and will provide convenient access for the public to jobs. The proposed development will also respect the adjacent natural areas (Levi Creek and adjacent open space lands) and land uses.

Industrial

4.4.2: The Industrial section of this Plan provides for the development of light to heavy industrial uses such as manufacturing, processing, repair and service, warehousing and distribution. Corporate head offices and high performance industrial uses such as research and development facilities are also permitted in the Industrial designation. The designation of non-industrial uses will be strictly controlled as they are intended to primarily provide a supporting role to the local employment base.

4.4.2.7: The City shall promote the development of Industrial uses in locations accessible to existing and proposed transportation terminal facilities, public transit and major components of the regional, provincial and national transportation system, including airport, road and rail facilities.

The proposed hotels, banquet hall/convention centre, office tower/at grade retail are amongst the permitted uses in the Industrial designation. The proposed development is located on a property that is situated along two rapid transit corridors, within a Major Transit Station Area, and in proximity to Highway 407. As a result, the proposed development will provide convenient access for the public to jobs created by this development.

Office

4.4.3.1: The permitted uses within the Office designations include: Major Office, business, professional or administrative offices, hotels, motels, convention centres, accessory and personal service retailing, food and beverage establishments, compatible recreation, public and institutional and convenience retail uses and business support activities.

4.4.3.4: The City shall require that office buildings be developed at a scale that minimizes the impact on surrounding natural areas and land uses while providing for an orderly integration of land uses.

4.4.3.6: The City shall encourage office development to be designed to facilitate pedestrian access, and develop at a scale that maximizes the use of existing and planned road networks and transit systems in accordance with the Transportation policies of this Plan and to the extent specified in the appropriate Secondary Plan, consistent with the prescribed functional role of the particular office area.

The proposed hotels, banquet hall/convention centre and office tower (with ground level retail use) are amongst the permitted uses of the Office designation, and are proposed to be designed to respect the limits of the open space feature (Levi Creek and related open space area) that traverses the subject lands. The size and scale as well as the location of the proposed development will minimize potential impact on surrounding natural areas and land uses while providing for orderly integration. The proposed development has also been designed to satisfactorily facilitate pedestrian access and circulation throughout the site, making the best use of the existing and future road network and transit systems.

According to Policy 4.4.3.9, development applications in the Office designation will be supported with Design Briefs which shall take into consideration a broad range of objectives. A Design Brief has been submitted in support of the application which seeks to illustrate that the proposed development is sympathetic to the City's urban design objectives. Staff have reviewed the Design Brief and find it to be generally acceptable.

The Mississauga Road Corridor (Bram West)

4.4.4: The Mississauga Road Corridor Office Centre in the Bram West Secondary Plan, with access and visibility to Highway 407, has the locational and public infrastructure attributes to attract significant development including corporate head offices, and high performance employment uses such as research and development facilities.

4.4.4.1: Mississauga Road Corridor Office Centre in Bram West is planned to attract the following uses on the area between Highway 407 and Steeles Avenue West and will be based on a high standard of urban design in accordance with the urban design section of this Plan:

- i. Office, and research and development uses;*
- ii. Limited high performance prestige industrial uses;*

- iii. *Hotels and conference/convention centres; and,*
- iv. *Limited accessory retail and service commercial uses that provide support to the adjacent employment uses.*

4.4.4.2 The primary function of the Mississauga Road Corridor Office Centre will be protected and enhanced by:

(i) Preventing the intrusion of residential uses and other non-complementary lower order industrial uses; and,

(ii) Prescribing specific urban design policies, including requirements for high-quality architecture, streetscape and landscape treatments as well as appropriate massing in order to provide a sense of arrival and destination.

The proposed high density mixed use development comprising hotels, banquet hall/convention centre, and office tower/retail at grade constitutes a significant high performing employment use contemplated to be located within The Mississauga Road Corridor Office Centre in Bram West. Through detailed design approval process, the proposed development will be subject to urban design policies of the Official Plan including high-quality architecture, streetscape and landscape treatments as well as appropriate massing in order to provide a sense of arrival and destination.

Major Transit Station Area

3.2.4: Major Transit Station Areas are centres planned to accommodate a concentration of higher density residential and/or commercial, institutional or employment development around an existing or future higher order transit station. They will be planned to accommodate an appropriate mix of uses that support the role of the area as a transit station area, and have a built form that is pedestrian friendly and easily accessible by all modes of travel.

The Major Transit Station Area in Bram West will be developed and reinforced as the City's major office centre outside of the Central Area where the highest densities of office development are planned.

3.2.4.1 Development within Major Transit Station Areas shall generally be designed to achieve a Floor Space Index (FSI) of 1.5 over the entire Major Transit Station Area within buildings 3 to 10 stories in height that result in a maximum density of approximately 100 units per net residential hectare.

The proposed development that comprises two, seven-storey hotels, a single storey banquet hall, and a 10 storey office tower/retail at grade generally constitutes an employment development that has been planned along major transit corridors within a Major Transit Station Area to benefit from the available transit services. On account of its location at the intersection of Mississauga Road/Steeles Avenue West, it will be pedestrian friendly, and accessible by all modes of travel. The project will be a high

density development mostly planned within seven to ten storey buildings, and will attain a FSI of 0.95 for the developable part (excluding Levi Creek and associated open space/valleyland area) of the property which conforms to the Official Plan policy. In addition, a proposed Citywide Pathway Network linkage traverses the open space system which runs diagonally across the property.

Primary Intensification Corridor

3.2.6.1: Primary Intensification Corridors are those which are primarily identified as higher order transit corridors linking major destinations within and beyond the City. Primary Intensification Corridors shall be planned to accommodate intense mixed-use development at higher densities supported by the City's highest level of transit service.

3.2.6.2: Development within Primary Intensification Corridors shall generally be designed to achieve a floor space index of 1.5 over the entire Intensification Corridor, within buildings 2-10 storeys in height.

The proposed development that comprises two seven storey hotels, a single storey banquet hall, and a 10 storey office tower, will have a FSI of 0.95 for the developable part (excluding Levi Creek and associated open space/valleyland area) of the property which conforms to the Official Plan policy.

From a density and intensification perspective, the proposal is representative of a major mixed-use development. It is envisaged that it will become a landmark for the Bram West Employment Area (Area 40b) and the Mississauga Road Corridor. During the detailed design stage, it will be ensured to advance it as a high quality development in accordance with the current best practices. The proposed hotels, office tower, and restaurant/retail uses will contribute to delivering an attractive and vibrant mixed-use project. The project will be subject to the City's architectural design review process. The project will make a positive contribution to the 'Major Transit Station Area'. The role for the proposed hotels, office tower, and banquet hall/convention centre will be to primarily serve the Industrial/Employment Area within which it is located.

Valleyland/Watercourse Corridor

4.6 (c): Ensure that land use planning contributes to protection, improvement and restoration of land and water resources and that all new development, including intensification, shall have a minimum impact on the natural environment.

Through the approval of appropriate technical studies and the inclusion of appropriate setbacks from the valleylands and mitigating measures, the proposed development will contribute to the protection and improvement of land and water resources, as well as minimize impact on natural environment. In addition, the proposal implements sound stormwater management practices that will ensure protection from flooding and erosion.

The Official Plan identifies Levi Creek and adjacent lands as Valleylands/Watercourse Corridors which are intended for preservation and conservation of natural features and linkages. The proposed development is restricted to the net developable tableland located outside of the valleyland and watercourse corridors, and their associated buffers/setbacks. Therefore, it respects the natural heritage features, functions, linkages and wetlands associated with the valleylands/watercourse corridors. In this regard, a generally satisfactory Environment Impact Study has been submitted to support the proposal.

Sustainable Development

The principle of sustainable development represents the foundation of this Official Plan as it continues to guide Brampton's growth. Sustainable development promotes a holistic approach to planning to achieve a balance between the social and economic needs of the community, and environmental and cultural conservation. To ensure that Brampton will grow in a sustainable manner, the City is committed to plan for compact and transit supportive communities that use resources efficiently and are sensitive to the natural environment.

3.1 Establish a robust planning strategy, including maintaining a steady supply of employment lands to meet the needs of the existing and future populations, recognizing emerging global economic trends, supporting the City's economic competitiveness, and providing sustainable employment opportunities for its residents.

Integrate economic development with the existing and planned infrastructure and transportation facilities to achieve economy of scale and sustainable goods and people movement.

Promote place making and human scale development that is also environmentally sustainable.

Identify, protect, and restore or where possible, enhance natural ecosystem features, functions and linkages.

The proposed development supports the City's sustainability policies by:

- Proposing to develop the property with hotels, banquet hall/convention centre, and an office tower/retail at grade in accordance with the economic development policy of the City that seeks to meet the needs of the existing and future residents, recognizing the emerging trends, supporting local economic competitiveness and providing sustainable employment opportunities;
- Relying on the existing and planned infrastructure and transit facilities, while at the same time approaching 'place making' by taking into consideration

the need to protect and preserve the Levi Creek and the adjacent open space lands; and,

- Incorporating built form elements, including two seven-storey hotels and ten-storey office tower (with ground floor retail) which will contribute to achieving an attractive sense of place that will, through the application of high quality urban design, help establish the character of the node and lands in the immediate vicinity of the intersection of Steeles Avenue and Mississauga Road.

The proposed development, which includes a single storey banquet hall, two 7 storey hotels, and a ten storey office building with a limited amount of retail use on the ground level, conforms to the Official Plan subject to design requirements (as detailed in the generally satisfactory Urban Design Brief submitted in support of the proposal) in accordance with policy.

Bram West Secondary Plan

The property is designated “Office Centre”, “Valley Land”, “Primary Gateway”, and “Prestige Industrial” in the Bram West Secondary Plan Area 40(a), Chapter 40(b). The proposed banquet hall/convention centre, hotels, and future office/retail at grade uses are permitted in both the “Office Centre” and “Prestige Industrial” designations provided that urban design related policies are satisfied.

Office Centre

4.1.1: Lands designated Office Centre on Schedule SP40(a), shall permit the range of uses and be developed in accordance with the policies of Part 1, Section 4.2.10 and other relevant policies of the Official Plan. Permitted uses shall include office uses, research and development facilities, ancillary light manufacturing uses, hotels, conference/convention centers, and within which may permit limited accessory retail, and business support services.

The proposed hotels, banquet hall/convention centre and office tower (with ground level retail) are amongst the permitted uses in the Office Centre designation.

Lands in the Office Centre designation shall be encouraged to be developed in accordance with certain principles indicated in the Secondary Plan in order to contribute to a distinctive gateway character. Through the approval of an Urban Design Brief, it will be ensured that the proposed development takes place in accordance with the principles prescribed for the Office Centre designation. Staff have reviewed an Urban Design Brief submitted in support of the proposal and found it to be generally satisfactory.

4.1.3: The City shall require that office buildings within the Office Centre designation be developed in a manner that minimizes the impact on surrounding natural areas and land uses while providing for an orderly integration of land uses.

The proposed hotel, banquet hall/convention centre and office tower/retail at grade will be developed outside of the natural heritage areas at an appropriate buffer from the Natural Heritage System, and an Environment Impact Study (as described below) will be implemented to ensure that there are no adverse impacts on the natural areas.

Prestige Industrial

4.1.6: The lands designated Prestige Industrial on Schedule SP40(a), shall permit the range of uses and be developed in accordance with Part 1, Section 4.2.10, and other relevant policies of the Official Plan. In addition, lands within the Prestige Industrial designation shall also permit office uses, hotels, conference/convention centers, and within which may permit limited accessory retail, and business support services.

The proposed hotels, banquet hall/convention centre and office tower (with grade level retail) are amongst the permitted uses in the Prestige Industrial designation.

Lands in the Prestige Industrial designation shall be encouraged to be developed in accordance with certain principles indicated in the Secondary Plan in order to contribute to a distinctive gateway character. Through the approval of an Urban Design Brief, it will be ensured that the proposed development takes place in accordance with the principles prescribed for the Prestige Industrial designation.

Employment Target Area

The property is located within Employment Target Area 1 of the Bram West Secondary Plan which is targeted to generate a minimum of 14,600 jobs over the entire target area.

The proposed development which incorporates a series of employment land uses in a mixed-use, higher density development has the potential to generate 515 to 685 jobs; a significant contribution to achieving the City's goal of a prosperous and diversified economy. The proposal represents an opportunity to generate diverse employment types, and a valuable contribution to achieving the overall Employment Target Area 1 projections.

Open Space/Valleyland

4.2.1: Lands designated Valleyland on Schedule SP40(a) have been identified by the Conservation Authority as having inherent environmental hazards including flood and erosion susceptibility, but which contribute to the ecological integrity of the Credit River Watershed. Designated Valleylands shall remain primarily in natural state or be utilized for storm water management purposes and complementary uses in accordance with Part 1, section 4.4 and other relevant policies of the Official Plan and the recommendations of the Bram West Sub-watershed Management Study (Gartner Lee Ltd.).

The proposed hotel, banquet hall/convention centre and office tower/retail at grade will be developed outside of the natural heritage areas at an appropriate buffer from the Natural Heritage System. An Environment Impact Study will be implemented to ensure that there are no adverse impacts on the natural areas.

Zoning By-law 270-2004

The property is zoned “Agricultural (A)” and “Floodplain (F)” by Zoning By-Law 270-2004, as amended. The ‘Agricultural (A)’ zone does not permit the proposed land uses. The applicant has submitted a draft zoning by-law amending the Zoning By-law 270-2004 to re-designate a part of the property (situated to the west and south of Levi Creek – developable area) from ‘Agricultural (A)’ zone to ‘Office Commercial (OC)’ zone to permit office, hotel, banquet hall/convention centre, and a number of retail uses to be allowed in conjunction with the primary land uses. The uses to be allowed in conjunction with the primary uses include a bank, trust company, or financial institution; retail establishment; convenience store; dry cleaning and laundry distribution station; dining room restaurant, a take-out restaurant; service shop; personal service shop, excluding a massage or body rub parlour; printing or copy establishment; commercial, technical or recreational school; community club; fitness centre; and day nurse.

In addition to permitting the above new land uses, the proposed zoning by-law seeks to define the open space area setbacks from Mississauga Road/Steeles Avenue West and other property lines, prescribes a maximum building height, and a minimum building setback from the open space/valleylands/floodplain. It prohibits outside storage or outside display or sale of goods, prohibits drive-through facilities, and determines the minimum parking standard for the proposed land uses. In order to make sure that an appropriately sized office tower is developed on the designated spot on the property, the Zoning By-law amendment prescribes a minimum gross floor area of 8,500 square metres for the office tower, and depicts the designated location of the proposed office tower building on Schedule A to the by-law.

Staff is satisfied that the proposed amendment to the Zoning By-law captures the intent and vision of the policy, will facilitate the development of the subject property with mixed use high density employment uses, is appropriate development, and represents good planning.

Land Use

The proposal includes the development of the property with a high density mixed-use development complex containing two hotels (each seven storey high, and with a gross floor area of 6,212 square metres), a one-storey banquet hall/convention centre (with a gross floor area of 3,659 square metres), and an office tower with retail at grade (with a gross floor area of 8,705 square metres, including a gross floor area of 990 square metres for retail at grade). The proposed development will be supported with a total of 834 parking spaces, including 468 underground spaces, and 112 spaces located in a parking deck. The property will have access both from Steeles Avenue West and Mississauga

Road. Out of the total property area of 5.25 hectares, only 2.5 hectares are developable; the rest of the area is occupied by Levi Creek and the related Natural Heritage System. An existing single detached dwelling is located at the north-east corner of the property which is to be retained as such.

The proposed hotels, banquet hall, and office tower/with retail at grade, are amongst the permitted uses in the 'Employment', 'Office', and 'Industrial' designations of the Official Plan, and the 'Office Centre', 'Prestige Industrial' and 'Employment Target Area' designations of the Bram West Secondary Plan. The Official Plan policies relating to these designations require the location of the proposed development within an employment area that is well served by the existing/planned road network, water/wastewater systems, enhance the use of transit, encourage walkability, and protect the natural heritage features. Development is required to be designed to achieve a floor space index of 1.5 over the entire Office corridor within buildings ranging between 3 and 10 storeys in height, and create its share of the overall job creation target for the area. The development application generally satisfies the direction of the policy by being located at the intersection of two major transit corridors within an employment area, ensuring a floor space index of 0.95, proposing a building height of seven to ten storeys (for hotels and office tower), having a significant job creation potential, providing pedestrian access, adherence to the required design principles and high quality landscape, and protection of the natural environment.

Urban Design Brief

The applicant has submitted an Urban Design Brief, prepared by Gagnon Walker Domes Ltd. and Henry Chiu Architect Limited, in support of their mixed use development proposal which describes the urban design principles and objectives that support the proposed buildings and open space in the context of the City's relevant urban design policies.

The subject site is envisioned as a development designed to fit within the surrounding natural area and the increasingly urban context of the Bram West Employment community. The proposal is further envisaged as a landmark development to improve the intersection of Steeles Avenue West and Mississauga Road, while fulfilling the intended role and functions of Employment Area. The vision is to provide a desirable built form that broadens the range of employment uses and urban amenities/ancillary uses within the local context. The proposed hotels and office tower will represent the tallest buildings within the employment area and at the intersection of Steeles Avenue West and Mississauga Road. The 7-storey and 10-storey height will provide an appropriate transition to the adjacent industrial, office and commercial uses. The proposal establishes a cohesive color palette for the facades. The integration of a vibrant color palette for the facades of the hotels, office tower and banquet hall/convention centre will ensure that these buildings, will still be visible to the traveling public and patrons. The Brief provides guidance on the following:

- Vehicular access, internal road network, and parking
- Pedestrian connections/circulation network

- Streetscape, including landscaping elements
- Built form interface with the intersection
- Architectural character/building design
- Sustainability

Staff have reviewed the Urban Design Brief and are generally satisfied that the proposal will result into landmark development designed to fit within the surrounding natural area and increasingly urban context of the Bram West Employment community. The site layout and detailed architectural and landscape design will be revised at the site plan application stage in accordance with staff's comments.

Transportation

A Transportation Impact Study (TIS) prepared by AECOM was submitted in support of the proposed application for the following purposes:

- Assess the existing traffic conditions;
- Forecast future traffic volumes associated with the proposed development;
- Assess future traffic operations at the boundary road intersections and proposed site entrances; and,
- Identify operational and safety concerns and required mitigation measures such as road and/or intersection improvements, if any.

The study proposes two (2) full-movement site accesses, one on Steeles Ave W and one on Mississauga Rd. It anticipates that while the hotel and banquet hall/convention centre development (comprising phase 1) will be fully operational in year 2024, the office and retail building (phase 2) will not be built within the next 15 - 20 years. The Study reviews the projected traffic situation in the horizons of 2024 and 2029 to identify issues, and recommend measures to address them.

The Study holds that the Steeles Avenue West & Mississauga Road intersection is currently configured with provision to expand all permissive/protected left turns to dual left protected turns in addition to provisions for additional through lane for all approaches. The proposed infrastructure improvements are anticipated to complete for the horizon year 2024 and forward.

The Study concludes that exclusive left turn lanes are required at each of the site access locations to allow efficient traffic movement. Minimum storage lengths will be adequate to accommodate the forecast traffic demand for these movements.

According to the Study, differences in traffic operations for future total conditions with site traffic from future background conditions are generally negligible in both horizon years. Therefore, it concludes that the proposed development is expected to have minimal incremental traffic impacts with the planned improvements to the Steeles Avenue West/Mississauga Road intersection and exclusive left turn lanes to the site on both arterial roads.

Both Steeles Avenue West and Mississauga Road are under the jurisdiction of the Region of Peel at this location. Therefore, the City's Transportation staff defer to the Regional review and approval of the traffic matters for the proposed development. Region of Peel staff have reviewed the TIS and concluded that the full moves accesses on Steeles Avenue West and Mississauga Road cannot be allowed; being too close to the intersection, they do not meet the required spacing as per the Region's Road Characterization Study (RCS). The Region will permit a restricted left-in/right-in/right-out access onto Steeles Avenue, and a restricted right-in/right-out access onto Mississauga Road. The accesses are to be equipped with auxiliary turn lanes as illustrated within the functional design. Therefore, a Traffic Brief and a Traffic Functional Plan to address the Region's requirements was submitted for the Region's review.

The Region has reviewed the TIS along with the Traffic Brief dated October 21, 2020 prepared by AECOM Canada Ltd., and the Traffic Functional Plan, and is satisfied with the functional design submitted in support of the application for the two accesses to the site. Detailed design of the accesses will be approved through the engineering review at the site plan approval stage.

Environmental Implementation Study

The Environmental Implementation Study (EIS) prepared by Stantec Consulting Ltd. was submitted to present and discuss the natural heritage features identified for the Subject Property. The EIS identified constraints these features present to proposed development and provided recommendations to minimize potential effects to the natural environment. The EIS concludes that the proposed development plan adheres to all constraints and setbacks identified by the Credit Valley Conservation (2010) Watershed Planning and Regulation Policies, with the following exceptions:

- Parking stalls are proposed within the staked top of slope setback;
- Use of an existing approach off Mississauga Road located within the regulated habitat for Redside Dace; and,
- Creating a rip rap channel for discharge as part of the stormwater management plan.

EIS recommends the following measures, including avoidance, mitigation and planting strategies, as well as construction best management practices, that should be implemented through all phases of construction to minimize or mitigate potential adverse impacts on natural features:

- Avoidance of retained natural features and minimizing encroachment beyond the proposed development footprint is the preferred mitigation strategy;
- Any proposed grading and construction work will occur outside of the tree protection barrier fencing/limit of proposed development;

- Monitoring will be undertaken during all phases of development to document compliance with the final grading and erosion and sediment control plans, and tree protection measures. Remedial action should be undertaken as soon as possible wherever discrepancies are identified;
- Mitigation measures recommended in the Study will be implemented prior to, during and following any construction activities; and,
- A landscape plan will be created as part of the site plan to re-vegetate previously disturbed areas on the Subject Property that are retained by the proposed development.

The Study concludes that if the mitigation strategies recommended above are implemented, the proposed development will proceed with no negative impacts to natural heritage features and functions identified for the property. On staff/CVC's recommendation, the applicant has revised the concept site plan, landscape plan, and grading plan, and updated the EIS to include additional mitigation measures. In addition, a Conceptual Restoration Plan has been submitted that identifies the compensation & restoration areas to be protected and planted as NHS to result in an ecological gain. Staff have reviewed the revised plans and the updated EIS in consultation with CVC and consider them to be generally acceptable. An addendum to Appendix I of the EIS that contains a Restoration Planting Plan for the environmental buffer, compensation areas, and restoration areas to the satisfaction of the City and CVC will be required at the site plan stage.

Environmental Noise Feasibility Study

An Environmental Noise Feasibility Study prepared by Valcoustics Canada Ltd. to review the potential impact from transportation and stationary noise sources onto the proposed development was reviewed by staff. According to the Study, the transportation noise sources with potential to impact the proposed development are road traffic on Mississauga Road and Steeles Avenue West. The stationary noise source with potential to impact the proposed development is the existing warehouse and distribution facilities to the west. The sound levels on site were determined and compared with the applicable Ministry of Environment and Climate Change (MOE) noise guideline limits to determine the need for noise mitigation.

The Study recommends that the following mitigating measure would be required to satisfactorily address the noise issue:

- Exterior walls meeting a Sound Transmission Class (STC) rating of 54 and upgraded windows with STC ratings up to 33 would be required at some locations for the northerly hotel building;

- The applicable indoor noise guidelines at the southerly hotel and office buildings are predicted to be met without any special wall and window upgrades beyond the minimum non-acoustical requirements stated in the Ontario Building Code (OBC);
- For all buildings within the development, mechanical equipment interfacing to the outdoors must comply to the MOE noise guidelines limits in NPC-300. Appropriate choice of location, equipment type, and noise control features should be considered during detailed design for such items as roof top equipment and air intakes and exhausts, including underground parking garage ventilation systems.
- The exterior wall and window assessment should be reviewed once floor plans and elevation drawings for the buildings are available.
- For any emergency generators, appropriate steps should be taken that the equipment placement, treatment, and routine testing schedule will not generate adverse noise impact on neighbouring properties. The generator will require silencers on the intake on exhaust cooling air paths, as well as a muffler on the combustion exhaust.

The Study concluded that with the incorporation of the recommended noise mitigation measures, the applicable MOE noise guidelines can be met and a suitable acoustical environment provided for the occupants. Staff have reviewed the Environmental Noise Feasibility Study along with the addendum letter dated August 02, 2018 provided by Valcoustics Canada in support of the application and consider them to be satisfactory.

Servicing

The Functional Servicing Report (FSR) and Stormwater Management Report (SWM Report) prepared by Premier Engineering Solutions dated June 2020 has been submitted to the City's Development Engineering Division, the Region of Peel and Credit Valley Conservation for their review and approval.

The submitted Functional Servicing and Stormwater Management Report recommends the following with respect to servicing:

Sanitary Servicing

There is an existing 675mm sanitary sewer along Steeles Avenue West available for the proposed development. The Study recommends a 200mm sanitary sewer connection.

Water Distribution

There are two watermains along Steeles Avenue West. One of them is a 900mm watermain trunk, and the other is a 400mm watermain. The Study recommends a 300mm water connection from the existing 400mm watermain.

Stormwater Management

There is no existing storm sewer servicing on the site. All the run off from the site flows through sheet flow towards Steeles Avenue West and towards Levi Creek. The Study proposes a Minor Storm Sewer System and a Major Storm Sewer System for the property. In the Minor Storm Sewer System, all storms are designed for the 100-year storm event, and all storm water will be collected in the Detention Tank designed for this purpose. The Major Storm Sewer System consists of Storm Sewers, Detention Tank, and Overland Flow Route. The overland flow will be discharged from two routes. One will be through Steeles Avenue West access driveway, and the other will be overtopping the sidewalk proposed along Mississauga Road access driveway.

The City, CVC, and Region of Peel staff have reviewed the updated FSR/SWM Report, and are generally satisfied that the proposed development can be properly serviced. A more detailed Storm Water Management Report will be required at the site plan approval stage to address the minor outstanding issues.

Tree Evaluation Report

The Tree Evaluation Report prepared by DAWhiteTreeCare was reviewed by staff. According to the Report, in order to allow for the proposed development, 37 privately owned trees over 15 cm DBH would need to be removed. Two large trees near the ravine adjacent to the site are also recommended to be removed. The trees near the ravine top-of-slope are in poor condition. Trees to be retained in the ravine adjacent to the site would be protected with sediment control fences. The staff find the Report's recommendations to be acceptable. City staff will determine the tree compensation requirements at the detailed design/site plan approval stage when a Tree Inventory & Preservation plan along with a landscape restoration plan will be required.

Sustainability Score and Summary

Sustainability score and summary documents are required to be submitted as part of an initiative to gauge how a development proposal satisfies the City's environmental sustainability requirements. In this respect, a development proposal is scored on a set of established criteria (i.e. walkability, low impact development engineering practices).

The applicant has completed the Sustainability Metrics and has achieved a preliminary sustainability score of 71 for the proposed development, which achieves the City's gold threshold performance. The sustainability score will be further reviewed and improved through the site plan approval process when design details for the proposed development are determined and finalized to attempt to increase the score further.

RESULTS OF PUBLIC MEETING

City File No. T05W15.004

Monday, November 19, 2018

Members:

Regional Councillor E. Moore – Wards 1 and 5 (Chair)
Regional Councillor M. Palleschi – Wards 2 and 6
Regional Councillor M. Medeiros – Wards 3 and 4
Regional Councillor J. Sprovieri - Wards 9 and 10
City Councillor D. Whillans – Wards 2 and 6
City Councillor J. Bowman – Wards 3 and 4
City Councillor P. Fortini – Ward 7 and 8
City Councillor G. Dhillon – Ward 9 and 10

Members Absent:

Regional Councillor G. Miles – Wards 7 and 8 (Personal)
Regional Councillor G. Gibson – Wards 1 and 5 (Vice-Chair)
(Illness)
City Councillor G. Dhillon – Wards 9 and 10 (personal)

Staff Present:

H. Schlange, Chief Administrative Officer
Planning and Development Services:
R. Elliott, Commissioner
A. Parsons, Director, Development Planning
B. Steiger, Manager, Development Services
A. Farr, Manager, Development Services
K. Freeman, Planner, Development Services
N. Grady, Planner, Development Services
C. Caruso, Central Area Planner
S. Dykstra, Planner, Development Services
N. Mahmood, Planner, Development Services
Y. Xiao, Planner, Development Services
Corporate Services:
J. Zingaro, Legal Counsel/Deputy City solicitor
City Clerk's Office:
P. Fay, City Clerk
C. Gravlev, Deputy City Clerk
T. Jackson, Legislative Coordinator

Results of the Public Meeting:

Notice of the Public Meeting held on November 19, 2018 was sent to property owners within 240 metres of the subject lands in accordance with the *Planning Act* and City Council procedures.

No member of the public requested a presentation.

The applicant declined the opportunity to make a presentation, and no presentation was provided by staff.

No members of the public/residents provided their views, suggestions, concerns, or questions.

RESULTS OF CIRCULATION

Archived: 2020/11/06 8:03:19 PM

From: [Debnath, Madhuparna](#)

Sent: 2020/11/05 4:17:25 PM

To: [Mahmood, Nasir](#); [Colangelo, Mike](#); [Kwast, Tamara](#)



Cc: [Owusu-Gyimah, Cynthia](#)

Subject: FW: T05W15.004 - Steeles Ave W/Mississauga - Hotel/Banquet Hall/Office dev - Request for Comment

Response requested: No

Sensitivity: Normal

Attachments:

[T05W15.004 2009 Steeles & 7920 Miss Rd, Mixed Use Dev - 2nd sub UDB Landscape Comments.docx](#)  [3_Urban Design Brief-MARKED.pdf](#) 

Good afternoon,

With respect to the sensitivity of this application, Urban Design, Open Space, and Active Transportation is agreeable to advance this application for rezoning. We have received commitment from the applicant that the site layout and detailed architectural and landscape design will be revised at the site plan application stage as per staff comments.

However, please note that certain refinements/revisions to the high level Urban Design Brief has to be made as per the attached comments from Open Space, and redlined Urban Design and Active Transportation comments on the Urban Design Brief itself, before we sign off the document.

Please coordinate with Mike Colangelo if there are any questions on the landscape comments.

Please let me know if there are any questions.

Thanks,

Madhuparna Debnath

MUD, MRAIC, MCIP, RPP

Urban Designer

Planning, Building and Economic Development

City of Brampton | Tel: 905. 874. 2084 | Fax: 905. 874. 3819

E-mail: madhuparna.debnath@brampton.ca

From: Owusu-Gyimah, Cynthia <Cynthia.OwusuGyimah@brampton.ca>

Sent: 2020/11/04 1:35 PM

To: Debnath, Madhuparna <Madhuparna.Debnath@brampton.ca>; Yeung, Yvonne <Yvonne.Yeung@brampton.ca>

Cc: Mahmood, Nasir <Nasir.Mahmood@brampton.ca>

Subject: T05W15.004 - Steeles Ave W/Mississauga - Hotel/Banquet Hall/Office dev - Request for Comment

Hi Madhu/Yvonne,

I am reaching out to you for your assistance in advancing this application. The revised submission was circulated last week with response date of November 5.

Please let Nasir and I know the status of your comments. The Recommendation Report is scheduled for the upcoming December 7th agenda which needs to be finalized this week, however we need your final sign off prior to moving forward.

Please let Nasir and I know if there is anything you need. Also don't hesitate to contact the applicant directly for any clarification you may need from the.

Thank you

Cynthia Owusu-Gyimah, MCIP, RPP

Acting Manager, Development Services

City of Brampton, 2 Wellington St. W., ON L6Y 4R2

O: 905-874.2064

M: 437-213-7991

Cynthia.OwusuGyimah@brampton.ca

Archived: 2020/11/06 8:02:02 PM

From: [McIntyre, Scott](#)

Sent: 2020/11/05 11:48:52 AM

To: [Mahmood, Nasir](#)

Cc: [Monaghan, David](#); [Owusu-Gyimah, Cynthia](#)

Subject: TP Cmts - T05W15.004 - Hotels, Banquet Hall, Office Development

Sensitivity: Normal

Nasir,

Comments pertaining to the above noted application submission are summarized herein and uploaded to Accela.

1. If the city's zoning office has issue with the proposed parking supply, our office is to be advised.
2. Should the Region of Peel be satisfied with the revised TIS volumes our office will have no further concerns with the TIS for the reason that both Steeles Avenue and Mississauga Road are under the jurisdiction of the Region of Peel.
3. Barring any issues pertaining to the above comments, our office has no further concern with the above noted rezoning application.

Regards,

Scott McIntyre

Transportation Planning Technologist | Engineering Division / Public Works & Engineering Department | City of Brampton

T: 905.874.2540 | F: 905-874-2599 | C: 437-213-8608 | 1975 Williams Parkway | ON L6S 6E5

Please note I am currently working remotely due to building occupancy limits during COVID-19. For information on safety, closures and reopening, please visit www.brampton.ca/reopening

Please reach out to me between the business hours of 8:30 AM until 4:30 PM on weekdays.

Archived: 2020/11/06 8:01:24 PM

From: [Tang, Daniel](#)

Sent: 2018/10/01 2:20:11 PM

To: [Mahmood, Nasir](#)

Subject: RE: T05W15.004 2009 Steeles Ave West Zoning By Law Amendment - Noise Clearance

Sensitivity: Normal

Hi Nasir,

I have reviewed the revised concept plan as well as the Addendum letter provided by Valcoustics Canada dated Aug 2, 2018 for the above noted application, and still find it capable of supporting Zoning By-Law Amendment.

Regards,

Daniel Tang
Environmental Technologist – Noise
City of Brampton
Engineering Division / Public Works & Engineering Department
T: 905-874-2472

From: Tang, Daniel

Sent: 2016/11/16 4:19 PM

To: Mahmood, Nasir <Nasir.Mahmood@brampton.ca>

Subject: T05W15.004 2009 Steeles Ave West Zoning By Law Amendment - Noise Clearance

Hi Nasir,

I have reviewed the Environmental Noise Feasibility Study dated December 21, 2015 prepared by Valcoustics for the above noted application and find it capable of supporting Zoning By Law Amendment.

Regards,

Daniel Tang
Environmental Technologist – Noise
City of Brampton
Engineering Division / Public Works & Engineering Department
T: 905-874-2472

Archived: 2020/11/06 8:00:14 PM

From: [Chirco, Sabrina](#)

Sent: 2020/04/01 8:20:13 PM

To: [Mahmood, Nasir](#)

Subject: T05W15.004

Response requested: No

Sensitivity: Normal

Hi Nasir,

I am closing up all of EcDEv outstanding Accela comments and tried to insert ones for the following file: T05W15.004 – 2009 Steeles and realized I couldn't add in my comments because the file is closed. Will you accept my comments below?

"Economic Development supports the subject application in light of its proximity to major employment generators such as Canon, Medtronic and Loblaw's. The proposed two hotels, banquet centre and office building are also consistent with the overall vision for the Mississauga Road and Steele's Avenue area and will complement future employment uses. Given the site's visual prominence and that the City is looking to entice more major office and prestige industrial uses, please ensure that the proposal is well designed from both an architectural and landscaping perspective.

This application supports an on-going need for more professional office space that will support the overall goal of this employment area. As mentioned in the Employment Target Analysis the development estimated over 600 jobs, this will help achieve the forecasted growth numbers included in the 2040 Vision, Economic Development Masterplan, and the 2018-2022 Term of Council priorities. (140,000 new jobs in the next 20 years)

Please note that with our current Foreign Direct Investment Strategy and Business Expansion and Retention program, Economic Development can work further with the client to help attract a high quality tenant for the office building."

Thank you,

Sabrina Chirco, Central Area Research Analyst
City of Brampton | Economic Development & Culture
2 Wellington Street West, Brampton, Ontario L6Y 4R2
O 905 874 5157
C 437 215 1176
E sabrina.chirco@brampton.ca

For resources and support for your business during COVID19 please connect [here](#)

Archived: 2020/11/06 8:02:49 PM
From: [Thompson, Rebecca](#)
Sent: 2018/11/28 1:17:00 PM
To: [Mahmood, Nasir](#)
Subject: RE: T05W15.004 2009 Steeles Ave W & 7920 Mississauga Road
Sensitivity: Normal

Hi Nasir,

Great. Thanks for following up with me. We have no further comments from a transit planning perspective.

Rebecca

From: Mahmood, Nasir
Sent: 2018/11/28 11:02 AM
To: Thompson, Rebecca <Rebecca.Thompson@brampton.ca>
Cc: Stowe, David <David.Stowe@brampton.ca>; Lafleur, Chris <Chris.Lafleur@brampton.ca>
Subject: RE: T05W15.004 2009 Steeles Ave W & 7920 Mississauga Road

Hi Rebecca,

The latest circulation, as attached, was sent out on Sept 11, 2018. It included the revised concept plan, and the representative rendering. As you can see from the revised concept plan (attached), on the Development Services insistence, a higher density development, including a 10 story office/retail building (in addition to two hotels and one banquet hall), has been proposed now. All the related information/studies are available in the Repository through the following web link:

http://ourbrampton.brampton.ca/sites/025/Business-Services/TS/PDD_Development_Repository/SUBDIVISIONS/Forms/AllItems.aspx?RootFolder=%2fsites%2f025%2fBusiness%2dServices%2fts%2fpdd%5fDevelopment%5fRepository%2fsUBDIVISIONS%2ft05W15%2e004%2f1%5fAPPLICANT%5fSUBMITTED%5fDOCS%2f1%5fRECEIVED&FolderCTID=&View=%7b3B32AGf6%2d93ED%2d4AF1%2d82EF%2dE32C4FF45C38%7d

Regards,

Nasir Mahmood MCIP, RPP
Planner III, Planning & Development Services
City of Brampton, 2 Wellington St. W., ON L6Y 4R2
T: 905-874-2094 | TTY 905-874-2130
nasir.mahmood@brampton.ca | www.brampton.ca



From: Thompson, Rebecca
Sent: 2018/11/27 2:32 PM
To: Mahmood, Nasir <Nasir.Mahmood@brampton.ca>
Cc: Stowe, David <David.Stowe@brampton.ca>; Lafleur, Chris <Chris.Lafleur@brampton.ca>
Subject: RE: T05W15.004 2009 Steeles Ave W & 7920 Mississauga Road

Hi Nasir,

I do not have records of us receiving the updated concept plan. However, at the development Team review Sept 15, 2016 we made the following comments:

- “Higher density development is preferred from transit. High frequency primary transit corridor”

If there have been any major changes since our review in Sept 15, 2016 that will impact transit, please send us the updated Concept Plan and studies.

Thanks,

Rebecca

From: Rieger, Doug
Sent: 2018/11/22 3:53 PM
To: Stowe, David <David.Stowe@brampton.ca>; Lafleur, Chris <Chris.Lafleur@brampton.ca>; Thompson, Rebecca <Rebecca.Thompson@brampton.ca>
Subject: FW: T05W15.004 2009 Steeles Ave W & 7920 Mississauga Road
Importance: High

For review and appropriate response.

Thanks,
Doug

From: Mahmood, Nasir
Sent: 2018/11/22 1:56 PM
To: Waters, David <David.Waters@brampton.ca>; Corazzola, Elizabeth <Elizabeth.Corazzola@brampton.ca>; Mertiri, Olti <Olti.Mertiri@brampton.ca>; Kassaris, Stavroula <Stavroula.Kassaris@brampton.ca>; Heike, Christopher <Christopher.Heike@brampton.ca>; Kozar, Donna <Donna.Kozar@brampton.ca>; McIntyre, Scott <Scott.McIntyre@brampton.ca>; Almasri, Nada <Nada.Almasri@brampton.ca>; Rieger, Doug <Doug.Rieger@brampton.ca>; Palynchuk, Meaghan <meaghan.palynchuk@bell.ca>; Vicky Khamar <VKhamar@hydroonebrampton.com>

Cc: Kuemmling, Werner <Werner.Kuemmling@brampton.ca>; Debnath, Madhuparna <Madhuparna.Debnath@brampton.ca>; Farr, Adam <Adam.Farr@brampton.ca>; Hoy, Michael <Michael.Hoy@brampton.ca>; Jasinski, Cassandra <Cassandra.Jasinski@brampton.ca>; Herallall, Michael <Michael.Heralall@brampton.ca>

Subject: T05W15.004 2009 Steeles Ave W & 7920 Mississauga Road

Importance: High

Hello Folks,

Please refer to our circulation of Sept 11, 2018 for the revised concept plan and additional/updated studies for the subject application. The revised concept plan contains the proposed development containing two 7-storey hotels, one 2-storey banquet hall, and a 10-storey office building. Your comments were due here by Oct 11 2018.

The original proposal (containing two hotels, and two banquet halls) and studies were earlier circulated on Sept 23, 2016, and reviewed in the Dev Review Team meeting of Sept 15, 2016. Some departments/agencies provided their comments on the original proposal.

A meeting of the City and CVC staff was held with the applicant and his consultants on Nov 19, 2018 to highlight the environmental constraints/issues which need to be tackled. Please review the revised concept plan and studies, as circulated on Sept 11, 2018 and provide your updated comments by the end of the day on Nov 28.

Regards,

Nasir Mahmood MCIP, RPP

Planner III, Planning & Development Services
City of Brampton, 2 Wellington St. W., ON L6Y 4R2

T: 905-874-2094 | TTY 905-874-2130

nasir.mahmood@brampton.ca | www.brampton.ca



Date: November 4, 2020
To: Nasir Mahmood, Development Planning
From: Stav Kassaris, Environmental Planning
File: T05W15.004
Subject: **Application to amend the Zoning By-law
2009 Steeles Ave W and 7920 Mississauga Rd**

Thank you for circulating to Environmental Planning for our review the Response Matrix prepared by Gagnon Walker Domes (GWD) and dated October 29, 2020, a Site Plan prepared by Henry W Chiu Architects Ltd and dated October 8, 2020, a "Revised Environmental Implementation Study (Revision #2) for the Proposed Office, Hotel and Banquet Hall at 2009 Steeles Avenue West and 7920 Mississauga Road, Brampton, Ontario" prepared by Stantec and dated October 13, 2020, as well as a comment response table for the EIS from Stantec dated October 13, 2020.

Provided below are Environmental Planning's comments.

- As requested in our previous comment memo, Appendix I of the EIS was to provide a Conceptual Restoration Plan for the buffer, compensation areas, and restoration areas that will result in net ecological gain, which will be used to inform detailed design. Instead, Appendix I of the EIS submitted provides a Landscape Plan for the tableland portion of the site. To address the outstanding matter, Environmental Planning will not be requesting a resubmission of the entire EIS, but the submission of an addendum to Appendix I prior to Site Plan approval. Provided below is the associated condition:

Prior to Site Plan Approval

Prior to Site Plan approval the Owner will provide an addendum to Appendix I of the Environmental Impact Study (EIS) that contains a Restoration Planting Plan for the environmental buffer, compensation areas, and restoration areas to the satisfaction of the City and Credit Valley Conservation.

Should you have any questions, please do not hesitate to contact the undersigned.

Stav Kassaris
Environmental Planner
905-874-2083
stavroula.kassaris@brampton.ca

Michael Hoy
Supervisor, Environmental Planning
905-874-2608
michael.hoy@brampton.ca

Heritage Comments

1. The owner acknowledges and agrees that should any archaeological resources be discovered, they may constitute a new archaeological site, and therefore be subject to Section 48 (1) of the Ontario Heritage Act. Upon the discovery of the archaeological resource(s) any alteration of the Lands must immediately be ceased, a licensed archaeologist shall be engaged to carry out the archaeological field work in compliance with Section 48 (1) of the Ontario Heritage Act, and the Policy Division (Heritage Section) of the City's Planning, Building and Economic Development Department shall be notified.
2. The owner acknowledges and agrees that the Funeral, Burial and Cremation Services Act, 2002 requires any persons discovering human remains to notify the police or coroner and the Registrar of Cemeteries at the Ministry of Government and Consumer Services. No further work will be permitted on the Lands until such permission, in the form of a written notice from the City is provided to the Owner.
3. The owner agrees that it releases and forever discharges the City, its elected officials, employees, agents and contractors, and any others for whom it is responsible at law, from any and all claims, demands, actions, cause of actions and other proceedings and any liability for damages, costs and expenses for or relating to any loss which the owner may suffer arising out of, incidental to, or in connection with (a) an archaeological assessment(s) and/or field work that is inaccurate, incomplete, misleading or fraudulent; or (b) the issuance of any written notice from the Policy Division (Heritage Section) of the City's Planning, Building and Economic Development Department permitting the owner to continue to work on the Lands; or (c) the period of time during which the owner is not allowed to work on the Lands.
4. The owner further agrees to indemnify and forever save harmless the City, its elected officials, employees, agents and contractors, and any others for whom it is responsible at law from and against any claim, suit, demand, causes of action, and proceedings by whomsoever made or brought, in respect of any costs, expenses, loss, damage or injury including death as well as legal fees arising out of, incidental to or in connection with items (a), (b), or (c) listed immediately above.

There are no issues to comment on at this time. Any changes to the site plan may require further review.

Anamaria Martins
Assistant Heritage Planner
City of Brampton
905-874-2697 - anamaria.martins@brampton.ca

September 21, 2020

Open Space Development Comments

1. The updated Tree Evaluation Report dated July 24, 2020 and response matrix is satisfactory at this stage of the project.
2. City staff will determine the compensation requirements at the detailed design stage once a formal site plan submission is circulated.
3. Landscape drawing package (prepared by an OALA member) and cost estimate will be required at the site plan submission stage. Package is to include a Tree Inventory & Preservation plan along with a landscape restoration plan (NHS buffer and edge planting along the existing valley).
4. Open Space Development staff will defer to Urban Design staff to finalize the site layout prior to a formal site plan submission.

Mike Colangelo
Landscape Architect
City of Brampton
905-874-2322- mike.colangelo@brampton.ca

September 21, 2020

Public Works

10 Peel Centre Dr.
Suite A
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

November 6, 2020

Nasir Mahmood
Planner III
City of Brampton
2 Wellington Street West
Brampton ON, L6Y 4R2
Nasir.Mahmood@brampton.ca

**RE: Region of Peel Comments
 Rezoning Application
 2009 Steeles Avenue West and 7920 Mississauga Road
 1942411 Ontario Inc.
 City File: T05W15.004
 Regional File: RZ-16-5W15-4B**

Dear Mr. Mahmood,

Region of Peel Development staff have reviewed the fourth formal submission for the above noted rezoning application to permit two hotels, one banquet hall, and office/retail uses and are pleased to offer Regional clearance based on the following:

Prior to Rezoning Approval:

The following requirements shall be completed by the applicant to the satisfaction of the Region prior to rezoning approval:

Regional Traffic Requirements

- Prior to rezoning approval, the Region will require a satisfactory Traffic Impact Study.
- The Region has reviewed the Traffic Brief (dated October 21, 2020) prepared by AECOM Canada Ltd with accompanying Traffic Functional Plan and finds it satisfactory.
- The Region is satisfied with the functional design submitted as part of the rezoning application for the two accesses proposed to the site.
 - The Region will permit a restricted left-in/right-in/right-out access onto Steeles Avenue, and a restricted right-in/right-out access onto Mississauga Road. The accesses are to be equipped with auxiliary turn lanes as illustrated within the functional design.
- As part of the future site plan application an engineering submission for access works will be required. Detailed design of both accesses will be dealt with through the engineering review.
- The applicant is advised that the Region currently has an ongoing capital project (Regional file number: 16-4020) which is currently at the 60% Design Stage. Depending upon when the applicant plans to proceed with construction, the Region may require an interim and final design submission for the proposed access and turn lanes.

Development Services Engineering Requirements

- Prior to rezoning approval, the applicant must submit a satisfactory Functional Servicing and Stormwater Management Report to determine the adequacy of the existing services for the proposed development. The FSR/SWMR must be in digital format and signed by a Professional Engineer.
- The Region is in receipt of the revised FSR (last revised October 22, 2020) and confirms there is adequate water and wastewater to service the site based on the proposed uses.
- The Region is in receipt of the SWMR (last revised October 22, 2020) and is satisfied in principle for the rezoning application. As part of the future site plan application a satisfactory stormwater management report will be required addressing outstanding comments (dated November 2, 2020) provided to the engineering consultant by the project manager.
- The Region did not receive the \$515 Report fee as part of the rezoning application. The report fee will be required as part of the future site plan application.

If you have any questions or concerns, please contact me (Alex.Martino@peelregion.ca 905.791.7800 x4645) at your earliest convenience.

Yours truly,



Alex Martino
Planner, Development Services
Region of Peel



November 5, 2020

VIA EMAIL

City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Attention: Nasir Mahmood, Planner III

Dear Mr. Mahmood,

**Re: CVC File No. OZ 16/001
City File No. T05W15.004
1942411 Ontario Inc.
Part of Lot 15, Concession 5 WHS
2009 Steeles Avenue West and 7920 Mississauga Road
City of Brampton**

Credit Valley Conservation (CVC) staff have had the opportunity to review the above-noted application and the following comments are provided for your consideration:

SITE CHARACTERISTICS:

A portion of the subject property is regulated by CVC due to Levi Creek and its associated floodplain, meander belt and valley slope, as well as wetland (Provincially Significant Levi's Creek Wetland Complex). As such, the property is subject to Ontario Regulation 160/06 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. A permit will be required from CVC for any development proposed within the regulated area.

Peel Greenlands

The subject property is partially within an area designated as Core Greenlands by the Region of Peel. CVC provides technical support to this agency with respect to delineation of natural features and reviewing potential impacts from subsequent development within and adjacent to these lands. We suggest you contact the Region of Peel if you have questions on this matter.

Endangered Species Act (ESA)

It should be noted that Levi Creek is considered regulated habitat of Redside Dace which is an endangered species. It is our understanding that the applicant is in consultation with the Ministry of the Environment, Conservation and Parks (MECP) for their review and any necessary approvals.

COMMENTS:

CVC Staff have reviewed a revised submission made by Gagnon Walker Domes (GWD) Professional Planners on October 29, 2020.

Based on our review, the proposed stormwater management strategy reflected in the revised Functional Servicing Report (Premier Engineering Solutions, October 22, 2020), Stormwater Management Report (Premier Engineering Solutions, October 22, 2020), and responses to previous comments (Comment Response Table, October 29, 2020), is generally acceptable at this stage.

CVC staff have previously provided additional comments in September 2020 that are to be addressed during detailed design (i.e. through the future site plan application). These comments have been acknowledged by the applicant in the Comment Response Table (October 29, 2020). We expect a revised response to those comments with the future submission of a site plan application. As such, the remaining comments can be worked out through the subsequent planning stage (i.e. site plan) and do not impact the proposed rezoning.

In principle, CVC staff generally have no major concern with the proposed land use (Commercial); however the appropriate restrictive zoning (Floodplain/Open Space) is to be accurately applied to the natural heritage system and hazards, including the appropriate buffers and compensation areas. Based on review of the Site Plan (Henry W Chiu Architect Limited, last revised October 8, 2020) and the proposed zoning schedules (GWD, dated October 13, 2020), it is our understanding that the natural heritage system, hazards, and buffers/compensation areas will be zoned Floodplain (F).

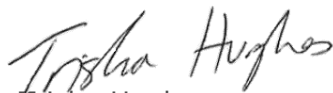
In this regard, CVC staff have **no objection** to the proposed Zoning by-law Amendment and will provide further comments at the site plan stage.

Please be advised that a permit from CVC pursuant to Ontario Regulation 160/06 will be required for any development proposed within the regulated area.

Please circulate CVC on any future correspondence regarding this application.

I trust that these comments are sufficient. Please do not hesitate to contact the undersigned at trisha.hughes@cvc.ca or 905-670-1615 (ext. 325) should you have any further questions or concerns.

Sincerely,



Trisha Hughes
Planner

c.c. Alex Martino, Region of Peel
Andrew Walker, GWD

September 26, 2018

Nasir Mahmood,
Development Planner II
City of Brampton
2 Wellington St W
Brampton, ON L6Y 4R2

Dear Neal,

Re: Zoning By-Law Amendment
Henry Chiu Architect Limited – 1942411 Ontario Inc.
2009 Steeles Ave West and 7920 Mississauga Road
City of Brampton
File No.: T05W15-004

Enbridge Gas Distribution does not object to the proposed application(s).

Enbridge Gas Distribution reserves the right to amend or remove development conditions.

Sincerely,

A handwritten signature in black ink that reads 'Alice Coleman'.

Alice Coleman

Municipal Planning Coordinator
Long Range Distribution Planning

ENBRIDGE GAS DISTRIBUTION

TEL: 416-495-5386

MunicipalPlanning@enbridge.com

500 Consumers Rd, North York, ON, M2J 1P8

enbridgegas.com

Integrity. Safety. Respect.

AC/jh

November 23, 2018

City of Brampton
2 Wellington Street West
Brampton, Ontario
L6Y 4R2
Att'n: Nasir Mahmood

Re: Application to Amend the Zoning By-Law
2009 Steeles Ave West and 7920 Mississauga Road
Ward: 6
COB File: T05W15.004

Dear Nasir,

We are in receipt of your request for comments regarding the above noted application. We respond as follows.

A/ Please include as a condition of approval the following:

- Applicant shall grant all necessary aerial or underground easements, as may be required.
- Applicant shall observe all aerial and underground clearances as may be required.
- We supply one point of connection per legally severed lot. The designer will need to design this and any future additions from a single distribution point.
- The maximum transformation capacity supplied by Alectra Utilities (formerly Brampton Hydro) is 1,500 kVA if connected to 27.6kV and 500kVA if connected to 13.8kV distribution circuit.

B/ The above comments are preliminary and do not guarantee a supply to the proposed new buildings. If their application is approved, and this Customer wishes to proceed with their Hydro servicing, please advise the applicant to contact Alectra Utilities (formerly Brampton Hydro) regarding permanent electrical supply to the proposed new buildings as soon as possible. Equipment delivery times may take up to 20 weeks.

C/ The Developer/Customer/Engineering Firm is strongly advised to consult Alectra Utilities (formerly Brampton Hydro) Conditions of Service, as they must adhere to all the conditions. This can be found on our web site at <https://www.bramptonhydro.com/>

I can be reached at 905-452-5541 if there are any questions.

Yours Truly,

Gaurav Rao, P.Eng
Supervisor, Distribution Design – ICI & Layouts
Alectra Utilities Corporation



December 4, 2018

City of Brampton
2 Wellington Street West
Brampton, ON
L6Y 4R2

Attn: Nasir Mahmood

Re: Condition Letter
File Number: T05W15.004

Dear Nasir,

We have reviewed the circulation regarding the above noted application. The following paragraph is to be included as a condition of approval:

"The Owner shall indicate in the Agreement, in words satisfactory to Bell Canada, that it will grant to Bell Canada any easement that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the Owner shall be responsible for the relocation of such facilities or easements."

We hereby advise the Developer to contact Bell Canada during detailed design to confirm the provision of communication/telecommunication infrastructure needed to service the development.

As you may be aware, Bell Canada is Ontario's principal telecommunications infrastructure provider, developing and maintaining an essential public service. It is incumbent upon the Municipality and the Developer to ensure that the development is services with communication/telecommunication infrastructure. In fact, the 2014 Provincial Policy Statement (PPS) requires the development of coordinated, efficient and cost-effective infrastructure, including telecommunications system (Section 1.6.1).

The Developer is hereby advised that prior to commencing any work, the Developer must confirm that sufficient wire-line communication/telecommunication infrastructure is available. In the event that such infrastructure is unavailable, the Developer shall be required to pay for the connection to and/or extension of the existing communication/telecommunication infrastructure.

If the Developer elects not to pay for the above noted connection, then the Developer will be required to demonstrate to the satisfaction of the Municipality that sufficient alternative



communication/telecommunication will be provided to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e. 911 Emergency Services).

Should you have any questions, please contact the undersigned.

Yours truly,

A handwritten signature in black ink that reads "Meaghan Palynchuk".

Meaghan Palynchuk

Urban Planner, Municipal Relations
Access Network Provisioning, Ontario
Phone 905-540-7254
Mobile: 289-527-3953
Email: Meaghan.Palynchuk@bell.ca

October 10, 2018

The City of Brampton
Planning Design and Department

Attention: Nasir Mahmood, Development Planner III
Re: Application to Amend the Zoning By-Law
Henry Chiu Architect Limited
1942411 Ontario INC.
2009 Steeles Ave West and 7900 Mississauga Rd
City File Number: **T05W15.004**

Canada Post Corporation appreciates the opportunity to comment on the above noted project and has no objections to the amendment of the Zoning By-laws.

In order to provide mail service to the commercial units, Canada Post requests that the owner/developer comply with the following conditions:

1. The owner/developer will consult with Canada post to determine a suitable location for the placement of a Community Mailbox (CMB) site and to indicate this location on the appropriate servicing plans.
2. The owner/developer agrees to provide the following for the Community Mailbox site and include these requirements on appropriate servicing plans:
 - (a) A Community Mailbox concrete base pad per Canada Post specifications
 - (b) Any required walkway across the boulevard, as per municipal standards
 - (c) Any required curb depressions for wheelchair access
3. The owner/ developer further agrees to define, provide and maintain a suitable and safe temporary CMB location (s) to be "fit up" prior to first occupancy. This temporary site will be utilized by Canada Post until the above mentioned criteria is completed at the permanent CMB site location. This will enable Canada Post to provide mail service to occupants pending the completion of the permanent location as defined.

Should there be any concerns pertaining to our mail delivery policy requirements, please contact the undersigned at 647-221-8241.

Sincerely,

Nirmal Rai
Delivery Planning Officer – GTA
nirmaljit.ra@canadapost.ca

DRAFT ZONING BY-LAW AMENDMENT



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number _____

To amend By-law 270-2004, as amended

The Council of the Corporation of the City of Brampton, in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P. 13, hereby ENACTS as follows:

By-law 270-2004, as amended, is hereby further amended:

- 1) by changing Schedule A thereto, the zoning designation of the lands as shown outlined on Schedule A to this by-law:

From:	To:
AGRICULTURAL (A), FLOODPLAIN (F)	OFFICE COMMERCIAL – SECTION 3542 (OC-3542), FLOODPLAIN (F), AGRICULTURAL (A)

- 2) by adding thereto, as Schedule B to this by-law.

- 3) by adding thereto, the following sections:

“3542 The lands designated OC–3542 on Schedule A to this by-law:

3542.1 Shall only be used for the following purposes:

- a) An office, including the office of a health care practitioner;
- b) A hotel;
- c) A banquet hall;
- d) A conference centre;
- e) The following uses only in conjunction with uses in Section 3542.1 (a), (b), and (c), provided the total gross floor area of the accessory uses do not exceed 25% of the total gross floor areas of the uses listed in (a), (b), and (c) to a maximum total Gross Floor Area of 999 square metres.
 - i. A bank, trust company, or financial institution;
 - ii. A retail establishment;
 - iii. A convenience store;
 - iv. A dry cleaning and laundry distribution station;
 - v. A dining room restaurant, a take-out restaurant;
 - vi. A service shop;

- vii. A personal service shop, excluding a massage or body rub parlour;
- viii. A printing or copy establishment;
- ix. A commercial, technical or recreational school;
- x. A community club;
- xi. A fitness centre;
- xii. A day nurse.

3542.2 The following uses shall not be permitted;

- a) An adult entertainment parlour;
- b) An adult video store;

3542.3 Shall be subject to the following requirements and restrictions:

- a) Minimum Landscape Open Space Area, except at approved access locations:
 - i. A width of 3.0 metres along Mississauga Road and Steeles Avenue West;
 - ii. A width of 1.5 metres along a lot line.
- b) Maximum Building Height: 10 Storeys.
- c) Minimum Building Setback to a Floodplain zone shall be 10 metres;
- d) No outside storage or outdoor display or sales of goods and materials shall be permitted;
- e) No drive-through facilities are permitted;
- f) For the purposes of this Section, the lands zoned OC-3542 shall be treated as one lot for zoning purposes;
- g) For the purposes of this Section, the front lot line shall be deemed to be the Mississauga Road lot line;
- h) A total of two (2) loading spaces are to be provided.
- i) No setback from any lot line is required for any portion of the parking garage that is below grade;
- j) Minimum parking space requirements in accordance with the following:
 - i. Offices, except an office of a health care practitioner, or uses permitted in Section 3542.1 (e): 1 parking space for each 25 square metres of gross commercial floor area or portion thereof;
 - ii. Banquet Hall/Conference Centre: 1 parking space for each 8 square metres of gross commercial floor area;
 - iii. Hotel: 1 parking space for every 2 bedrooms.

3542.4 Shall also be subject to the requirements and restrictions relating to the OC Zone and the general provisions of this by-law not in conflict with those set out in Sections 3542.1, 3542.2 and 3542.3

3542.5 For the purposes of Section 3542:

Conference Centre shall mean a building or place which is used for the assembly of persons for private or public activities of a religious,

political, charitable, educational, social, business, cultural, recreational and like purposes, and may include media communication and dining room facilities accessory to the main assembly function, but shall not include a public or private school or a religious institution.

3542.6 For the purpose of calculating minimum parking requirements on lands zoned OC-3542:

Floor Area, Gross Commercial shall mean the aggregate of the areas of each storey, at, above, or below established grade, measured from the exterior of the outside walls, but excluding any parts of the building used for mechanical equipment, stairwells, elevators, amenity spaces for employees (such as a fitness centre and a cafeteria), atrium spaces, data centres, repair labs, repair training rooms or special purpose rooms that are ancillary to staff work spaces and any part of the building below established grade used for storage purposes.

3542.7 An office building with a minimum gross floor area of 8,500 square metres shall be located, provided and maintained in the location shown as “Office Building Area” on Schedule B to this by-law.”

READ a FIRST, SECOND and THIRD TIME, and PASSED in OPEN COUNCIL,

This day of 2020

PATRICK BROWN – MAYOR

PETER FAY – CITY CLERK

Approved as to Content:

Allan Parsons, MCIP, RPP
Director of Development Services
Planning, Building and Economic Development

EXPLANATORY NOTE

THE PURPOSE OF BY-LAW ____-2020

The purpose of By-Law ____-2020 is to amend comprehensive Zoning By-Law 270-2004 as amended pursuant to an application by Henry Chiu Architect Ltd. – 1942411 Ontario Inc. (File T05W15.004).

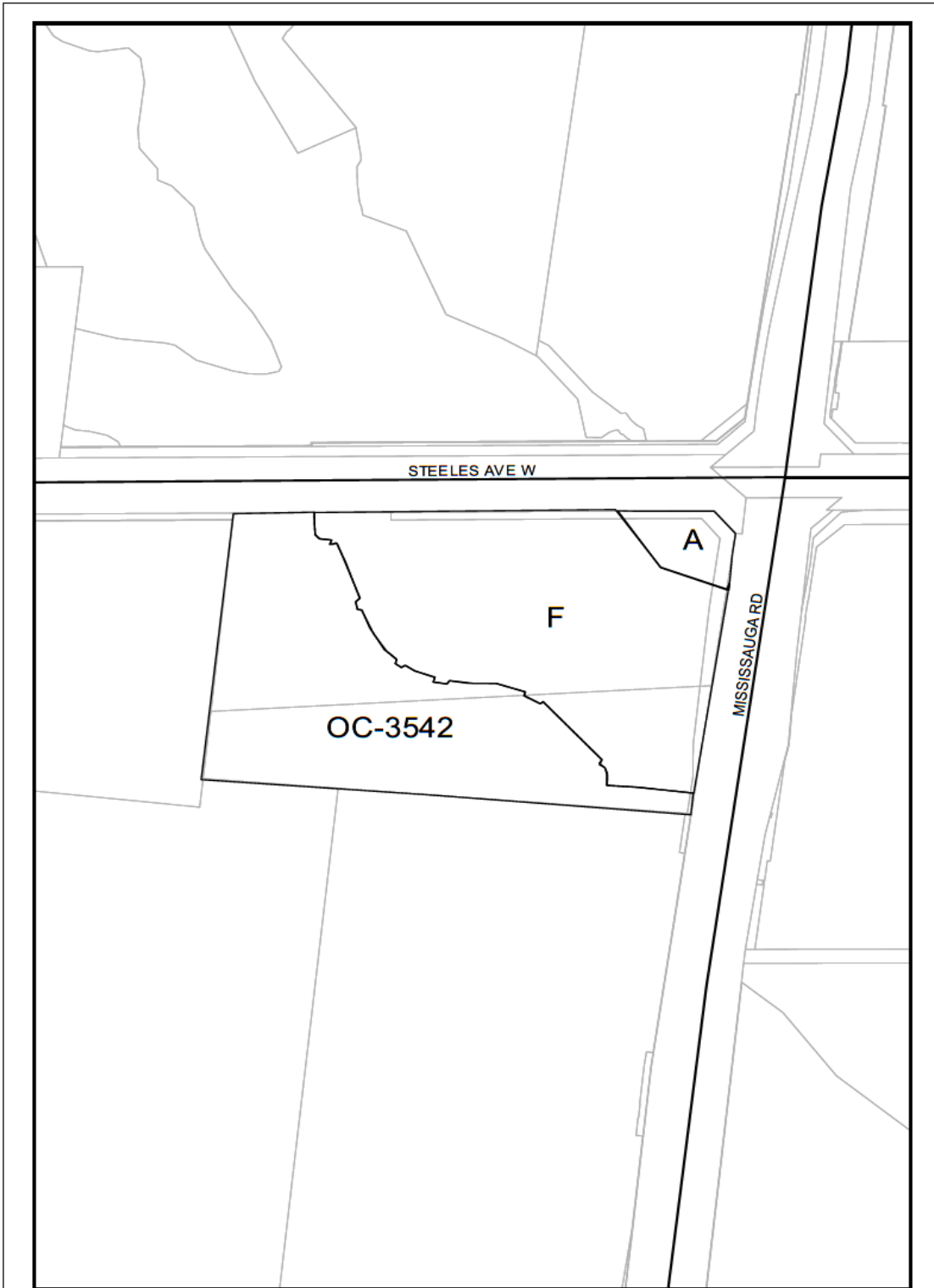
EFFECT OF THE BY-LAW

The effect of By-Law ____-2020 is to permit the development of the subject lands for Hotel, Office with Ground Floor Retail and Banquet Hall/Convention Centre purposes.

LOCATION OF LANDS AFFECTED

The lands affected by By-Law ____-2020 are located on the west side of Mississauga Road, and on the south side of Steeles Avenue West, known legally as Part of Lot 15, Concession 5, W.H.S.

Any further inquiries or questions should be directed to **Nasir Mahmood**, City of Brampton Planning, Building and Economic Development Department, **905-874-2094**.



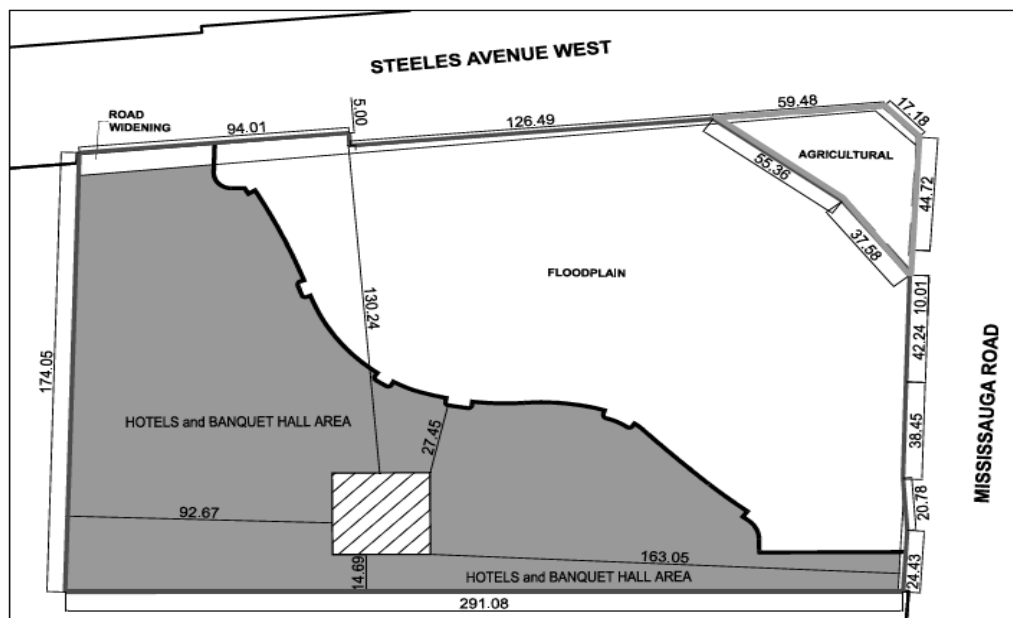

BRAMPTON
 Flower City
 PLANNING AND DEVELOPMENT SERVICES
 File: T05W15.004_ZBLA
 Date: 2020/11/06 Drawn by: ckovac






PART LOT 15, CONCESSION 5 W.H.S. (TOR.)

BY-LAW _____

SCHEDULE A



-  SUBJECT LANDS BOUNDARY
-  HOTELS and BANQUET HALL AREA
-  OFFICE BUILDING AREA

**SCHEDULE C - SECTION
BY-LAW 270-2004**

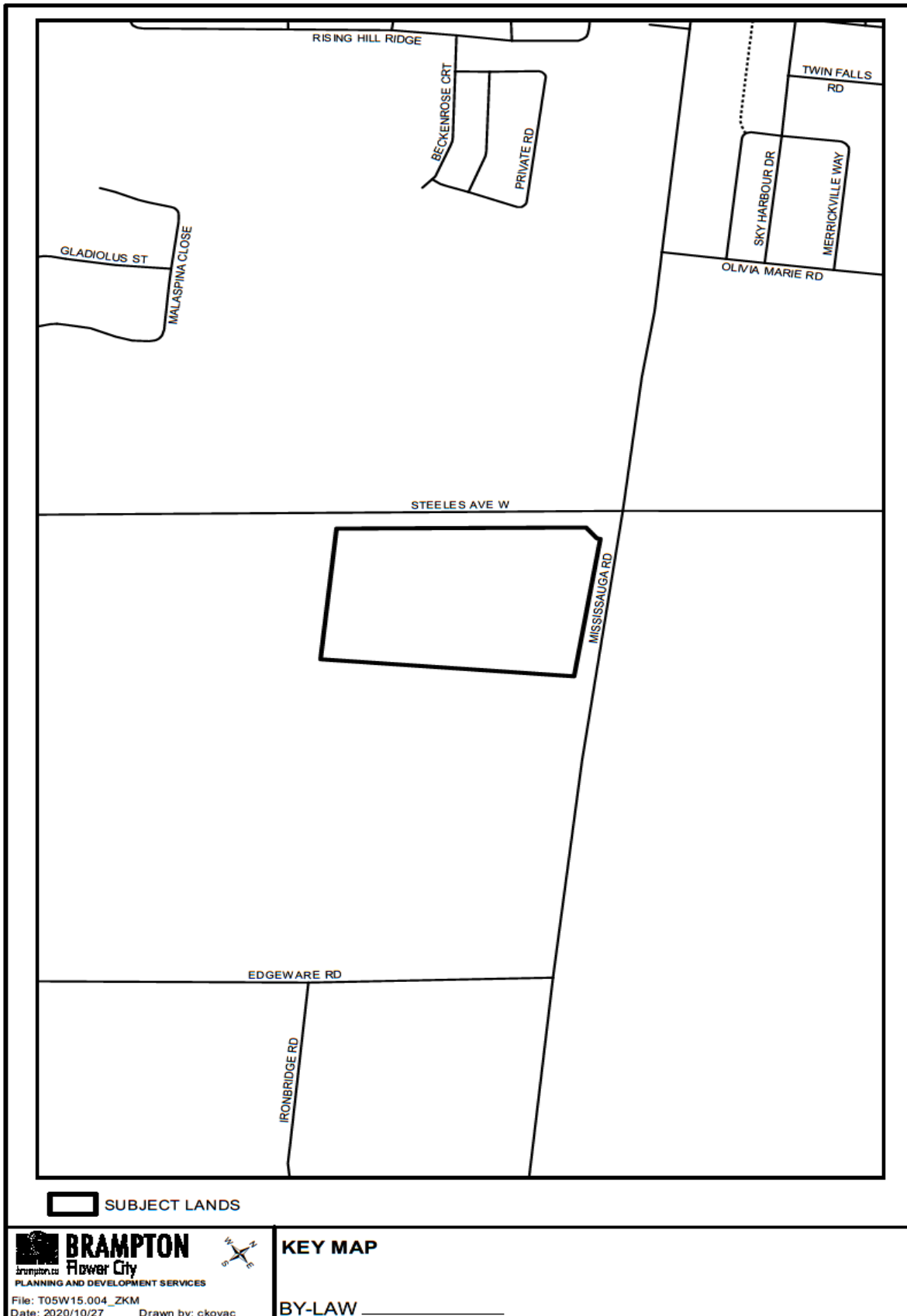
By-Law _____

Schedule B



CITY OF BRAMPTON
Planning, Design and Development

Date: 2020 11 06 Drawn by: CJK
File no. T05W15.004_ZBLA_C





Minutes

Age-Friendly Brampton Advisory Committee

The Corporation of the City of Brampton

Tuesday, November 3, 2020

Members Present:	Saad Ali (Co-Chair) Bob Pesant (Co-Chair) City Councillor D. Whillans City Councillor C. Williams Umar Javed Angela Johnson Sushil Ninawat Elizabeth Pike Sonya Singh Vidhi Bhatt, Brampton Multicultural Youth Council Sandra Fitzpatrick, Manager, Region of Peel Public Health Peter Howarth (CARP) Laura Tribble, Advisor, Peel Housing Services Alexa Roggeveen, Sheridan College, Social Service Worker, Gerontology
Members Absent:	City Councillor J. Bowman Tony Brookes Milagros Caballes Ron Feniak Frank Lodhar Aisha Mian, Peel Senior Link Myrna Adams, Brampton Seniors Council Rodrigo Merio, Brampton Multicultural Community Centre Jyoti Shukla, Community Impact Manager, United Way
Staff Present:	Daniella Balasal, Policy Planner Yvonne Sinniah, Mgr, Strategic Comm Dev & Prtnrships Frances Bradshaw, Sr Advisor, Special Projects, Mayor's Office Chandra Urquhart, Legislative Coordinator

1. Call to Order

Note: In consideration of the current COVID-19 public health orders prohibiting large public gatherings of people and requirements for physical distancing between persons, in-person attendance at this Committee of Council meeting was limited and physical distancing was maintained in Council Chambers at all times during the meeting.

The meeting was called to order at 7:08 a.m. and adjourned at 8:15 p.m.

As this meeting was conducted with electronic participation by Members of the Committee, the meeting started with the City Clerk calling the roll for attendance at the meeting.

2. Approval of Agenda

AFC007-2020

That the agenda for the Age-Friendly Brampton Advisory Committee meeting of November 3, 2020, be approved as published.

Carried

3. Declarations of Interest under the Municipal Conflict of Interest Act

Nil

4. Previous Minutes

4.1 Minutes - Age-Friendly Brampton Advisory Committee - January 21, 2020

The minutes were considered by Planning and Development Committee on March 9, 2020 and approved by Council on March 11, 2020. The minutes are provided for Committee's information.

5. Presentations\Delegations

5.1 Presentation by Daniella Balasal, Policy Planner, re: Mayor's COVID-19 Seniors Support Task Force

Daniella Balasal, Policy Planner, provided a presentation on the Mayor's COVID-19 Seniors Support Task Force. The following was highlighted:

- Overview of the available seniors' supports and key milestones achieved

- assistance to seniors experiencing social isolation
- mental health and well-being supports
- grocery deliveries and supply distribution
- “Help Your Neighbour” campaign
- Linkages between task force activities and Brampton's Age-Friendly action items

In response to questions from Committee regarding the grocery delivery program, staff advised that the program is continuing through referrals by contacting Service Brampton 311 and information is also available on the City's website.

The following motion was considered:

AFC008-2020

That the presentation by Daniella Balasal, Policy Planner, to the Age-Friendly Brampton Advisory Committee meeting of November 3, 2020, re: **Mayor's COVID-19 Seniors Support Task Force** be received.

Carried

5.2 Presentation by Yvonne Sinniah, Manager, Strategic Community Development and Program Partnerships, re: Mayor's COVID-19 Youth Support Task Force

Yvonne Sinniah, Manager, Strategic Community Development and Program Partnerships, provided a presentation entitled Mayor's COVID-19 Youth Support Task Force. The following was noted:

- Mandate of the task force was to provide youth (14-29) the supports, resources, necessary social engagement and virtual activities to remain active and entertained
- Working relationship with the school boards and the Region of Peel to provide youth access to mental health, continued learning opportunities, employment and financial resources
- Next steps include continued efforts to provide free virtual programs and events by the City and external organizations

The following motion was considered:

AFC009-2020

That the presentation by Yvonne Sinniah, Manager, Strategic Community Development and Partnerships, to the Age-Friendly Brampton Advisory Committee meeting of November 3, 2020, re: **Mayor's COVID-19 Youth Task Force** be received.

Carried

6. Reports / Updates

6.1 Verbal update by Daniella, Balasal, Policy Planner, re:

- City of Brampton's New Horizon's Seniors Grant Application – "Staying Connected" – a video resource
- Age-Friendly Implementation – Progress Reporting

Daniella Balasal, Policy Planner, provided updates on the following:

- Seniors Grant Application – "Staying Connected" – a video resource
 - proposal was submitted to the Federal government for funding of \$25,000 for the development of a video resource for seniors that will provide practical ways to stay connected - will be available on the City's website
 - decision on funding will be announced on February/March 2021
- Age-Friendly Implementation – Progress Reporting
 - focus on the needs of youth and creation of youth hubs
 - continuing to update the reporting chart that will feed into a recommendation report to Council
 - working with Cultural Services Group for funding through the Advance Brampton Fund program to identify the applications in the Age-Friendly strategy that requires funding to address key needs
 - update on work being undertaken by planning staff on community hubs will be provided at future meetings

7. Other/New Business / Information Items

7.1 Verbal Advisory from the City Clerk's Office, re: Resignation of Ron Feniak, Member, Age-Friendly Brampton Advisory Committee

Chandra Urquhart, Legislative Coordinator, advised that member, Ron Feniak, has submitted his resignation from the Age-Friendly Brampton Advisory Committee. He expressed thanks to the members, staff and the City for providing him the opportunity to serve on the Committee describing his experience as invaluable.

The following motion was considered:

AFC010-2020

1. That the verbal advisory from the City Clerk's Office, to the Age-Friendly Brampton Advisory Committee meeting of November 3, 2020, re: **Resignation of Ron Feniak, Member, Age-Friendly Brampton Advisory Committee** be accepted; and,

2. That the City Clerk take the necessary steps to fill the vacancy in accordance with Clerks Office procedures.

Carried

7.2 Verbal update from Frances Bradshaw, Sr Advisor, Special Projects, Mayor's Office, re: The Mayor's Youth Council

Frances Bradshaw, Senior Advisor, Special Projects, Mayor's Office, and staff lead for the Mayor's Youth Advisory Council, advised that the Youth Council will be partnering with an organization named 'Take a Stand' to participate in a student-led initiative that allows students to engage and discuss the state of their democracy. Inclusion, equity and diversity are the focus of the initiative and students will gain volunteer hours for their participation.

Ms. Bradshaw will forward the link to the organization to the City Clerk's Office to be shared with the members.

7.3 Committee discussion, re: Age-Friendly Committee Call To Action - Short List of Potential Action Items

Daniella Balasal, Policy Planner, reminded Committee of an informal discussion with some members prior to COVID-19 to discuss the opportunity for participation in the advancement of some of the action items.

Peter Howarth, member, referenced the action list of items and was of the opinion that the items should be advanced by various staff across the City. His perspective of role of the Committee was to function in an advisory capacity and the creation of sub-committees at this point to advance the action items will not be effective. He noted willingness to function as an ambassador for the Committee.

Committee discussion and comments on this matter included the following:

- The need for a discussion on the action list of items and the direction to be pursued
- Support for the comments provided that the role of the Committee is to function in an advisory capacity
- Suggestion that updates are required from staff on the status of the action items in order to act as an ambassador for the Committee

A motion was put forward to defer the item to the next Committee meeting in January 2021.

Committee discussion followed and it was suggested that clarification was required from staff on the role of the Committee.

In response to the comments provided by Committee, Ms. Balasal advised that some alternate scenarios on the future role of the Committee, and options and recommendations with respect to the action items can be provided.

A second motion was put forward to request staff to report back on the role of the Committee with respect to advancement of the age-friendly action items.

The motion in its entirety was considered as follows:

AFC011-2020

1. That staff report back on the role and function of the Age-Friendly Brampton Advisory Committee as it relates to the advancement of the priorities and implementation of the action items in the Age-Friendly Strategy; and,
2. That the **Age-Friendly Committee Call To Action - Short List of Potential Action Items** be included in the report to Committee on January 2021.

Carried

8. Correspondence

Nil

9. Question Period

Nil

10. Public Question Period

The public was given the opportunity to submit questions via e-mail to the City Clerk's Office regarding any decisions made under this section of the agenda.

No questions were received.

11. Adjournment

AFC012-2020

That the Age-Friendly Brampton Advisory Committee do now adjourn to meet again in January 2021.

Carried

Saad Ali (Co-Chair)

Bob Pesant (Co-Chair)

**Corporate
Services**

Office of the
Regional Clerk

10 Peel Centre Dr.
Brampton, ON
L6T 4B9
tel: 905-791-7800

peelregion.ca

November 20, 2020

Resolution Number 2020-926
Sent by e-mail

Peter Fay, City Clerk
City of Brampton
Peter.Fay@brampton.ca

Laura Hall, Town Clerk
Town of Caledon
Laura.Hall@caledon.ca

Diana Rusnov, City Clerk
City of Mississauga
Diana.Rusnov@mississauga.ca

Jennifer Jaruczek
BILD
jjaruczek@bildgta.ca

Subject: Update on the Development Services Fee Review

I am writing to advise that Regional Council approved the following resolution at its meeting held on November 12, 2020:

Resolution 2020-926:

That the fees review findings as outlined in the report of the Interim Commissioner of Public Works, titled "Update on the Development Services Fee Review", be endorsed;

And further, that the proposed phased implementation strategy as outlined in Appendix IX of the subject report be endorsed for consideration as part of the 2021 and 2022 annual budgeting processes;

And further, that a copy of the subject report be provided to the local municipalities and the Building Industry and Land Development Association for information.

A copy of the subject report is report is provided for your information.



Stephanie Jurrius
Legislative Specialist

Copy: Andrea Warren, Acting Commissioner of Public Works
Stephen VanOfwegen, Commissioner of Finance and Chief Financial Officer
John Hardcastle, Interim Director of Development Services

REPORT TITLE: Update on the Development Services Fee Review

FROM: Andrew Farr, Interim Commissioner of Public Works

RECOMMENDATION

That the fees review findings as outlined in the report of the Interim Commissioner of Public Works, titled “Update on the Development Services Fee Review”, be endorsed;

And further, that the proposed phased implementation strategy as outlined in Appendix IX of the subject report be endorsed for consideration as part of the 2021 and 2022 annual budgeting processes;

And further, that a copy of the subject report be provided to the local municipalities and the Building Industry and Land Development Association for information.

REPORT HIGHLIGHTS

- In January 2020, staff retained the consulting services of Watson and Associates Economists Limited to conduct a review of all development-related user fees.
- Based on current user fees, the Region of Peel recovers 82 per cent of costs related to the processing of development-related applications. The resulting shortfall of approximately \$1.0 million is currently absorbed by the Region’s property tax base.
- Fee changes are recommended for both Planning and Traffic Development application categories.
- No changes are proposed to Engineering and Site Servicing fees.
- These changes improve the Region’s cost recovery from user fees up to 94 per cent and adhere to the financial principle of “Users Pay Where Appropriate” outlined in the Region’s Long-Term Financial Planning Strategy.
- Staff have also recommended updates to the interim Site Plan application fees, classifications, and criteria that were introduced in 2020.
- A phased implementation of fee changes is proposed to inform the 2021 Regional User Fees By-law as part of the 2021 Budget.

DISCUSSION

1. Background

a) Context

In November 2019, Regional Council endorsed a report from the Interim Commissioner of Public Works titled “Development Services Fees Review” directing Development Services staff to undertake a comprehensive review of existing development-related fees, and report back to Council with the results of the study. Current fees related to the review of

Update on the Development Services Fee Review

development applications are set out in the Region of Peel's User Fees and Charges By-law 67-2019 (the By-law).

Fees that were considered within the scope of this review include:

- Planning
- Engineering and Site Servicing
- Traffic Development

Fees collected under the By-law are intended to recover the actual costs of reviewing various development-based applications to ensure Regional interests and infrastructure are protected, in accordance with applicable legislation and standards.

As development trends in Peel continue to evolve, application types are shifting, and the complexity of applications has increased over time. Planning legislation changes and increased development and redevelopment in urban areas are contributing to this shift. Complex development applications require the consideration, evaluation and implementation of new approaches to development review. While these approaches allow the Region and local municipalities to be more agile and collaborative in responding to changing development trends, these are time and resource intensive, in comparison with traditional greenfield development.

The comprehensive fees review will ensure the Regional fee structure is aligned with current processing efforts. Further, it supports the common best practice for municipalities to review fees to address changes in legislation, development process, application characteristics and cost recovery levels. The Region's current development-related fees have remained largely unchanged for more than 10 years, further emphasizing the need for this comprehensive review.

b) Fees Review Approach

In January 2020, the Region retained Watson and Associates Economists Ltd. (Watson) through a competitive procurement process. Watson is recognized as a leader in the field of municipal finance and have conducted Planning and Development application fees reviews for over 45 Ontario municipalities. Watson facilitated a comprehensive review of all development-related fees. An executive summary of the final Watson Report titled "Development Services User Fees Review" is attached as Appendix I and a full copy of the report is available from the Office of the Regional Clerk for viewing.

The objectives of the review included developing an equitable user fee structure that allows for cost recovery from those who directly benefit from the service, known as the "beneficiary pay principle". This objective is well-aligned with the Region's Long-Term Financial Planning Strategy, which establishes the "Users Pay Where Appropriate" principle, whereby users should cover the cost of services provided to them. The Financial Strategy also directs that Regional service outcomes, such as the creation of complete and sustainable communities, should be delivered without placing undue financial pressures on Regional taxpayers.

The Region seeks to achieve appropriate cost recovery through user fees, as there are some review processes that benefit Regional interests, along with the broader community rather than a specific applicant or user. For these processes, seeking full cost recovery through user fees would be inappropriate. The fees review aligns fees with staff processing

Update on the Development Services Fee Review

effort and enables the determination of whether costs associated with each type of development review should be entirely borne by the applicant. These considerations were incorporated in the fee recommendations outlined in this report and is consistent with the approach of other municipalities in the Greater Toronto and Hamilton Area. For example, York Region recently identified a cost recovery target of 80 per cent for planning applications during their 2019 Fees Review.

A key task in the comprehensive review was to understand the total costs associated with reviewing development submissions. To determine the full costs of services, Watson utilized an activity-based costing (ABC) methodology. The ABC methodology assigns processing effort and associated direct and indirect costs to the application and fee categories. This robust methodology identifies the full costs associated with current processing activities to determine the complete costs, and associated cost recovery of development-related application fees. This methodology allows the Region to establish a framework for establishing fees that is consistent, fair and transparent, through an approach that complies with applicable legislation, industry practices and is reflective of the delivery of Regional services.

2. Findings

a) Annual Cost of Service and Current Revenue

The fees review determined it costs the Region \$5.6 million annually to provide Development application processing and review services. The Region's existing fee structure recovers 82 per cent of the costs attributable to Planning, Engineering and Traffic Development fee categories, resulting in an annual under-recovery of \$1 million.

Table 1 below summarizes the calculated annual processing costs compared with annual revenues, derived from the Region's current fee structure and historical average application volumes.

Table 1: Existing Cost Recovery of Development-Related User Fees

Description	Annual Costs	Annual Revenue	Estimated Cost Recovery
Planning Application Fees			
Existing Fees	\$1.2 M	\$1.0 M	84%
Potential New Fees*	\$0.6 M	\$0.0 M**	3%
Subtotal	\$1.8 M	\$1.0 M	56%
Engineering and Site Servicing Fees	\$3.2 M	\$3.2 M	100%
Traffic Development and Permit Fees	\$0.5 M	\$0.3 M	57%
Total	\$5.6 M	\$4.5 M	82%

*Application categories for which the Region does not currently collect a prescribed fee in accordance with the 2020 Regional User Fee and Charges By-law.

**Actual value is \$19,200

b) Fee Recommendations

i) Planning Fee Recommendations

The Planning Applications category includes existing fee categories defined in the current Regional User Fees and Charges By-law, as well as potential new fee

Update on the Development Services Fee Review

categories. The potential new fees refer to application types processed by the Region, for which there are no prescribed fees in the current Regional User Fees and Charges By-law.

Recommendations for existing fee categories include moderate increases to the following three fee categories:

- Regional Official Plan Amendments (ROPA)
- Plan of Condominium
- Agreement Review and Execution

Fees for Local Official Plan Amendments are recommended to decrease to better reflect processing efforts, while Plan of Subdivision fees are not proposed to change.

Current fees for Site Plan applications were introduced in the 2020 update to the Regional User Fees and Charges By-law as an interim measure, prior to which no fees were collected for these applications. The interim fees were implemented to address a growing funding gap based on the increasing volume and complexity of Site Plan applications.

Various fee structure options were considered in order to improve cost recovery, along with other factors, such as application affordability and administrative impacts on local municipalities. A graduated flat fee is recommended, with three distinct categories and refined application criteria for each category:

- Full Site Plans (\$3,100 fee)
- Scoped Site Plans (\$1,700 fee)
- Limited Site Plans (no fee)

Limited Site Plans, for which no fee is proposed, are subject to a screening to identify matters of Regional interest. The majority of these applications are screened out, resulting in a small percentage undergoing a review that is scoped specifically to protect identified Regional interests. Significant benefit, particularly with respect to the protection of existing infrastructure, is realized with minimal staff administrative and technical review efforts.

All recommended changes to fees for existing Planning categories are detailed in Table 2 below.

Table 2: Recommended Fees for Existing Planning Application Categories

Description	Current Fee	Recommended Fee	% Change
Regional Official Plan Amendment	\$20,000	\$22,100	+ 11%
Local/Area Municipal Official Plan Amendment	\$12,000	\$9,000	- 25%
Plan of Subdivision	\$20,000	\$20,000	0%
Plan of Condominium	\$3,000	\$3,700	+ 23%
Full Site Plan			
- New non-residential or expansions (>500 sq. m)	\$1,000*	\$3,100	+ 210%
- Multi-residential built forms (e.g. townhouses, stacked houses, apartments)			

10.1-4

Update on the Development Services Fee Review

Description	Current Fee	Recommended Fee	% Change
- 2+ residential units (e.g. townhouses, stacked houses, apartments, single/semi-detached dwellings)			
Scoped Site Plan - New non-residential or expansions (<500 sq.m)	\$500*	\$1,700	+ 240%
Limited Site Plan - Site alterations - Single/semi detached dwellings - Telecommunications towers - Oak Ridges Moraine	\$500*	No charge	- 100%
Agreement Review and Execution	\$2,000	\$2,200	+ 10%

**Interim fee introduced in 2020*

Potential new categories were also investigated to determine the full processing costs associated with these Planning application types that currently do not have a fee, and to inform decisions regarding whether a fee should be imposed. Three new fee categories have been proposed:

- Consent
- Zoning By-Law Amendments
- Secondary Plan Amendments

Secondary Plan Amendments are identified as a new sub-category of Local Official Plan Amendments to reflect a lower level of staff effort to process compared to typical Local Official Plan Amendments. In addition to the three new fee categories outlined above, processing efforts were also analyzed for several other potential new fee categories; however, the introduction of fees was not recommended for these categories. Given that these reviews primarily benefit wider Regional interests (rather than just the applicant), it is appropriate that these costs be recovered from the property tax base, rather than from development proponents, in order to ensure an equitable fee structure.

All recommended fees for new Planning application categories are detailed in Table 3 below.

Table 3: Recommended Fees for New Planning Application Categories

Description	Current Fee	Recommended Fee	% Change
Consent	-	\$1,400	N/A
Minor Variance	-	No charge	N/A
Zoning By-law Amendment (Stand-alone)	-	\$4,700	N/A
Secondary Plan Amendments* (Stand-alone)	-	\$7,400	N/A
Part Lot Control	-	No charge	N/A
Niagara Escarpment Commission Dev Permits	-	No charge	N/A
Permit to Take Water	-	No charge	N/A
Environmental Compliance Approvals	-	No charge	N/A
Non-Potable Groundwater	-	No charge	N/A

**Secondary Plan Amendments are a sub-category of Local Official Plan Amendments (LOPA)*

Update on the Development Services Fee Review

ii) Engineering and Site Servicing Fee Recommendations

The Region's existing Engineering and Site Servicing fees approximate full cost recovery levels, as observed in Table 1. As a result, no changes to any engineering or site servicing fees are proposed.

iii) Traffic Development and Permit Fee Recommendations

Table 4 below outlines recommended increases to Traffic Development fees. The existing fees were established without a fulsome review of the costs of service, and thereby do not accurately reflect current staff effort and resources applied to application review, inspection of works and enforcement of Regional standards. Proposed increases are aligned with current staff processing effort towards increasingly complex and challenging applications arising from infill and intensification in urbanized areas.

Recommended fee increases for road occupancy permits relate only to those permits related to development applications with associated roadworks and requirements. No changes are recommended to fees for road occupancy permits that are associated with standard works or maintenance.

While the engineering and inspection fee is recommended to increase to 10.8 per cent to achieve full cost recovery, the minimum charge will remain at \$1,724.40, which is meant to ease the transition of applicants to the new fee structure.

Table 4: Recommended Traffic Development Fees

Description	Current Fee	Recommended Fee	% Change
Site Plan Review/Development Applications/ Engineering & Inspection Fees	7% or minimum charge of \$1,724.40	10.8% or minimum charge of \$1,724.40	+54%
Legal Letters (Access/Servicing Compliance Letters)	\$308	\$1,667	+441%
Temporary Access Fees	\$334	\$1,940	+481%
Road Occupancy Permit (Development Related)	\$450	\$1,509	+235%

c) Anticipated Cost Recovery

The anticipated cost recovery based on fee changes recommended in this report is detailed in Table 5 below. These figures were determined based on costs of service and revenue generated through a fee structure that is reflective of staff processing efforts, as outlined in the recommended fee changes above.

Through the introduction of new Planning fee categories, the cost recovery of potential new fees would improve to 58 per cent. Recommended fee changes to existing Planning fee categories would improve their cost recovery from 84 to 94 per cent. Overall, the cost recovery of all Planning Application categories would improve from 56 to 82 per cent. Cost recovery for Traffic Development applications would improve to 100 per cent based on full implementation of the recommendations.

Update on the Development Services Fee Review

In total, implementing the recommended changes would improve the Region's overall cost recovery from 82 to 94 per cent. This reduces the Region's reliance on the property tax base by approximately \$640,000 per year.

Table 5: Anticipated Cost Recovery of Proposed Development-Related User Fees

Description	Annual Costs	Annual Revenue (Anticipated)	Estimated Cost Recovery (Anticipated)
Planning Application Fees			
Existing Fees	\$1.2 M	\$1.1 M	94%
Potential New Fees*	\$0.6 M	\$0.3 M	58%
Subtotal	\$1.8 M	\$1.5 M	82%
Engineering and Site Servicing Fees	\$3.2 M	\$3.2 M	100%
Traffic Development and Permit Fees	\$0.5 M	\$0.5 M	100%
Total	\$5.6 M	\$5.2 M	94%

*Application categories for which the Region does not currently collect a prescribed fee in accordance with the 2020 Regional User Fee By-law.

d) Fee Recommendations Analysis: Development Impact Scenarios

An important aspect of the fees review is understanding how the proposed fee changes impact the overall costs of a development project and to confirm that there would not be negative impacts to development in Peel. A trusted approach to analyze impacts on development is using samples of development application types and analyzing all the municipal fees these applications would be subject to (i.e. planning, engineering, traffic, building permit and development charges fees). This method is the preferred approach to understanding the relative market position of the proposed fees, rather than a direct comparison of municipal fee schedules. Each municipality's fee schedules have different components, considerations and procedures for processing development applications that make it a challenge to establish direct and objective comparisons.

As part of the impact analysis, five different sample developments (low, medium and high-density residential developments, and small and large non-residential developments) in each of Peel's three local municipalities were examined by Watson.

Overall, it was found that development-related fees make up a small component of the overall expenses of a development project. Further, it was found that the full implementation of the fee recommendations would have a negligible to minor impact on total municipal development costs, increasing overall costs by 0.1 to 0.4 per cent for residential development, and 0.4 to 2.6 per cent for non-residential development.

The analysis also showed that, when compared against other local municipalities, implementing the fee recommendations would not meaningfully change the relative ranking of Peel's local municipalities with respect to total development costs. Details of these scenarios and resulting impacts can be found in Appendices II to VI.

Update on the Development Services Fee Review

e) Stakeholder Consultation

A series of stakeholder consultation sessions were held with planning and development departments from each of the Region's local municipalities in May 2020. In addition, a consultation was held with the Peel Chapter members of the Building Industry and Land Development Association (BILD) on May 19, 2020. The objectives of these meetings were to present the project's initial findings, gather input on the calculated costs and receive feedback on implementation strategies for new and existing fees. All consultation participants were also given the opportunity to provide follow-up written comments to the Region, as needed.

Written feedback was received from the Town of Caledon Economic Development and Tourism division on June 5, 2020, attached in Appendix VII. Industry stakeholders (BILD) sent feedback on June 2, 2020 in the form of written correspondence to Regional Council (attached in Appendix VIII), which was officially received on June 11, 2020.

A follow-up supplementary report was prepared by staff and shared with BILD's Peel Chapter members in September to address feedback and provide requested clarification. A follow up review meeting with BILD members was held on October 9, 2020 to discuss the recommendations of this report. Additional correspondence from BILD is expected ahead of the November 12, 2020 Regional Council meeting.

Regional staff feel the recommendations provide a balance between the feedback received from stakeholders while still maintaining the financial objectives and guiding principles behind the fees review.

3. Proposed Direction

a) Phased Implementation Strategy

In order to achieve desired cost recovery levels, fee change implementation must consider the Region's financial objectives and guiding principles regarding user fees, alongside economic and social context. Primarily, the emergence of the COVID-19 pandemic in the spring of 2020 has had subsequent impacts on many sectors including the development industry, as also noted in BILD's June 2, 2020 correspondence (attached as Appendix VIII). For this reason, it is imperative that the implementation of these recommendations be flexible and responsive so as not to further impede Regional growth and development activity, while also protecting the interests of Regional taxpayers.

As such, a phased implementation strategy (Appendix IX) is proposed as follows:

- Effective upon the passing of the 2021 annual amendments to the Regional User Fees and Charges By-law, any fee reductions should be enacted to their full extent. These changes would be subject to consideration as part of the review of the 2021 fees by-law and 2021 annual budgeting process, any fee reductions should be enacted to their full extent upon the passing of the 2021 amendments to the fees by-law. This includes reductions to LOPA fees, and the implementation of Secondary Plan Amendment fees, which are a subcategory of LOPA fees.

Update on the Development Services Fee Review

- Effective July 1, 2021, 50 per cent of all applicable fee increases should take effect. These changes would also be subject to consideration as part of the review of the 2021 Regional User Fees and Charges By-law and 2021 annual budgeting process.
- Effective upon the passing of the 2022 annual amendments to the Regional User Fees and Charges By-law, all fee recommendations outlined in this report should be fully implemented. These changes would be subject to consideration as part of the review of the 2022 fees by-law and 2022 annual budgeting process.

Delaying the initiation of fee increases until July 2021, and further delaying the full implementation of changes to 2022 helps manage impacts to the development community and provides sufficient time for transition to the new fee structure, while allowing the Region to reduce its reliance on property tax base contributions to the cost of development.

b) Next Steps

Leading practices suggest that fees be reviewed on a regular basis and that an annual mechanism is established to adjust fees commensurate with inflationary rates. Staff recommend that a fulsome follow up review of development related fees be conducted in 2023 to inform the 2024 Regional User Fees and Charges By-law and Budget. Staff will continue to adhere to Regional financial policies and best practices to ensure costs are recovered from the appropriate beneficiary of service.

As part of the Region's ongoing commitment to continuous improvement, staff will continue to plan and implement continuous improvement initiatives that seek to improve customer service and streamline service delivery.

Ongoing and planned initiatives include:

- technology solutions that support electronic plan submission and review
- enhanced development data tracking and workflow processes
- continued implementation of the Streamlining Development Approvals Program, which aims to improve customer service, knowledge, collaboration and partnerships. Five projects have been implemented over the past two years, with an additional nine ongoing projects to be implemented over the next two years

Staff will continue to communicate, consult and coordinate with BILD and local municipalities on these process improvements as they continue to be implemented. Further, some of the activities outlined above could result in cost efficiencies that impact costs of service. Staff will continue to monitor the new fee structure to determine how the new fees are performing and the degree to which cost efficiencies are realized through ongoing improvements. These considerations will be incorporated into adjusted fee recommendations during the fulsome review of fees proposed in 2023. However, in the interim, staff will also continue to review the Region's costs to process development-related applications annually and if changes are required, up or down, will recommend minor changes as part of the annual budget process.

In the interim, staff will also investigate the implications of eliminating or reducing service connection fees for neighbourhood-led projects with community benefits, as directed by Regional Council (as per Council Resolution 2020-716), and report back to Council on this matter in 2022.

Update on the Development Services Fee Review

RISK CONSIDERATIONS

As outlined in this report, current under recovery for development-related applications has a cumulative impact of approximately \$1 million in annual costs that are currently being absorbed by the tax base. Maintaining the current user fee structure will further the Region's reliance on the tax base to subsidize these costs.

There is a simultaneous risk that implementing fee increases may affect the affordability of investing in Peel, thus unintentionally serving as an impediment to development in the Region. However, as found by this review, the proposed fee changes present a negligible to minor impact on the overall costs of development in the Region. Further, the above outlined implementation strategy considers these risks and allows for the pursuit of cost recovery in a reasonable phased manner.

The proposed fee changes reduce the burden on the property tax base and recover service costs, where appropriate from the user, in alignment with the financial principles outlined in the Region's Long-Term Financial Planning Strategy. Throughout the implementation of these recommendations and through any future iterations of the fee review, staff will continue to engage with the building industry and local municipalities, in order to proactively address any concerns that may arise.

Further, as outlined in next steps above, staff will continue to seek out and implement continuous improvement opportunities that will better serve Regional customers, including the development community and local municipalities.

FINANCIAL IMPLICATIONS

The Region's existing fee structure currently recovers approximately 82 per cent of the costs attributable to all development-related fee categories resulting in \$1 million in annual costs absorbed by the tax base.

Staff recommend a phased implementation strategy that allows the development industry sufficient time to transition and prepare for the recommended fee changes. It is proposed that 50 per cent of the proposed fee increases be endorsed and included in the 2021 Regional User Fee and Charges By-law and Budget process to be effective on July 1, 2021, while 100 per cent of the proposed fee changes be endorsed and included in the 2022 Regional User Fee and Charges By-law and Budget process. It is also proposed that the full extent of any fee decreases be endorsed and made effective immediately through the 2021 Regional User Fee and Charges By-law and Budget process.

By implementing the full scope of recommended fee changes by 2022, it is anticipated that cost recovery will improve from 82 per cent to 94 per cent for all three categories of application types. This increase in the proportional recovery of costs translates to a reduction of approximately \$84,000 for 2021 and \$640,000 annually from 2022 onwards in subsidies from the tax base.

Update on the Development Services Fee Review

APPENDICES

Appendix I - Development Services Fees Review Final Report (Executive Summary)
Appendix II - Development Fee Impacts Survey for a Residential Subdivision (Single Detached Units)
Appendix III - Development Fee Impacts Survey for a Residential Subdivision (Townhouse Units)
Appendix IV - Development Fee Impacts Survey for a Residential Subdivision (Apartment Units)
Appendix V - Development Fee Impacts Survey for a Retail Development
Appendix VI - Development Fee Impacts Survey for an Industrial Development
Appendix VII - Consultation Comment from Town of Caledon (June 5, 2020)
Appendix VIII - Correspondence from BILD to Regional Council (June 2, 2020)
Appendix IX - Proposed Phased Implementation Strategy

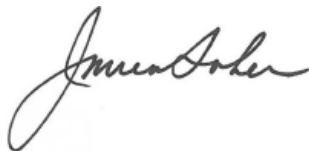
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Authored By: Sanya Khan, Project Manager, Development Services

Reviewed and/or approved in workflow by:

Department Commissioner, Division Director and Financial Support Unit.

Final approval is by the Chief Administrative Officer.



J. Baker, Chief Administrative Officer



Development Services Fees Review

Region of Peel

Final Report Executive Summary

September 21, 2020

Watson & Associates Economists Ltd.
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Executive Summary



Executive Summary

The Regional Municipality of Peel (Region) retained Watson & Associates Economists Ltd. (Watson) to undertake a review of its Planning Application, Engineering and Site Servicing, and Traffic Development fees. These fee categories are collectively referred to herein as Development-Related User Fees. The objectives of the assignment were to:

- Provide a fee structure that allows for full cost recovery;
- Better position the Region in responding to changing industry needs and maintain or improve current service delivery levels;
- Reflect the emerging mix of application types and complexity of development in the Region;
- Provide a framework to ensure the Region has a consistent, fair, and transparent approach for establishing fees for all development and engineering services in compliance with applicable legislation, leading practices, and delivery of services; and
- Promote equity by recovering the cost of services from those who receive direct benefits from the service.

Municipalities are empowered to charge planning application fees under the authority of Section 69 of the *Planning Act*, 1990. The *Planning Act* allows municipalities to recover the anticipated costs of processing planning applications. The Act is clear that cost/fee justification must be considered by application type, implying that cross subsidization amongst different application types, as defined in the municipality's tariff of fees, is not permitted.

All other Development-Related User Fees considered within the scope of this exercise are governed by Part XII of the *Municipal Act*, 2001. This Act allows a municipality to impose fees or charges for services or activities provided, or done by or on behalf of it; for costs payable by it for services or activities provided, or done by or on behalf of any other municipality or any local board; and for the use of its property, including property under its control. The *Municipal Act* has no explicit requirements for cost justification when establishing fees however, municipalities must have regard for legal precedents and there must be a reasonable nexus between the cost of service and the fee imposed (i.e. the fee cannot be a tax). These fees can be appealed to the courts.



An Activity-Based Costing (A.B.C.) methodology was employed to determine the full costs of service provided by the Region. The A.B.C. methodology attributes processing effort and associated costs from all participating municipal departments to the appropriate application and fee categories. The resource costs attributed to processing activities, and ultimately to these categories, include direct, indirect, and capital costs. Employing this costing methodology provides municipalities with a better recognition of the costs utilized in delivering development review processes, as it acknowledges not only the direct costs of resources deployed but also the indirect support and capital costs required by those resources to enable these services.

The first step in employing the A.B.C. methodology was to determine the costing categories. These categories generally align to the Region's existing development-related user fee schedules, as well as planning applications that the Region processes but currently does not impose a fee for the service. Processing steps for each costing category were developed from existing process maps, the Development Services Procedures Manual, and discussions with Region staff. Staff from across the organization provided effort estimates for each costing category reflecting the average level of effort for each step in the mapped processes. Historical average annual application volumes were applied to the effort estimates to determine the annual level of processing effort by staff position. This processing effort is expressed in terms of the annual capacity utilization for each staff position, across the various fee/costing categories, and in aggregate. This step is also undertaken to confirm the reasonableness of the effort estimates and that the estimated level of effort can be delivered.

Table ES-1 summarizes the annual staff capacity utilized on development application processes by staff in all departments and divisions that were considered within this review. Development Services (D.S.) staff were grouped into the following categories – Director's Office, Planning and Performance, D.S. Planning, Servicing Connections, and D.S. Expert. D.S. Planning staff can be further categorized into planners, subdivision staff, and students. Planning application processing is undertaken by the planners and consumes 71% of their annual available staff capacity. Subdivision staff within D.S. Planning spend approximately 82% of their available capacity on the review of subdivision applications.

Servicing Connections staff dedicate 82% of their capacity on all development applications, including some staff who review the servicing requirements of planning



applications. The majority of Servicing Connections staff time is spent reviewing site servicing submissions.

Reviewing development applications accounts for 63% of the annual staff capacity of Traffic Development and Permitting staff within the Transportation Division. The utilization of all other departments and divisions involved in the review of development applications is summarized in Table ES-1 below.

Table ES-1
Staff Capacity Utilization by Department

Department/Division	Compliment	Weighted Capacity Utilization (%)
Development Services		
Director's Office	3	43%
Planning & Performance	7	25%
DS Planning	17	75%
Servicing Connections	11	79%
Expert, Development Services	1	85%
Development Services	39	65%
Other Departments/Divisions		
Business Information Services	7	5%
ETS	18	39%
Finance	6	<1%
Housing Policy and Programs	6	<1%
Legal	48	3%
Meter Operations	13	<1%
Operations Wastewater	8	<1%
Operations Water (South Peel)	10	4%
Water Operations (Caledon)	7	2%
Real Estate	20	9%
Traffic Development and Permits	7	63%
Transportation Managers	21	3%
Water and Wastewater Regulatory Compliance	25	2%
Water & Wastewater Program Planning	33	9%
Other Departments/Divisions	249	
Grand Total	288	

Based on the results of the staff resource capacity analysis, the proportionate share of each participating individual's direct costs (e.g. salary, wages, benefits, materials, and supplies) is allocated to the respective costing categories. Consistent with the Region's approach, budgeted indirect costs ("allocation between departments") and capital costs



were allocated to participating departments and/or divisions based on the respective share of the total budget. The costs included in the costing model are taken from the Region's 2020 Budget.

Table ES-2 summarizes the calculated annual processing costs compared with annual revenues, derived from the Region's current fee structure and historical average application volumes and characteristics. Based on the established effort estimates for current processes, the Region spends \$6.5 million annually providing development application processing and review services¹.

In addition to the development-related user fee revenues, approximately \$910,000 in water and wastewater rate revenue is allocated to fund D.S. review costs for Site Plan and Minor Variance applications. These contributions are provided in recognition of the benefits accruing to water and wastewater services by helping to protect municipal infrastructure from development impacts through the application process. As a portion of these development service costs are funded from these recoveries, the annual costs of processing Site Plan and Minor Variance applications have been reduced proportionately. In total, the net cost of service informing the fee recommendations is \$5.6 million (i.e. service costs of \$6.56 million less water and wastewater rate allocations of \$0.91 million). The Region's existing Development-Related User Fees recovers approximately 82% of these net annual costs.

Table ES-2
Cost Recovery of Existing Development-Related User Fees

Description	Annual Costs			Total Annual Costs	Water and Wastewater Rate Contribution	Net Cost	Current Fees		
	Salary, Wage & Benefits (SWB)	Non-SWB Direct Costs	Budgeted Indirect & Capital Costs				Annual Revenue	Suplus/ (Deficit)	%
DS-Planning Application Fees									
Existing Fees	1,417,473	107,380	333,654	1,858,508	640,629	1,217,878	1,018,800	(199,078)	84%
Potential New Fee Categories	681,126	44,766	139,431	865,324	269,371	595,953	19,200	(576,753)	3%
Total - DS Planning Application	2,098,600	152,146	473,086	2,723,831	910,000	1,813,831	1,038,000	(775,831)	57%
DS-Engineering and Site Servicing Fees	2,444,617	160,475	644,391	3,249,483	-	3,249,483	3,247,639	(1,844)	100%
Traffic Development & Permits Fees	352,536	39,804	99,370	491,709	-	491,709	278,698	(213,011)	57%
Subtotal	4,895,753	352,424	1,216,846	6,465,024	910,000	5,555,024	4,564,337	(990,686)	82%
ENGINEERING AND SITE SERVICING - Categories Excluded from Fee Recommendations (i.e. assess DS administrative involvement only)	89,287	2,049	7,529	98,864	-	98,864			
Total	4,985,039	354,473	1,224,375	6,563,888	910,000	5,653,888			

Based on the costing results, Regional policy, industry best practices, and municipal competitiveness, the fee recommendations below are provided to improve the Region's cost recovery performance and maintain legislative compliance with the *Planning Act*.

¹ These costs exclude Engineering and Site Servicing administrative fees.



In developing the fee recommendations, the Region consulted with all three area municipalities (City of Brampton, Town of Caledon, and City of Mississauga), as well as development industry stakeholders from the Region's Building Industry Liaison Team (BILT). The stakeholders provided comments on the proposed fee recommendations and implementation strategies.

Planning Applications

- Regional Official Plan Amendment – increase current fee from \$20,000 to \$22,100, an increase of \$2,100 or 11%;
- Local/Area Municipal Official Plan Amendments – decrease current fee from \$12,000 to \$9,000, a decrease of \$3,000 or 25%;
- Plan of Subdivision – maintain current fee of \$20,000;
- Plan of Condominium – increase current fee by 24% from \$3,000 to \$3,700;
- Agreement Review and Execution – increase current fee from \$2,000 to \$2,200; and
- Introduce new planning application fees for:
 - Consents - \$1,400;
 - Secondary Plan Amendments - \$7,400; and
 - Zoning By-law Amendments - \$4,700.

The full costs of processing Site Plan applications were determined as part of this review. The Region currently imposes fees for major and minor applications based on the criteria of the application¹. As part of this undertaking, the Region consulted with stakeholders on the current fee structure and proposed changes being considered. A recommended site plan fee structure was developed based on feedback received from stakeholders and other policy considerations. The recommended site plan fee structure includes three categories of site plan applications, i.e. Full Site Plan, Scoped Site Plan, and Limited Site Plan. The following summarizes the characteristics of each fee category and the recommended fee:

- Full Site Plan - \$3,100
 - New non-residential or expansions with floor area greater than 500 square metres
 - Multi-residential built forms (e.g. townhouses, stacked houses, apartments)

¹ introduced as an interim fee in January 2020.



- Two or more residential units (e.g. townhouses, stacked houses, apartments, single/semi-detached dwellings)
- Scoped Site Plan - \$1,700
 - New non-residential or expansions with floor area less than 500 square metres
- Limited Site Plan – no fee
 - Site alterations
 - Single/Semi detached dwellings
 - Telecommunications towers
 - Oak Ridges Moraine

Engineering and Site Servicing

- Engineering and Site Servicing fees are recommended to be maintained at current rates as these are generating full cost recovery.

Traffic Development and Permits

- Site Plan Review/Development Applications/ Engineering & Inspection Fees – increase current fees from 7% of the cost of works to 10.8% of the cost of works;
- Legal Letters (Access/Servicing Compliance Letters) – increase current fees from \$308 to \$1,667;
- Temporary Access Fees – increase current fees from \$334 to \$1,940; and
- Road Occupancy Permit - Development Related – increase current fees from \$450 to \$1,500.

The recommended fees, including contributions from water and wastewater services, are anticipated to increase cost recovery to 94%, as summarized in Table ES-3. Based on the recommended fees, the historical mix of application volumes, and typical size characteristics, modelled revenue would increase by approximately 15%, from \$4.6 million to \$5.2 million annually.



Table ES-3
Cost Recovery of Recommended Fees

Description	Total Annual Costs	Water and Wastewater Rate Contribution	Net Cost	Current Fees			Recommended Fees		
				Annual Revenue	Cost Recovery		Annual Revenue	Cost Recovery	
					Suplus/ (Deficit)	%		Suplus/ (Deficit)	%
DS-Planning Application Fees									
Existing Fees	1,858,508	640,629	1,217,878	1,018,800	(199,078)	84%	1,139,890	(77,988)	94%
Potential New Fee Categories	865,324	269,371	595,953	19,200	(576,753)	3%	328,420	(272,971)	55%
Total - DS Planning Application	2,723,831	910,000	1,813,831	1,038,000	(775,831)	57%	1,468,310	(350,960)	81%
DS-Engineering and Site Servicing Fees	3,249,483	-	3,249,483	3,247,639	(1,844)	100%	3,247,639	(1,844)	100%
Traffic Development & Permits Fees	491,709	-	491,709	278,698	(213,011)	57%	491,709	-	100%
Subtotal	6,465,024	910,000	5,555,024	4,564,337	(990,686)	82%	5,207,658	(352,804)	94%

To understand the impacts of the fee structure recommendations, an impact analysis for sample developments was prepared. The development impact analysis compared development fees for selected Greater Toronto Area (G.T.A.) municipalities, including the Peel Region area municipalities. The development fee comparison considered planning application fees, building permit fees, engineering fees, and development charges.

The development impacts of fee recommendations are similar to those observed in other municipalities undertaking similar fee reviews. Planning and engineering development fees represent a relatively small proportion of the total municipal cost of development, i.e.:

- 2-9% for low-density and high-density residential development;
- 5-16% for medium-density residential development; and
- for non-residential development types, the impacts are larger for smaller developments (6-26%) as compared to larger developments (2-13%) due to fixed application costs and limited economies of scale.

Impacts of implementing the recommended development fees on the total municipal development costs of applicants results in increases of:

- 0.1-0.3% for low-density and high-density residential development;
- 0.3-0.4% for medium-density residential development; and
- 0.4-2.6% for non-residential development (dependent on the size of the development).

Appendix II
Update on the Development Services Fee Review

Development Fee Impacts Survey for a Residential Subdivision (Single Detached Units)

100 Single Detached Units, \$1,550,000 Cost of Work

Rank	Municipality	Official Plan Amendment	Plan of Subdivision	Zoning By-Law Amendment	Building Permit Fees	Engineering Fees	Development Charges	Total	Planning and Engineering Fees % of Total	% Increase
1	Markham, City of	\$ 96,239	\$ 642,788	\$ 55,575	\$ 324,603	\$ 209,200	\$ 11,508,237	\$ 12,836,643	7.8%	
2	East Gwillimbury, Town of	\$ 66,128	\$ 88,500	\$ 23,687	\$ 290,000	\$ 3,500	\$ 10,364,100	\$ 10,835,915	1.7%	
3	King, Township of	\$ 43,589	\$ 58,093	\$ 13,340	\$ 128,020	\$ 48,500	\$ 10,249,700	\$ 10,541,242	1.6%	
4	Mississauga - Calculated	\$ 47,757	\$ 74,100	\$ 126,675	\$ 322,931	\$ 81,375	\$ 9,874,427	\$ 10,527,265	3.1%	0.1%
5	Mississauga - Current	\$ 45,657	\$ 74,100	\$ 121,975	\$ 322,931	\$ 81,375	\$ 9,874,427	\$ 10,520,465	3.1%	
6	New Market, Town of	\$ 49,946	\$ 125,678	\$ 31,546	\$ 279,081	\$ 89,750	\$ 9,809,000	\$ 10,385,000	2.9%	
7	Brampton - Calculated	\$ 28,753	\$ 96,186	\$ 14,657	\$ 224,268	\$ 81,375	\$ 9,523,212	\$ 9,968,452	2.2%	0.1%
8	Brampton - Current	\$ 26,653	\$ 96,186	\$ 9,957	\$ 224,268	\$ 81,375	\$ 9,523,212	\$ 9,961,652	2.1%	
9	Aurora, Town of	\$ 48,451	\$ 108,430	\$ 21,398	\$ 304,722	\$ 93,500	\$ 9,384,800	\$ 9,961,301	2.7%	
10	Vaughan, City of	\$ 73,241	\$ 139,280	\$ 49,856	\$ 300,448	\$ 108,500	\$ 9,281,400	\$ 9,952,726	3.7%	
11	Whitchurch Stouffville, Town of	\$ 51,673	\$ 104,915	\$ 30,107	\$ 314,000	\$ 56,000	\$ 9,191,100	\$ 9,747,794	2.5%	
12	Richmond Hill, Town of	\$ 74,738	\$ 72,082	\$ 16,715	\$ 296,175	\$ 95,000	\$ 8,857,500	\$ 9,412,210	2.7%	
13	Caledon - Calculated	\$ 39,190	\$ 121,678	\$ 22,129	\$ 234,116	\$ 81,375	\$ 8,840,020	\$ 9,338,507	2.8%	0.1%
14	Caledon - Current	\$ 37,090	\$ 121,678	\$ 17,429	\$ 234,116	\$ 81,375	\$ 8,840,020	\$ 9,331,707	2.8%	
15	Georgina, Town of	\$ 45,605	\$ 71,720	\$ 22,268	\$ 276,000	\$ 84,500	\$ 8,075,900	\$ 8,575,992	2.6%	
16	Oakville, Town of	\$ 35,980	\$ 75,881	\$ 20,406	\$ 318,657	\$ 88,000	\$ 7,532,941	\$ 8,071,866	2.7%	
17	Ajax, Town of	\$ 64,862	\$ 65,272	\$ 26,467	\$ 250,838	\$ 30,500	\$ 6,235,400	\$ 6,673,338	2.8%	
18	Whitby, Town of	\$ 55,053	\$ 129,763	\$ 13,493	\$ 352,474	\$ 30,500	\$ 6,054,300	\$ 6,635,583	3.4%	
19	Oshawa, City of	\$ 35,525	\$ 43,203	\$ 5,286	\$ 256,784	\$ 30,500	\$ 6,070,600	\$ 6,441,898	1.8%	
20	Milton, Town of	\$ 29,699	\$ 85,860	\$ 15,032	\$ 297,661	\$ 88,000	\$ 5,834,431	\$ 6,350,683	3.4%	
21	Halton Hills, Town of	\$ 44,119	\$ 80,596	\$ 56,849	\$ 325,346	\$ 88,000	\$ 5,503,990	\$ 6,098,901	4.4%	
22	Pickering, City of	\$ 65,192	\$ 78,502	\$ 49,877	\$ 250,838	\$ 30,500	\$ 5,259,200	\$ 5,734,108	3.9%	
23	Burlington, City of	\$ 25,495	\$ 121,273	\$ 15,505	\$ 318,657	\$ 88,000	\$ 5,145,431	\$ 5,714,362	4.4%	

Appendix III
Update on the Development Services Fee Review

Development Fee Impacts Survey for a Residential Subdivision (Townhouse Units)

25 Medium-Density (Townhouse) Units, \$200,000 Cost of Work

Rank	Municipality	Official Plan Amendment	Plan of Subdivision	Zoning By-Law Amendment	Building Permit Fees	Engineering Fees	Development Charges	Total	Planning and Engineering Fees % of Total	% Increase
1	Markham, City of	\$ 96,239	\$ 249,863	\$ 55,575	\$ 60,863	\$ 54,925	\$ 2,300,738	\$ 2,818,203	16.2%	
2	Vaughan, City of	\$ 73,241	\$ 92,180	\$ 30,281	\$ 56,334	\$ 14,000	\$ 2,532,175	\$ 2,798,212	7.5%	
3	East Gwillimbury, Town of	\$ 66,128	\$ 68,504	\$ 23,687	\$ 54,375	\$ 3,500	\$ 2,121,375	\$ 2,337,569	6.9%	
4	King, Township of	\$ 43,589	\$ 48,406	\$ 13,340	\$ 24,004	\$ 8,000	\$ 2,146,075	\$ 2,283,413	5.0%	
5	New Market, Town of	\$ 49,946	\$ 108,067	\$ 31,546	\$ 52,328	\$ 12,125	\$ 1,993,150	\$ 2,247,161	9.0%	
6	Mississauga - Calculated	\$ 47,757	\$ 43,073	\$ 54,975	\$ 60,550	\$ 10,500	\$ 1,997,747	\$ 2,214,602	7.1%	0.3%
7	Mississauga - Current	\$ 45,657	\$ 43,073	\$ 50,275	\$ 60,550	\$ 10,500	\$ 1,997,747	\$ 2,207,802	6.8%	
8	Whitchurch Stouffville, Town of	\$ 51,673	\$ 65,890	\$ 30,107	\$ 58,875	\$ 8,750	\$ 1,878,550	\$ 2,093,844	7.5%	
9	Aurora, Town of	\$ 48,451	\$ 59,155	\$ 21,398	\$ 57,135	\$ 12,500	\$ 1,884,675	\$ 2,083,314	6.8%	
10	Brampton - Calculated	\$ 28,753	\$ 44,286	\$ 14,657	\$ 42,050	\$ 10,500	\$ 1,895,338	\$ 2,035,585	4.8%	0.3%
11	Brampton - Current	\$ 26,653	\$ 44,286	\$ 9,957	\$ 42,050	\$ 10,500	\$ 1,895,338	\$ 2,028,785	4.5%	
12	Richmond Hill, Town of	\$ 74,738	\$ 28,432	\$ 16,715	\$ 55,533	\$ 12,650	\$ 1,794,850	\$ 1,982,918	6.7%	
13	Georgina, Town of	\$ 45,605	\$ 52,055	\$ 22,268	\$ 51,750	\$ 11,600	\$ 1,659,400	\$ 1,842,678	7.1%	
14	Caledon - Calculated	\$ 39,190	\$ 75,253	\$ 22,129	\$ 43,897	\$ 10,500	\$ 1,644,663	\$ 1,835,632	8.0%	0.4%
15	Caledon - Current	\$ 37,090	\$ 75,253	\$ 17,429	\$ 43,897	\$ 10,500	\$ 1,644,663	\$ 1,828,832	7.7%	
16	Oakville, Town of	\$ 35,980	\$ 46,406	\$ 20,406	\$ 59,748	\$ 17,000	\$ 1,394,127	\$ 1,573,668	7.6%	
17	Whitby, Town of	\$ 55,053	\$ 72,030	\$ 13,493	\$ 66,089	\$ 5,500	\$ 1,234,100	\$ 1,446,264	10.1%	
18	Ajax, Town of	\$ 64,862	\$ 34,522	\$ 26,467	\$ 47,032	\$ 5,500	\$ 1,261,400	\$ 1,439,782	9.1%	
19	Oshawa, City of	\$ 35,525	\$ 28,861	\$ 5,286	\$ 48,147	\$ 5,500	\$ 1,238,625	\$ 1,361,944	5.5%	
20	Pickering, City of	\$ 65,192	\$ 48,502	\$ 27,377	\$ 47,032	\$ 5,500	\$ 1,076,000	\$ 1,269,602	11.5%	
21	Milton, Town of	\$ 29,699	\$ 68,910	\$ 15,032	\$ 55,812	\$ 17,000	\$ 1,078,244	\$ 1,264,697	10.3%	
22	Halton Hills, Town of	\$ 36,469	\$ 49,996	\$ 33,899	\$ 61,002	\$ 17,000	\$ 1,010,810	\$ 1,209,177	11.4%	
23	Burlington, City of	\$ 25,495	\$ 66,898	\$ 15,505	\$ 59,748	\$ 17,000	\$ 914,319	\$ 1,098,966	11.4%	

Appendix IV
Update on the Development Services Fee Review

Development Fee Impacts Survey for a Residential Subdivision (Apartment Units)

100 Apartment Units, \$410,000 Cost of Work

Rank	Municipality	Official Plan Amendment	Plan of Condominium	Site Plan	Zoning By-Law Amendment	Building Permit Fees	Engineering Fees	Development Charges	Total	Planning and Engineering Fees % of Total	% Increase
1	Vaughan, City of	\$ 73,118	\$ 31,701	\$ 68,940	\$ 49,733	\$ 149,249	\$ 72,597	\$ 6,660,950	\$ 7,106,288	4.2%	
2	Markham, City of	\$ 96,239	\$ 48,405	\$ 233,930	\$ 55,575	\$ 134,784	\$ 56,554	\$ 6,173,412	\$ 6,798,899	7.2%	
3	East Gwillimbury, Town of	\$ 66,128	\$ 119,635	\$ 42,637	\$ 23,687	\$ 130,500	\$ 7,700	\$ 5,616,950	\$ 6,007,237	4.3%	
4	Mississauga - Calculated	\$ 47,757	\$ 30,946	\$ 53,686	\$ 126,675	\$ 157,108	\$ 32,880	\$ 5,314,368	\$ 5,763,421	5.1%	0.2%
5	Mississauga - Current	\$ 45,657	\$ 30,246	\$ 51,586	\$ 121,975	\$ 157,108	\$ 28,700	\$ 5,314,368	\$ 5,749,641	4.8%	
6	King, Township of	\$ 43,589	\$ 19,833	\$ 17,268	\$ 13,340	\$ 49,248	\$ 25,700	\$ 5,512,300	\$ 5,681,277	2.1%	
7	New Market, Town of	\$ 49,946	\$ 46,306	\$ 78,985	\$ 31,546	\$ 125,586	\$ 25,700	\$ 5,317,750	\$ 5,675,818	4.1%	
8	Richmond Hill, Town of	\$ 74,738	\$ 370,984	\$ 31,927	\$ 16,715	\$ 174,834	\$ 26,000	\$ 4,856,000	\$ 5,551,198	9.4%	
9	Whitchurch Stouffville, Town of	\$ 51,673	\$ 32,611	\$ 39,782	\$ 30,107	\$ 167,400	\$ 18,200	\$ 5,093,350	\$ 5,433,122	3.2%	
10	Aurora, Town of	\$ 48,451	\$ 36,141	\$ 50,872	\$ 21,398	\$ 128,764	\$ 25,700	\$ 5,102,100	\$ 5,413,426	3.4%	
11	Brampton - Calculated	\$ 28,723	\$ 8,653	\$ 35,853	\$ 14,627	\$ 143,981	\$ 32,880	\$ 4,935,937	\$ 5,200,652	2.3%	0.3%
12	Brampton - Current	\$ 26,623	\$ 7,953	\$ 33,753	\$ 9,927	\$ 143,981	\$ 28,700	\$ 4,935,937	\$ 5,186,872	2.1%	
13	Caledon - Calculated	\$ 39,190	\$ 31,108	\$ 29,446	\$ 22,129	\$ 96,155	\$ 32,880	\$ 4,851,610	\$ 5,102,516	3.0%	0.3%
14	Caledon - Current	\$ 37,090	\$ 30,408	\$ 27,346	\$ 17,429	\$ 96,155	\$ 28,700	\$ 4,851,610	\$ 5,088,736	2.8%	
15	Georgina, Town of	\$ 45,554	\$ 74,464	\$ 41,016	\$ 22,210	\$ 144,000	\$ 23,900	\$ 4,533,850	\$ 4,884,995	4.2%	
16	Oakville, Town of	\$ 35,980	\$ 43,527	\$ 40,418	\$ 36,997	\$ 143,396	\$ 30,100	\$ 3,878,385	\$ 4,208,803	4.4%	
17	Whitby, Town of	\$ 55,006	\$ 56,801	\$ 42,760	\$ 13,446	\$ 158,613	\$ 10,225	\$ 3,126,800	\$ 3,463,651	5.1%	
18	Milton, Town of	\$ 29,699	\$ 16,483	\$ 16,120	\$ 15,032	\$ 133,948	\$ 30,100	\$ 3,184,079	\$ 3,425,461	3.1%	
19	Oshawa, City of	\$ 35,525	\$ 17,530	\$ 38,299	\$ 5,286	\$ 112,877	\$ 10,225	\$ 3,156,750	\$ 3,376,492	3.2%	
20	Halton Hills, Town of	\$ 44,119	\$ 56,467	\$ 44,385	\$ 56,849	\$ 146,071	\$ 30,100	\$ 2,946,013	\$ 3,324,004	7.0%	
21	Ajax, Town of	\$ 64,820	\$ 15,790	\$ 76,940	\$ 26,425	\$ 112,877	\$ 10,225	\$ 2,935,150	\$ 3,242,227	6.0%	
22	Burlington, City of	\$ 25,495	\$ 7,593	\$ 27,044	\$ 69,505	\$ 187,293	\$ 30,100	\$ 2,820,979	\$ 3,168,009	5.0%	
23	Pickering, City of	\$ 65,169	\$ 18,129	\$ 51,529	\$ 49,854	\$ 112,877	\$ 10,225	\$ 2,797,250	\$ 3,105,032	6.3%	

Appendix V
Update on the Development Services Fee Review

Development Fee Impacts Survey for a Retail Development

1,000 Square Metres, \$275,000 Cost of Work

Rank	Municipality	Site Plan	Zoning By-Law Amendment	Building Permit Fees	Engineering Fees	Development Charges	Total	Planning and Engineering Fees % of Total	% Increase
1	Markham, City of	\$ 35,210	\$ 55,575	\$ 16,400	\$ 43,954	\$ 806,112	\$ 957,251	14.1%	
2	Vaughan, City of	\$ 20,078	\$ 13,648	\$ 16,010	\$ 24,500	\$ 762,203	\$ 836,439	7.0%	
3	New Market, Town of	\$ 63,976	\$ 31,546	\$ 12,700	\$ 16,750	\$ 675,473	\$ 800,445	14.0%	
4	East Gwillimbury, Town of	\$ 18,178	\$ 23,687	\$ 11,840	\$ 1,750	\$ 721,278	\$ 776,733	5.6%	
5	Richmond Hill, Town of	\$ 18,569	\$ 16,715	\$ 17,070	\$ 17,000	\$ 694,163	\$ 763,517	6.8%	
6	King, Township of	\$ 14,343	\$ 13,340	\$ 11,840	\$ 16,750	\$ 703,302	\$ 759,575	5.8%	
7	Whitchurch Stouffville, Town of	\$ 25,059	\$ 30,107	\$ 13,455	\$ 10,500	\$ 675,531	\$ 754,652	8.7%	
8	Aurora, Town of	\$ 20,612	\$ 21,398	\$ 15,400	\$ 16,750	\$ 654,323	\$ 728,483	8.1%	
9	Georgina, Town of	\$ 41,207	\$ 22,382	\$ 13,993	\$ 15,250	\$ 614,713	\$ 707,545	11.1%	
10	Burlington, City of	\$ 9,069	\$ 22,768	\$ 23,850	\$ 22,000	\$ 487,113	\$ 564,800	9.5%	
11	Oakville, Town of	\$ 19,743	\$ 27,492	\$ 23,850	\$ 22,000	\$ 464,533	\$ 557,618	12.4%	
12	Halton Hills, Town of	\$ 21,625	\$ 29,182	\$ 16,580	\$ 22,000	\$ 407,489	\$ 496,876	14.7%	
13	Milton, Town of	\$ 10,045	\$ 16,392	\$ 15,710	\$ 22,000	\$ 423,583	\$ 487,730	9.9%	
14	Mississauga - Calculated	\$ 31,396	\$ 57,274	\$ 17,750	\$ 20,200	\$ 285,449	\$ 412,069	26.4%	1.9%
15	Mississauga - Current	\$ 29,296	\$ 52,574	\$ 17,750	\$ 19,250	\$ 285,449	\$ 404,319	25.0%	
16	Whitby, Town of	\$ 17,536	\$ 27,400	\$ 23,580	\$ 7,188	\$ 316,753	\$ 392,455	13.3%	
17	Oshawa, City of	\$ 6,213	\$ 11,056	\$ 15,990	\$ 7,188	\$ 340,783	\$ 381,229	6.4%	
18	Brampton - Calculated	\$ 7,345	\$ 15,413	\$ 16,650	\$ 20,200	\$ 282,678	\$ 342,285	12.6%	2.3%
19	Ajax, Town of	\$ 9,840	\$ 26,550	\$ 13,000	\$ 7,188	\$ 281,907	\$ 338,484	12.9%	
20	Brampton - Current	\$ 5,245	\$ 10,713	\$ 16,650	\$ 19,250	\$ 282,678	\$ 334,535	10.5%	
21	Caledon - Calculated	\$ 20,612	\$ 22,129	\$ 16,000	\$ 20,200	\$ 222,698	\$ 301,639	20.9%	2.6%
22	Pickering, City of	\$ 12,098	\$ 17,666	\$ 13,750	\$ 7,188	\$ 244,448	\$ 295,149	12.5%	
23	Caledon - Current	\$ 18,512	\$ 17,429	\$ 16,000	\$ 19,250	\$ 222,698	\$ 293,889	18.8%	

Appendix VI
Update on the Development Services Fee Review

Development Fee Impacts Survey for an Industrial Development

10,000 Square Metres, \$400,000 Cost of Work

Rank	Municipality	Site Plan	Zoning By-Law Amendment	Building Permit Fees	Engineering Fees	Development Charges	Total	Planning and Engineering Fees % of Total	% Increase
1	Markham, City of	\$ 130,430	\$ 55,575	\$ 134,100	\$ 55,854	\$ 4,223,120	\$ 4,599,079	5.3%	
2	Vaughan, City of	\$ 20,197	\$ 19,228	\$ 111,700	\$ 80,500	\$ 4,150,832	\$ 4,382,456	2.7%	
3	King, Township of	\$ 18,393	\$ 13,340	\$ 118,400	\$ 25,000	\$ 3,561,818	\$ 3,736,951	1.5%	
4	New Market, Town of	\$ 140,226	\$ 31,546	\$ 103,100	\$ 25,000	\$ 3,283,532	\$ 3,583,404	5.5%	
5	Whitchurch Stouffville, Town of	\$ 43,059	\$ 30,107	\$ 122,708	\$ 17,500	\$ 3,284,109	\$ 3,497,484	2.6%	
6	Richmond Hill, Town of	\$ 18,569	\$ 16,715	\$ 156,300	\$ 25,300	\$ 3,230,832	\$ 3,447,716	1.8%	
7	East Gwillimbury, Town of	\$ 34,648	\$ 23,687	\$ 102,257	\$ 7,000	\$ 3,123,727	\$ 3,291,319	2.0%	
8	Aurora, Town of	\$ 31,902	\$ 21,398	\$ 103,000	\$ 25,000	\$ 3,072,032	\$ 3,253,332	2.4%	
9	Mississauga - Calculated	\$ 53,222	\$ 71,904	\$ 132,700	\$ 31,800	\$ 2,617,888	\$ 2,907,514	5.4%	0.4%
10	Mississauga - Current	\$ 51,122	\$ 67,204	\$ 132,700	\$ 28,000	\$ 2,617,888	\$ 2,896,914	5.1%	
11	Georgina, Town of	\$ 41,207	\$ 22,382	\$ 115,174	\$ 23,200	\$ 2,675,932	\$ 2,877,894	3.0%	
12	Brampton - Calculated	\$ 7,345	\$ 21,655	\$ 114,900	\$ 31,800	\$ 2,230,875	\$ 2,406,575	2.5%	0.4%
13	Oakville, Town of	\$ 78,243	\$ 33,072	\$ 161,800	\$ 29,500	\$ 2,093,388	\$ 2,396,004	5.9%	
14	Brampton - Current	\$ 5,245	\$ 16,955	\$ 114,900	\$ 28,000	\$ 2,230,875	\$ 2,395,975	2.1%	
15	Caledon - Calculated	\$ 31,412	\$ 22,129	\$ 72,740	\$ 31,800	\$ 2,211,475	\$ 2,369,556	3.6%	0.4%
16	Caledon - Current	\$ 29,312	\$ 17,429	\$ 72,740	\$ 28,000	\$ 2,211,475	\$ 2,358,956	3.2%	
17	Ajax, Town of	\$ 17,940	\$ 26,550	\$ 90,000	\$ 10,000	\$ 1,855,696	\$ 2,000,186	2.7%	
18	Whitby, Town of	\$ 61,276	\$ 27,400	\$ 147,600	\$ 10,000	\$ 1,693,857	\$ 1,940,132	5.1%	
19	Burlington, City of	\$ 21,669	\$ 32,218	\$ 110,177	\$ 29,500	\$ 1,654,988	\$ 1,848,553	4.5%	
20	Pickering, City of	\$ 39,098	\$ 19,853	\$ 102,500	\$ 10,000	\$ 1,481,113	\$ 1,652,563	4.2%	
21	Milton, Town of	\$ 10,045	\$ 28,632	\$ 112,300	\$ 29,500	\$ 1,235,288	\$ 1,415,766	4.8%	
22	Halton Hills, Town of	\$ 43,535	\$ 101,474	\$ 107,920	\$ 29,500	\$ 1,073,021	\$ 1,355,451	12.9%	
23	Oshawa, City of	\$ 6,213	\$ 11,056	\$ 134,100	\$ 10,000	\$ 1,128,057	\$ 1,289,426	2.1%	

Memo

Date: June 5, 2020

To: Sanya Khan, Project Manager, Strategic Initiatives – Region of Peel

From: Ben Roberts, Manager of Business Development, Tourism & Culture – Strategic Initiatives

Subject: **Region of Peel – Development Services Fees Review – Consultation Comment from Town of Caledon Economic Development & Tourism Office**

Thank you for the opportunity to provide comment on the Region of Peel, Development Services Fees Review.

In addition to the comment provided in the Consultation meeting on May 19, 2020, I have provided additional detail with reference to our Economic Development Strategy and actions related to having business charges and fees that are competitive with competing jurisdictions.

A Common Goal – Investment Attraction and Assessment Growth

Good economic development planning seeks to enhance competitiveness. The ability of a city or region to compete with other cities or regions for investment, talent, and market share.

Economic development competitiveness in a globally oriented economy however is less about the individual community and more about the combined economic strength of regions or metropolitan areas, and the clusters of organizations and businesses that support that growth. Central to this are themes of collaboration and partnership. It is in this lens that we look to the Region of Peel to assist in our goals of being competitive with other jurisdictions.

Caledon Economic Development Strategy – Advocating for Competitive Fees

On April 28, 2020 Caledon Council adopted *Caledon 2020-2030: An Economic Development Strategy for the Town of Caledon*.

Within Caledon's Economic Development Strategy, it directs Economic Development staff to advocate for an attractive business environment.

In Priority IV: Enhance Investment Readiness, our objective is to:



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- **Provide the structure and policies to effectively target investment attraction and diversification of the local economy**

Further under that objective, Action 4.5 states:

- **Ensure that business taxes, development charges, imposed fees and related costs of expansion remain competitive and are marketed effectively.**

Provided the objective and action approved by Caledon Council, Town of Caledon Economic Development strongly request that fees remain competitive within the within the Greater Toronto Area.

It is recognized the need for cost recovery and for the Region to be accountable to the taxpayer however the analysis must also recognize the cost and impact on lost investment. If municipal government does not provide a business environment that supports investment, that investment goes elsewhere. This experience is then communicated to other businesses and developers and it erodes the reputation for the Region as a place to do business. Region of Peel, City of Mississauga, City of Brampton and Town of Caledon need to be known in the development community as a place that understands business and provides a supportive environment for investment.

Cost of Doing Business

From the information we have received there was no analysis on the impact that increased fees would have on business owners or developers. The Municipal and Regional governments require development charges, cash in lieu of parkland, site plan fees, servicing fees, water and sanitary infrastructure, road widening, building permit fees and the costs associated with the list of studies and plans for approval of their planning applications. The costs have grown exponentially and recently have led to extreme financial strain on several Caledon businesses. At this time support is needed to help business grow and not add to their burden.

Creating an Environment for Business Growth

In relation to the large office study that Region of Peel has been working on, this is an example of how the Region must be competitive. Industrial development activity has been increasing in recent years across the GTA, with an increased focus along the Highway 401 corridor in Mississauga, Brampton and Milton, and in the Highway 400/407 area of Vaughan. Similar trends have been seen in office development as well. The emergence of new office nodes such as Vaughan Metropolitan Centre, Downtown Markham, and Midtown Oakville, place increased competitive pressure on office attraction. It is essential that Mississauga, Brampton and Caledon can be viewed as an attractive location to do business. Our fees and services for businesses must demonstrate that we are the best location for investment, development and growth.



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BUILDING A GREATER GTA
Building Industry and Land
Development Association

June 2, 2020

Chair Iannicca and Members of Council
10 Peel Centre Drive, Suite A and B
Brampton, ON
L6T 4B9

Dear Chair Iannicca and Members of Council,

RE: Peel Region Development Services Fee Review

In Peel region, the building and renovation industry provides over 4.9 billion in investment value and employs over 39,000 people¹. As a simple rule of thumb one crane in the sky is equal to 500 jobs. With approximately 1,500 member companies, BILD is the voice of the home building, land development and professional renovation industry in the Greater Toronto Area and Simcoe County. Residential Construction is a key economic driver to every community in Canada.

On behalf of the Building Industry and Land Development Association (BILD) Peel Chapter members, we would like to take this opportunity to thank Staff for participating in our May 19th Peel Chapter meeting. Their attendance provided our members with the opportunity to hear from Peel Staff and discuss the Region's Development Services fee review, which we understand will be brought forward to Council for approval in June 2020.

Our Association and the Region of Peel have maintained a strong working relationship and we recognize the work involved to undertake this review. We also appreciate this relationship and the subsequent consultation on this item. With that said, from the time of March 18th – when the Region declared the state of emergency – and extending beyond today's date, the reality of our circumstances as we navigate the unknown but significant effects of COVID-19 has required us all to make adjustments.

We respectfully ask that Council defer the review the Development Services fees until this period of disruption due to COVID-19 has passed.

We believe an approach like we have seen in Ontario Regulation 131/20(which resulted in all municipal noise by-laws across Ontario being suspended for the next 18 months) is an example of an effective measure that takes a realistic disruption timeframe into account.

Furthermore, on behalf of the Building Industry and Land Development Association (BILD) and its Peel Chapter members, we submit the following additional comments to you in regards to the Region's Development Services fee review. We believe these items require further dialogue between stakeholders and the Region, and with that, we welcome those conversations.

Fee Cap/Cost Recovery

The Planning Act allows municipalities to charge fees based upon the anticipated costs to process the application. BILD therefore believes that the Region's anticipated cost to process or review an application should not surpass the cost of completing the work by the applicant's consultant. Further, BILD would

¹ Based on 2018 Canadian Mortgage and Housing Corporation and Statistics Canada data

recommend the addition of a capped rate for any fees being charged at a percentage, specifically the fees related to traffic development inspections.

There is an inherent redundancy of costs between the Region and its local area municipalities that should be acknowledged through both the implementation of these fees, and through the anticipated staff time being allocated to these items.

Level of Service

In recognition of the Region's fee recommendations intended to recover the full cost of service, BILD would like to receive further information on the Region's consideration of staff time as a benefit to existing residents. We would like to better understand the consideration of items such as resident inquiries that are not related to a development application, as well as the peripheral relationship of Regional Staff monitoring overall development as a benefit to existing residents and their interests.

In principle, the industry believes that growth must pay for growth, and in turn we also firmly believe that any increase in application fees should be commensurate with the level of service standards and accompanied by a clear rationale. In review of the York Region 2020 fees, our membership requested additional disclosure materials related to staffing and further analysis outlining the methodology of the review. We believe these additional materials and transparency proved commensurate levels of service to the industry. As a result, BILD was able to submit a positive letter to Council.

BILD firmly believes that any increase in fees must always be met with demonstrated improvements to levels of service received by the applicant. BILD would like to ensure that performance measures are implemented with this fee review, and that they involve adherence to timelines and other matters. As it stands today, there have been many changes made to the way applications and permits are being processed to prioritize safety during COVID-19. We believe these changes have translated into a number of streamlining initiatives which have positively impacted performance measures and should therefore reduce the amount of time Staff will require to administer and review files. It is unclear if these impacts have been accounted for in the background study and this furthers our position in requesting a deferral.

As your community building partners, we look forward to a continued positive and transparent working relationship in the years to come. We trust you will find our comments helpful and should you have any questions please do not hesitate to contact the undersigned.

Stay safe and healthy,



Jennifer Jaruczek
Planner, Policy and Advocacy BILD

CC: Gavin Bailey, BILD Peel Chapter Co-Chair
Katy Schofield, BILD Peel Chapter Co-Chair
John Hardcastle, Peel Region
Joe Vieira, Peel Region

Proposed Phased Implementation Strategy

Description	Current Fee	July 1, 2021 (50% change)*	2022 (100% change)
PLANNING APPLICATION FEES			
<i>Existing Fees</i>			
Regional Official Plan Amendment	\$20,000	\$21,050	\$22,100
Local/Area Municipal Official Plan Amendment	\$12,000	\$9,000**	\$9,000
Plan of Subdivision	\$20,000	\$20,000	\$20,000
Plan of Condominium	\$3,000	\$3,350	\$3,700
Full Site Plan (Prior to Agreement) - New non-residential or expansions (>500 sq. m) - Multi-residential built forms (e.g. townhouses, stacked houses, apartments) - 2+ residential units (e.g. townhouses, stacked houses, apartments, single/semi-detached dwellings)	\$1,000 (2020 interim fee)	\$2,050	\$3,100
Scoped Site Plan (Prior to Agreement) - New non-residential or expansions (<500 sq.m)	\$500 (2020 interim fee)	\$1,100	\$1,700
Limited Site Plan (Prior to Agreement) - Site alterations - Single/semi detached dwellings - Telecommunications towers - Oak Ridges Moraine	\$500 (2020 interim fee)	No charge	No charge
Agreement Review and Execution	\$2,000	\$2,100	\$2,200
Potential New Fees			
Consent	-	\$700	\$1,400
Minor Variance	-	No charge	No charge
Zoning By-law Amendment	-	\$2,350	\$4,700
Secondary Plan Amendments	-	\$7,400**	\$7,400
Part Lot Control	-	No charge	No charge
Niagara Escarpment Commission Dev Permits	-	No charge	No charge
Permit to Take Water	-	No charge	No charge
Environmental Compliance Approvals	-	No charge	No charge
Non-Potable Groundwater	-	No charge	No charge
TRAFFIC DEVELOPMENT FEES			
Site Plan Review/Development Applications/ Engineering & Inspection Fees	7% or minimum charge of \$1,724.40	8.91% or minimum charge of \$1,724.40	10.8% or minimum charge of \$1,724.40
Legal Letters (Access/Service Compliance Letters)	\$308	\$988	\$1,667
Temporary Access Fees	\$334	\$1,137	\$1,940
Road Occupancy Permit- Development/Construction Related	\$450	\$980	\$1,509

*50% of all applicable proposed fee increases are proposed for July 1, 2021, fee reductions are proposed to be enacted upon the passing of the 2021 annual amendments to the Regional User Fees and Charges By-law

**Proposed to be enacted upon the passing of the 2021 annual amendments to the Regional User Fees and Charges By-law

To: Deibler, Nicholas;
Subject: RE: [EXTERNAL]#ozs-2020-0014

From: Anthony D'Costa <>
Sent: 2020/08/07 2:14 PM
To: Planning Development <Planning.Development@brampton.ca>
Subject: [EXTERNAL]#ozs-2020-0014

Can you please explain the logic in putting this lousy, measly 12 storey-apartment building right beside my \$1 million dollar neighbourhood? If you want to put a building here make it appealing like square one. You are making a bad thing worse.

Anthony

Get [Outlook for iOS](#)

To: Deibler, Nicholas;
Subject: RE: [EXTERNAL]File # OZS-2020-0014

From: arun sahani <>
Sent: 2020/10/13 6:15 PM
To: Planning Development <Planning.Development@brampton.ca>
Subject: [EXTERNAL]File # OZS-2020-0014

Hi There

One of my clients wants to buy property on Byville Crt. Brampton. We saw a notice on the fence that a 12-story high rise building is proposed next to the property that might affect value of the property which my client is looking to Buy. After speaking to neighbors in the area, I have come to know that most of the neighbors do not like this proposal when city send them notices for their opinion.

With this email, I need to know what is the current application to this application ? Has city of Brampton approved this plan or in consideration of approval ?

Please reply to this email or call me at for details of this proposal at the earliest as my client's decision to buy property is pending on this information.

Thanks

Arun Sahni CPM

Real Estate Broker and Certified Property Manager

To: Deibler, Nicholas;
Subject: RE: [EXTERNAL]OZS-2020-0014

From: Harb Hundal <>
Sent: 2020/08/28 6:54 PM
To: Planning Development <Planning.Development@brampton.ca>
Subject: [EXTERNAL]OZS-2020-0014

Planning and Development Services,

Please send me the notice for the above mentioned reference and provide details on appeal process.

Thank you,
Harb Hundal

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Harb Hundal

To: Deibler, Nicholas; t
Subject: RE: [EXTERNAL]File #: OZS-2020-0014

From: Jeven Tumber < >
Sent: 2020/09/08 6:24 PM
To: Planning Development <Planning.Development@brampton.ca>
Subject: [EXTERNAL]File #: OZS-2020-0014

Hi,
I am a resident at _____, Brampton for the past 5 years.
Residents of Allegro Drive have seen the sign for zoning proposal of a 12 story building with ground level shops planned to be built.
Myself including many residents feel as this building would not be suitable for the area as it will create privacy issues from the building tenants on higher floors being able to see into the houses front and backyards, it will take away from the open views of the area, cast a shadow over the nearby homes and the protected CreditValley lands. Having shops at ground level will create more traffic, garbage and pollution in the area affecting the CreditValley reserve and the many animals living within it. If a thruway is created through Allegro, that will create more vehicle traffic, take up limited street parking affecting the residents and the CreditValley reserve.
We as residents of Allegro Drive moved into this location and paid the extra premium for the ravine lots to have the feeling of country living and privacy while living in the suburbs. The proposed highrise 12 story building takes away from that concept and will be a large eye sore within our neighborhood.
Thank you.

To: Deibler, Nicholas; navdeep dhaliwal
Subject: RE: [EXTERNAL]City File#OZS-2020-0014

From: navdeep dhaliwal <
Sent: 2020/11/18 3:34 PM
To: Deibler, Nicholas <Nicholas.Deibler@brampton.ca>
Subject: [EXTERNAL]City File#OZS-2020-0014

Good Day,

I have recieved this notice today in mail. I wish to attend this virtual meeting & have some concerns to present . I could not find detail design document of proposed project as it seems to be missing in the drop down list.

Can you send me these details or link for review?

Thank you

Navdeep Dhaliwal

To: Jenkins, Dana; Deibler, Nicholas
Subject: RE: [EXTERNAL]File # OZS-2020-0014 RESIDENT FOLLOW-UP

From: Randy Sampath < >
Sent: 2020/08/04 11:25 AM
To: Planning Development <Planning.Development@brampton.ca>
Subject: [EXTERNAL]File # OZS-2020-0014

Hello,

Would it be possible to get some more or all Proposed information on this Plan and Zoning By-Law Amendment.

Some site Plans would be greatly appreciated also Approval Dates by the City

Registered Owner: 2613494 Ontario Inc.
Applicant: Evans Planning Inc.

From: Area Resident
Randy Sampath.

To: gina rosetta ruocco-osborne
Subject: RE: [EXTERNAL]Re: Fwd: File# OZS 2020 0018, Ward 5

From: gina rosetta ruocco-osborne < >
Date: November 16, 2020 at 12:16:36 PM EST
To: nikita.jagtiani@brampton.ca
Subject: File# OZS 2020 0018, Ward 5

Here are my concerns: the increasing traffic on Creditview both South and North
We were told by city Planners years ago, that Creditview would not go into Williams Parkway to reduce traffic and try and keep Creditview a heritage road.

Since 2019, we have had many new development proposals in this area, some residential houses being built, a new school on Fallowfield, a proposed school on Creditview and a new plaza with condo units.

This will make the corner of Creditview and Queen very dangerous due to increased traffic. I have already added my concerns each time a proposal is sent that since we will be the only pre existing house at the corner, our home no longer feels safe and each time a new development happens, it increases our anxieties for safety in entering/ exiting our property. The planning department needs to evaluate all proposed upcoming development as a whole and not in little parts to ensure that traffic can move safely and those of us so close to the lights have still some rights about safety.

Regards
Gina Ruocco-Osborne

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