

Date: 2023-12-13

File: **OZS-2023-0033**

Subject: **RECOMMENDATION REPORT**

Application to Amend the Zoning By-law and for a Draft Plan of Subdivision

(To permit thirty-four (34) semi-detached dwellings, the completion of Nathaniel Crescent and a buffer block to complete the existing Mahogany Subdivision)

Glen Schnarr and Associates Inc. – Paradise Homes Mahogany.

7896 Mavis Road

Ward: 4

Contact: Arjun Singh, Development Planner, Development Services

Mana Zavalat, Manager, Development Services

Report Number: Planning, Bld & Growth Mgt-2024-012

Recommendations:

1. That the report from Arjun Singh, Development Planner, Development Services to the Planning and Development Committee of January 15th, 2024, re: **Recommendation Report**, Application to Amend the Zoning By-Law and for a Draft Plan of Subdivision, **Glen Schnarr and Associates Inc. - Paradise Homes Mahogany Inc.**, 7896 Mavis Road, Ward 4, be received;
2. That the application for an Amendment to the Zoning By-law and for a Draft Plan of Subdivision submitted by Glen Schnarr and Associates Inc., on behalf of Paradise Homes Mahogany Inc. (File: OZS-2023-0033) 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, and for the reasons set out in this Recommendation Report;

3. That the amendment to the Zoning By-law, generally in accordance with the attached Attachment 10 to this report be adopted; and,
4. That no further notice or public meeting be required for the attached Zoning By-law Amendment pursuant to Section 34 (10.4) of the Planning Act, R.S.O., as amended.

Overview:

- **The applicant submitted an application to amend the Zoning By-Law and a Draft Plan of Subdivision to permit the development of 34 semi-detached dwellings, the completion of Nathaniel Crescent, 1 buffer block, and corresponding roadway and widening blocks.**
- **The property is designated ‘Residential’ on Schedule A ‘General Land Use Designations’ in the City of Brampton Official Plan. The property is sub-designated ‘Medium Density Residential’ in the Bram West Secondary Plan (SP40c). An Amendment to the Official Plan and Secondary Plan is not required to facilitate the proposal.**
- **The proposal contemplates the completion of the existing Mahogany subdivision (City File T03W15.007 and Regional File 21T-01013B).**
- **The property is split zoned ‘Agricultural’ (A) and ‘Residential Extended Zone – Special Section 2774’ (R2B-2774) as per Zoning by By-law 270-2004, as amended. An amendment to the Zoning By-Law is required to permit the development. The draft Zoning By-Law is attached as Attachment 10.**
- **A Statutory Public Meeting for this application was held on August 22nd, 2022. One member of the public was present to delegate on this item. Additionally, four (4) written submissions were received by members of the public. Details of the Statutory Public meeting are included in Attachment 8 of this report.**
- **The proposal represents good planning, 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 and Brampton Official Plan.**
- **The proposal is consistent with the Strategic Focus Area - Growing Urban Centres & Neighbourhoods. The proposal will facilitate an economy that thrives with communities that are strong and connected.**

Background:

The Pre-Consultation application for the subject property was submitted on June 15th, 2023, and a Pre-Consultation Meeting was held on July 5th, 2023 where staff identified submission requirements and provided the applicant with a Pre-Development application checklist. Glen Schnarr and Associates Inc., on behalf of Paradise Homes Mahogany Inc. submitted an application to amend the Zoning By-law and for a Draft Plan of Subdivision on September 15th, 2023.

The application was deemed Complete in accordance with the requirements of the *Planning Act* and a formal Notice of Complete Application was issued on September 20th, 2023. The Statutory Public Meeting for the application was held at the Planning and Development Committee on October 23rd, 2023. There were 4 letters of correspondence received and one member of the public was present who spoke at the meeting. Details of the Statutory Public meeting are included in Attachment 8 of this report.

Current Situation:

Proposal (Attachment 1):

The subject property is municipally addressed as 7896 Mavis Road, located on the west side of Mavis Road, south of Steeles Avenue West. The proposal seeks to permit the development of full and part lots for semi-detached homes, the completion of Nathaniel Crescent, road widening blocks, and a buffer block. A total of 34 semi-detached residential units are proposed within the Draft Plan of Subdivision in combination with the existing part lots under the same ownership.

Details of the proposal are as follows (please refer to Attachment 1, 1A, and 1B):

- Lot Breakdown:
 - 6 semi-detached blocks (0.247 ha.)
 - 6 residential reserve blocks (0.136 ha.)
 - 1 road block (0.194 ha.)
 - 1 road widening blocks (0.028 ha.)
 - 1 buffer block (0.026 ha.)
- Total Unit Breakdown:
 - 34 Semi-Detached Units
- A previous Zoning By-Law Amendment application and Draft Plan of Subdivision (City File T03W15.007, Regional File 21T-01013B) created 10 residential reserve lots (Attachment 1A) which will be able to be merged with the proposed development lots to facilitate their development. It is anticipated that Part Lot Control applications will be required to facilitate the development of the part lots.

Property Description and Surrounding Land Use (Please refer to Attachment 6):

The lands have the following characteristics:

- are municipally known as 7896 Mavis Road;
- have a total lot area of approximately 1.03 hectares;
- have a frontage of approximately 60.96 metres along Mavis Road;
- is currently occupied by a single detached dwelling; and
- access to the site is currently from Mavis Road.

The surrounding land uses are described as follows:

North: Existing low rise residential beyond which is a commercial plaza;

South: Existing low rise residential, beyond which is a place of worship and cemetery;

East: Existing low rise residential;

West: Existing low rise residential

Summary of Recommendations

This report recommends that Council endorse the approval of the proposed Zoning By-law Amendment and Draft Plan of Subdivision Application. This report further recommends that Council approve the Zoning By-law amendment generally in accordance with the attached Attachment 10.

The proposed development represents good planning, is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, and the City of Brampton Official Plan – see associated details in Attachment 7 – Detailed Planning Analysis.

Application to Amend the Zoning By-law:

The subject property is zoned 'Agricultural' (A) and 'Residential Extended Zone – Special Section 2774' (R2B-2774) as per Zoning By-law 270-2004, as amended. The Agricultural Zone permits primarily agricultural uses and limited non-agricultural uses such as; single detached dwelling supportive housing residence, home occupation, cemetery, animal hospital and kennel. The existing part lots are zoned R2B-2774, which permits a single detached dwelling, semi-detached dwelling, and supportive housing residences. A Zoning By-law amendment is required to permit the proposed development.

The proposed Zoning By-law Amendment will rezone the subject lands to 'Residential Extended Zone' special section (R2B-3755) as well as a 'Open Space' (OS) zone to permit the buffer block between Mavis Road and the proposed development. The site-specific zoning will include performance standards to regulate building height, building setbacks, garage widths, encroachments, and other items as attached in Attachment 10 to this report.

Reduced Rear Yard Setback & Garage Width

The Draft Zoning By-Law Amendment proposes a minimum Rear Yard Depth of 6.5 metres. The existing zoning bylaw for adjacent site in this area require a 7.5 metres rear yard setback which may be reduced to a minimum of 6.0 metres for a dwelling unit provided that the area of the rear yard is at least 25% of the minimum required lot area. The proposed semi-detached units with 6.5m rear yard setback proposed will be compatible and complimentary to the existing built form and lotting in the Mahogany Subdivision. The applicant has also proposed a reduced garage width of 2.8 metres. The reduced width helps ensure that the proposed architectural design conforms to the built form of the existing Mahogany subdivision. The garage will still be accessible for the parking of vehicles and future residents will have access to a functional parking space provided on the driveway of the lot.

Through staff discussion with Paradise Homes, it was agreed upon that the Home Buyers Information Map and Purchase and Sale agreement will include a clause/condition advising potential purchasers of the reduced rear yard setbacks and garage widths.

Planning Analysis Summary:

The proposed Zoning By-law amendment is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, as well as the City and Region's Official Plan. The application also has regard for matters of provincial interest under Section 2 of the Planning Act.

The application proposes to amend the Zoning By-law from an 'Agricultural' and 'Residential Extended Zone – Special Section 2774' to a 'Residential Extended Zone' with a special section and an Open Space zoning designation. The proposed Zoning By-Law Amendment will result in the redevelopment of an underutilized site and contribute to the creation of new housing supply, assisting the City towards meeting it's housing pledge of creating 113,000 new housing units by 2031.

Additional information with respect to individual policies is provided in Attachment 7 (Detailed Planning Analysis).

Matters of Provincial Interest:

Planning Act, (2020):

This development proposal has regard for matters of Provincial interest as set out in Section 2 of the Planning Act. The proposed development adequately provides and efficiently uses existing infrastructure and ensures the orderly development of safe and healthy communities by providing a residential development in an area planned for a diversity of land uses. The subject property also directly abuts public transit service routes.

Staff are satisfied that the proposed development has regard to matters of provincial interest as set out in Section 2 of the Planning Act.

Provincial Policy Statement (PPS), (2020):

Section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act. The Provincial Policy Statement (PPS) provides direction on matters of provincial interest related to land use planning and development. The application is consistent with *Section 1.1.1, 1.1.3, 1.4.1, 1.4.3, and 1.6.7.2* of the PPS which speaks to promoting efficient development and land use patterns over the long term by providing residential intensification with a variety of unit mixes that will connect with municipal infrastructure, services, and amenities. The proposal will also allow for an appropriate and supportable form of residential intensification that will promote surrounding transit within an area of Brampton that is predominantly occupied by single-detached and semi-detached residential dwellings. The proposed development will be in close proximity to existing transit which aligns with *Sections 1.4.3(e), 1.6.7.2 and 1.8.1e*.

Staff is satisfied that the proposed development is consistent with the applicable sections of the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, (2020):

The Growth Plan for the Greater Golden Horseshoe includes policy and direction intended to accommodate and forecast growth in complete communities. These are communities that are well designed to meet people's needs for daily living by providing convenient access to local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes. The subject property is located within the Built-up Area – Conceptual of the Growth Plan and will contribute to achieving a complete community in accordance with *Sections 2.2.1.2, 2.2.1.4, 2.2.6.2, and 2.2.6.3* through optimization of land use and overall expansion of land use diversity through the introduction of residential uses of varying densities. The recommendations conform to the applicable sections of the Growth Plan.

Staff is satisfied that the proposed development is consistent with the applicable sections of the Growth Plan.

Region of Peel Official Plan:

The Regional 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”, “Built-up Area” and “Greenlands System” designation in the Regional Official Plan. The site is also in proximity to the Other Rapid Transit Corridors along Mavis Road and Steeles Avenue West. The proposed Zoning By-law Amendment and Draft Plan of Subdivision conforms to the Regional Policies with respect to healthy communities, achieving a mix of land uses in appropriate areas that will optimize the use of underutilized and vacant land, utilize planned infrastructure. Staff is satisfied that the proposed development conforms to the Region of Peel Official Plan.

Staff is satisfied that the proposed development is consistent with the applicable sections of the Region of Peel Official Plan.

City of Brampton Official Plan:

The City of Brampton Official Plan provides guidance and policies for the future of the City. The proposal is consistent with the Official Plan as it meets the intent of the plan regarding the type of development and that the environmental policies are met, the design of the development is consistent with the policies and that all technical matters have been resolved.

The lands are designated “Residential” on Schedule A – General Land Use Designations of the City of Brampton Official Plan. The ‘Residential’ designation permits predominantly residential land uses including a full range of dwelling types ranging from single detached dwellings to high-rise apartments as well as parks and other associated uses. The proposal conforms to the “Residential” designations of the Official Plan. The Draft Plan of Subdivision includes semi-detached units to add to the variety of housing types and built form in the City.

Staff is satisfied that the proposed development conforms to the City of Brampton Official Plan.

Bram West Secondary Plan (Area 40c):

The subject lands are designated as ‘Medium Density Residential’ within the Secondary Plan.

The proposal will provide appropriate residential intensification while accommodating a mix of housing types and a variety of built form in the City that are in conformity with the existing land use designation. The subject development proposed semi-detached units which are in conformity to the residential uses as identified in Section 5.0 of the Official Plan. Under Policy 3.4.12 of the Secondary Plan a proposal for Medium Density development must have a 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 proposed a buffer

block between the dwelling units, adjacent to Mavis Road which is a major arterial road. The proposed development also remains consistent with the existing built form of the area as the surrounding context contains both semi-detached and single detached units. The proposal will complement the existing subdivision through both typology (confirmed through the Draft Zoning By-Law) and architectural treatment (confirmed through the Urban Design Brief).

Staff is satisfied that the proposed development conforms to the Secondary Plan.

City of Brampton Zoning By-law 270-2004

The property is zoned "Agricultural (A)" and "Residential Extended Zone – Special Section 2774 (R2B-2774)" by By-law 270-2004, as amended. These zones generally allow for the development of agricultural uses in addition to a single detached dwelling while the R2B-2774 Zone allows for semi-detached units.

An amendment to the Zoning By-law is required to rezone the lands to facilitate the proposed subdivision. The proposed By-law includes development standards such as a lot widths and setbacks, heights, and uses of the subject lands. An Open Space (OS) zone is also proposed for the accompanying buffer along Mavis Road.

The detailed planning analysis (Attachment 7) includes a detailed overview of the Zoning By-law Amendment. The development standards are included in the proposed Zoning By-law Amendment as shown in Attachment 10 – Draft Zoning By-law Amendment.

Staff is satisfied with the proposed Zoning provisions for the development of the lands.

Community Engagement

The application was circulated to City Departments, commenting agencies, and property owners within 240 metres of the subject lands in September 2023, 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 Attachment 9 to this report. Notice signs were placed on the subject lands to advise members of the public that the application had been filed with the City.

A Statutory Public Meeting for this application was held on October 23rd, 2023. There were two members of the public in attendance to speak to this item at the statutory public meeting. Four letters of written correspondence were received from members of the public.

The following concerns were raised through the receipt of the above noted submissions:

1. Health and Safety (Noise, Dust, and Trucks)
2. Construction Timing

Detailed engineering and design works will be completed prior to the issuance of final approval/registration of the plan of subdivision, which will include a Construction Management Plan that is to be approved. This plan will identify appropriate mitigation measures from the construction of the proposed development. Timing of trucks entering and exiting the site as well as construction impacts with regards to noise and dust will be managed through the plan.

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.

Strategic Focus Area:

The application is consistent with the Strategic Focus Area - Growing Urban Centres & Neighbourhoods. This development proposal will facilitate the development of underutilized lands and will assist in growing of Brampton's economy by helping to create complete communities that are strong and connected.

Living the Mosaic – 2040 Vision

This report directly aligns with the vision that Brampton will be a mosaic of complete neighbourhoods and vibrant centres by completing the existing Mahogany subdivision. This report has been prepared in full consideration of the overall vision that the people of Brampton will 'Live the Mosaic'.

Conclusion:

Staff is satisfied that the proposed Zoning By-law amendment represent good planning, as it is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Peel Region Official Plan, and is in keeping with the general principles of the Brampton Official Plan.

This report recommends that Council enact the Zoning By-law Amendment attached hereto as Attachment 10 as the following criteria have been met:

- the proposed development takes advantage of an underutilized site to provide a development that is aligned with the applicable policies;
- the proposed development remains consistent with the existing built form through both typology and architectural treatment; and

- as confirmed through the circulation of the applications, all financial and technical requirements have been addressed.

In summary, the applications are appropriate for the orderly development of the lands and represent good planning.

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Marlon Kallideen
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City of Brampton

Attachments:

- Attachment 1 – Draft Plan of Subdivision
- Attachment 1A – Concept Plan
- Attachment 1B – Concept Renderings
- Attachment 2 – Location Map
- Attachment 3 – Official Plan Designations
- Attachment 4 – Secondary Plan Designations
- Attachment 5 – Zoning By-law Designations
- Attachment 6 – Aerial & Existing Land Use
- Attachment 7 – Detailed Planning Analysis
- Attachment 8 – Results of Public Meeting
- Attachment 9 – Results of Application Circulation

- Attachment 10 – Draft Zoning By-law Amendment
- Attachment 10A - Draft Zoning By-Law Amendment Key Map
- Attachment 10B - Draft Zoning By-Law Amendment Schedule A
- Attachment 11 – Draft Conditions of Draft Plan Approval
- Attachment 12 – Sustainability Score and Summary