
Subject: City of Brampton - City-Initiated Zoning By-law Amendments - Garage Parking Spaces (703958)

From: Alex Lusty

Sent: Tuesday, January 30, 2024 6:38 PM

To: Jaswal, Gagandeep <Gagandeep.Jaswal@brampton.ca>

Cc: Mazeda Chowdhury <mazedac@davieshowe.com>

Subject: RE: [EXTERNAL]City of Brampton - City-Initiated Zoning By-law Amendments - Garage Parking Spaces (703958)

Good Evening Gagandeep,

Please find attached a replacement, revised, version of our earlier communication, having minor modifications to the number of single detached homes and two additional areas of potential negative impact described.

This communication may be published as part of the City's agendas as needed.

Kind regards,

January 30, 2024

By E-Mail Only to cityclerksoffice@brampton.ca

His Worship Mayor Patrick Brown and Members of Council
Corporation of the City of Brampton
2 Wellington Street West
Brampton, ON L6Y 4R2

Attention: Mr. Peter Fay, City Clerk

Your Worship and Members of Council

**Re: City-Initiated Zoning By-law Amendments
City Report No.: Planning, BLG & Growth Mgt-2024-064
Proposed Interior Garage Parking Space Zoning Standards**

We are counsel to Crystal Homes (Wildflowers) Corporation ("**Crystal Homes**"), the owner of 1626, 1646, and 1654 Queen Street West in the City of Brampton (the "**Crystal Homes Lands**").

On November 1, 2023 Council approved Zoning By-law 186-2023 for the Crystal Homes Lands, which contained site-specific townhouse and single detached residential zones (see enclosed decision). Zoning By-law 186-2023 did not include an increase to the then current minimum 2.7m by 5.4m interior garage parking space requirement in the Zoning By-law.

Crystal Homes has since become aware of the City's proposal to increase the minimum interior garage parking space dimensions from a minimum of 2.7m by 5.4m to 3.3m by 7.0m.

Crystal Homes' now approved zoning allows for 60 townhouses and 1 single detached dwelling which would be negatively impacted by the new minimum interior garage parking space requirements as a result of:

- Reduced space available for living area in each dwelling;
- Less efficient use of land for accommodating growth;
- Negative servicing impacts, including reduced feasibility of low impact design measures;
- Restricted design flexibility; and,
- Increased visual impact of garages on the streetscape.

The transition provision is inadequate since it would only apply to developments that have already achieved legal non-conforming status by securing building permits before January 1, 2025. The rationale provided for the transition provision is that it provides a year for developments in process to obtain building permits. That timeline is not adequate given the complexity and delay often encountered in the final stages of development approval.

Given Crystal Homes' recent site-specific zoning by-law approval where interior garage parking space issues were not raised, and the desire to avoid encountering zoning issues caused by the inadequate transition provision, Crystal Homes requests a site-specific exemption from the increased requirements now proposed.

Thank-you for the opportunity to provide these comments. Please add the undersigned to the notification list related to this matter.

Yours truly,
DAVIES HOWE LLP



Alex Lusty

encls.: as above

copy: David McKay, MHBC Planning
Client

**Adoption of Official Plan Amendment OP2006-257 (By-law 185-2023)
and Zoning By-law 186-2023**

1626, 1646, and 1654 Queen Street West

Date of Decision: November 1, 2023

Date of Notice: November 14, 2023

Last Date of Appeal: December 4, 2023

On the date noted above, the Council of The Corporation of the City of Brampton passed By-law 185-2023, to adopt Official Plan Amendment OP2006-257, and By-law 186-2023, to amend Comprehensive Zoning By-law 270-2004, under sections 17 and 34, respectively, of the *Planning Act* R.S.O., c.P.13, as amended, pursuant to an application by MHBC Planning Limited., c/o Crystal Homes, Ward 5 (File: OZS-2020-0029).

This official plan amendment is exempt from approval by the Region of Peel and the decision of Council is final if a notice of appeal is not received on or before the last day for filing such notice.

The Purpose and Effect of the Official Plan Amendment: To amend the Credit Valley Secondary Plan (SP 45) to permit low and medium density residential and accessory uses and to amend Schedule SP45(A) to the Credit Valley Secondary Plan to delete “Executive Residential”, “Springbrook Settlement Area” and “Neighbourhood Park”, and add “Springbrook Tertiary Plan”, “Medium Density Residential (Mid-Rise)”, “Medium Density Residential”, “Secondary Valleyland” and “Parkette” as shown and outlined on Schedule A to this By-law, and amend Schedule SP45(B) to the Credit Valley Secondary Plan to delete “Low-Medium Density Residential” and add “Springbrook Tertiary Plan” and “Medium Density Residential (Mid-Rise)” as shown and outlined on Schedule B to this By-law.

The Purpose and Effect of the Zoning By-law Amendment: To change the zoning designation of the lands to permit low and medium density residential development as shown and outlined on Schedule A to this By-law from Residential Hamlet One (RHM1) to Residential Apartment A (Holding) – Section 3721 (R4A (H) – 3721), Residential Townhouse B (Holding) – Section 3722 (R3B (H) – 3722), Residential Single Detached A – Section 3723 (R1A-3723) (H), Open Space (OS), Open Space – Section 3724 (OS-3724), and Floodplain (F) to permit an apartment building, street townhouses, a single detached house, a stormwater management or other flood and erosion control facilities on the subject lands.

Location of Lands Affected: north side of Queen Street West and west of Creditview Road, legally described as Part of Lot 6, Concession 4, West of Hurontario Street, and municipally known as 1626, 1646, and 1654 Queen Street West.

Obtaining Additional Information: A copy of the by-laws is provided. The complete by-laws and background materials are available for inspection in the City Clerk's Office during regular office hours, or online at www.brampton.ca. Any further inquiries or questions should be directed to Edwin Li, Planner, Planning, Building and Growth Management Services at 905-874-2292 or Edwin.Li@Brampton.ca.

Any and all written submissions relating to this application that were made to Council and the Planning and Development Committee before its decision and any and all oral submissions related to this application that were made at a public meeting, held under the *Planning Act*, have been, on balance, taken into consideration by Council as part of its deliberations and final decision on this matter.

There are no other applications under the *Planning Act*, pertaining to the subject lands.

When and How to File an Appeal: Any appeal of the official plan amendment or zoning by-law to the Ontario Land Tribunal (OLT) must be filed with the Clerk of the City of Brampton **no later than December 4, 2023**, shown above as the last date of appeal. An appeal form is available from the OLT website at <https://olt.gov.on.ca/appeals-process/forms/>.

The Notice of Appeal must:

- (1) set out the reasons for appeal; and,
- (2) be accompanied by the fee required by the Ontario Land Tribunal in the amount of \$1,100.00 payable by certified cheque or money order to the Minister of Finance, Province of Ontario. A copy of the Ontario Land Tribunal Fee Schedule may be found at <https://olt.gov.on.ca/appeals-process/fee-chart/>

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal (OLT). A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

Notice of Appeal may be hand delivered to:

City of Brampton
Office of the City Clerk
2 Wellington St. W.,
Brampton, ON L6Y 4R2
905.874.2116



THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 185 - 2023

To adopt Amendment Number OP 2006-257 to the Official Plan of the City of
Brampton Planning Area.

WHEREAS the Council of the Corporation of the City of Brampton in accordance with the provisions of the Planning Act R.S.O. 1900, c.P. 13, hereby ENACTS as follows:

1. Amendment Number OP 2006-257 to the Official Plan of the City of Brampton Planning Area is hereby adopted and made part of this by-law.

ENACTED and PASSED this 1st day of November, 2023.

Approved as to
form.

2023/10/25

SDSR

Approved as to
content.

2023/10/23

AAP

Patrick Brown, Mayor

Peter Fay, City Clerk

(OZS-2020-0029)

AMENDMENT NUMBER OP 2006- 257

TO THE OFFICIAL PLAN OF THE
CITY OF BRAMPTON PLANNING AREA

1.0 Purpose:

The purpose of this amendment is to revise the Credit Valley Secondary Plan land use designations and policies for the subject lands outlined on Schedules A and B to this amendment to reflect a residential development with mid-rise, townhouse and single detached buildings on the subject lands.

2.0 Location:

The lands subject to this amendment are located on the north side of Queen Street West and west of Creditview Road. The subject lands have a frontage of approximately 142 metres (466 feet) on Queen Street West. The subject lands are legal described as Part of Lot 6, Concession 4, West of Hurontario Street, in the City of Brampton.

3.0 Amendments and Policies Relative Thereto:

3.1. The document known as the 2006 Official Plan of the City of Brampton Planning Area is hereby amended by adding to the list of amendments pertaining to Secondary Plan Area Number 45: Credit Valley Secondary Plan as set out in Part II: Secondary Plans thereof, Amendment Number OP 2006- 257 .

3.2 The portions of the document known as the 1993 Official Plan of the City of Brampton Planning Area, which remain in force, as they relate to the Credit Valley Secondary Plan, being Chapter 45 of Part Two: Secondary Plans, as amended, are hereby further amended:

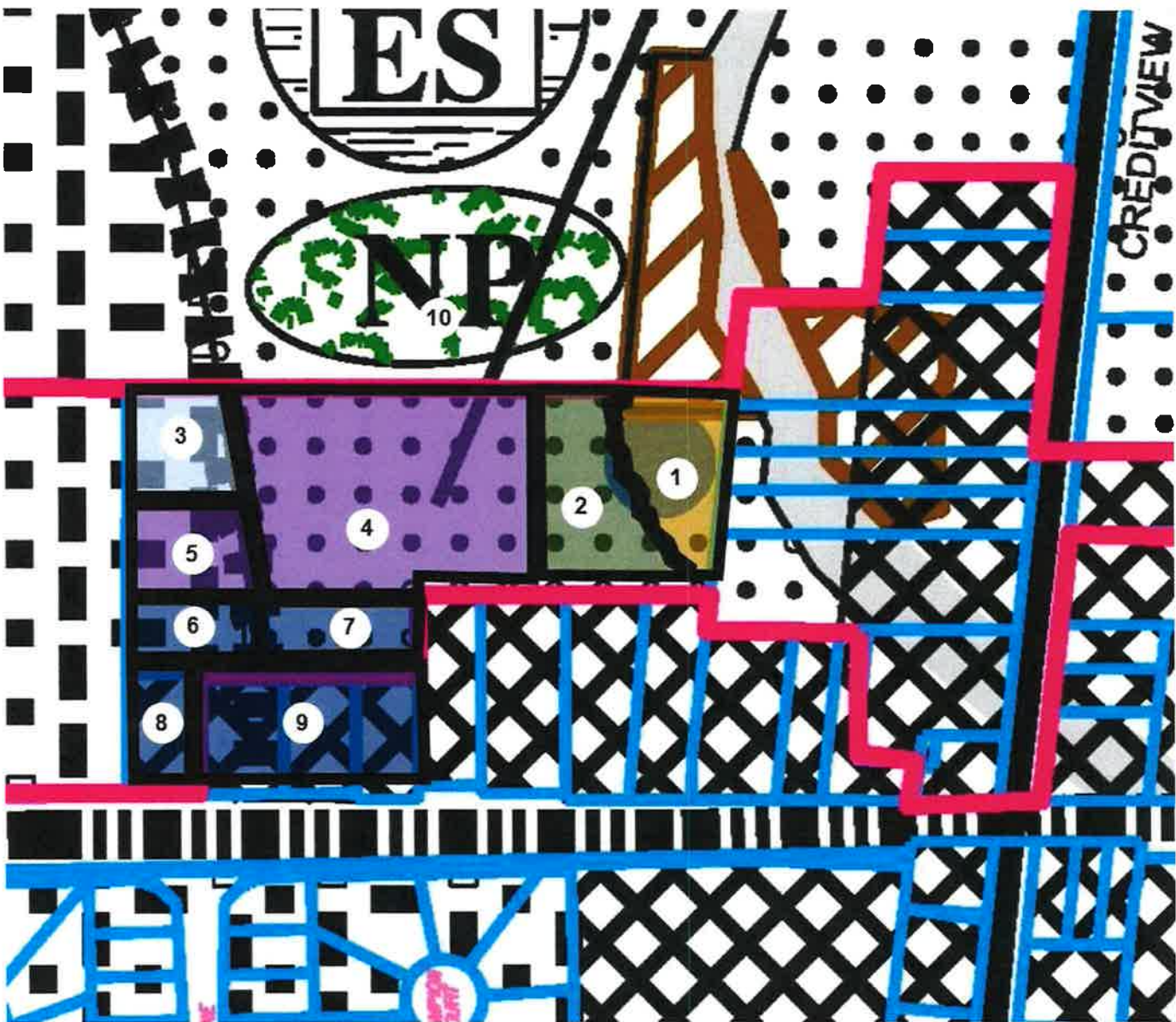
a. By amending Schedule SP45(A) to the Credit Valley Secondary Plan the land use designations:

- i. to delete "Low Density 1" and add "Secondary Valleyland" as shown on Schedule A to this amendment;
- ii. to delete "Low Density 1" and add "Parkette" as shown on Schedule A to this amendment;
- iii. to delete "Executive Residential" and add "Low Density 1" as shown on Schedule A to this amendment;
- iv. to delete "Low Density 1" and add "Medium Density Residential" as shown on Schedule A to this amendment;
- v. to delete "Executive Residential" and add "Medium Density Residential" as shown on Schedule A to this amendment;
- vi. to delete "Executive Residential" and add "Medium Density Residential (Mid-Rise)" as shown on Schedule A to this amendment;
- vii. to delete "Low Density 1" and add "Medium Density Residential (Mid-Rise)" as shown on Schedule A to this amendment;
- viii. to delete "Springbrook Settlement Area" and add "Medium Density Residential (Mid-Rise)" as shown on Schedule A to this amendment; and,
- ix. to delete "Springbrook Settlement Area" and add "Springbrook Tertiary Plan" and "Medium Density Residential (Mid-Rise)" as shown on Schedule A to this amendment;

- b. By amending Schedule SP45(A) to the Credit Valley Secondary Plan, to delete the “Neighbourhood Park (NP)” designation as shown on Schedule A to this amendment;
- c. By amending Schedule SP45(B) to the Credit Valley Secondary Plan:
 - i. to delete “Low-Medium Density Residential” and add “Medium Density Residential (Mid-Rise)” as shown on Schedule B to this amendment; and,
 - ii. to add “Springbrook Tertiary Plan” and “Medium Density Residential (Mid-Rise)” as shown on Schedule B to this amendment;
- d. By adding the following as Section 5.2.4. and renumbering the subsequent sections:

5.2.12 Medium-High Density Residential (Mid-Rise)

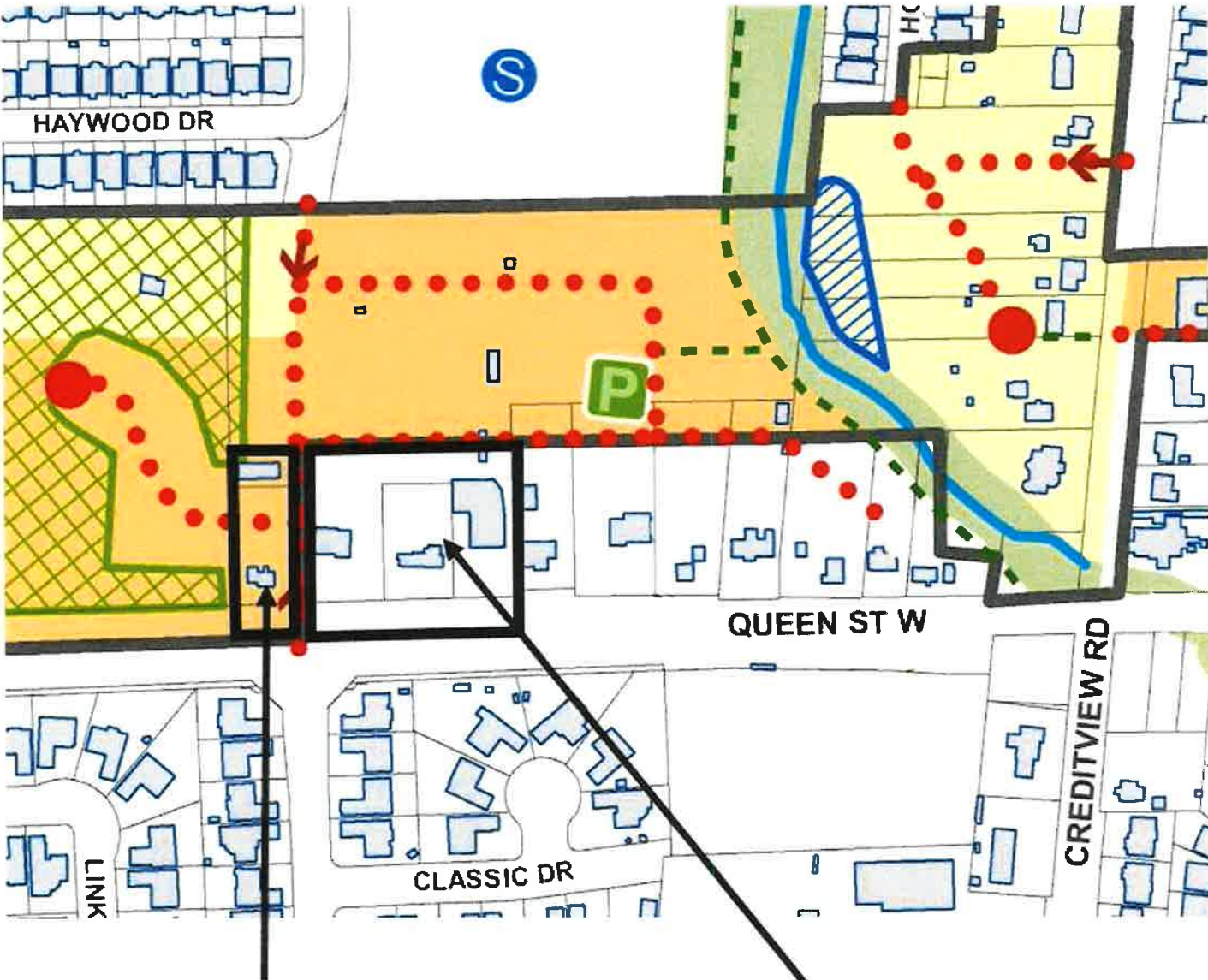
- 5.2.12.1 Development on lands designated Medium-High Density Residential (Mid-Rise) on Schedule SP45(A) shall be subject to Section 5.2.1 of this Chapter and the following:
 - i) Mid-rise residential apartment buildings ranging between five (5) to twelve (12) storeys in height is the permitted building type;
 - ii) Commercial or institutional uses and street frontage, or alternatively convertible frontage, are encouraged at grade fronting onto a public street. Convertible frontage at grade shall mean residential frontage that is designed and permitted to transition to retail, commercial or institutional frontage in the future;
 - iii) Notwithstanding (i) above, a below-grade stormwater management facility and ancillary structures are also permitted on lands municipally known as 1654 Queen Street West;
 - iv) Urban Design policies under Development Policies in Section 5.2.7.3 of this plan shall apply;
 - 5.2.12.2 Lands designated Medium-High Density Residential (Mid-Rise) within the Springbrook Tertiary Plan shall be developed in accordance with the Medium Density Residential (Mid-Rise) policies and other policies of Section 5.2.7.3 of this plan;
 - 5.2.12.3 Where water, wastewater, and stormwater servicing improvements are required by the development, cost appointment and construction requirements will be secured through cost-sharing agreements or any other agreements as deemed to be appropriate by the City of Brampton and the Region of Peel;
 - 5.2.12.4 In accordance with Section 4.12 and other relevant policies of the Official Plan, the City and the Region may require servicing or phasing agreements with developers as conditions of approvals to ensure that development only proceeds in a manner that does not outpace the provision of sewer, water, and stormwater services;
- e. By deleting the Parkette policy (policy (g)) in Section 5.2.7.3;
 - f. By adding the following policy in Section 5.4.6:
 - 5.4.6.8 Notwithstanding Policies 5.4.6.3 and 5.4.6.6, Parkette located north of Queen Street West shall have a minimum of one street frontage and one natural heritage system frontage, and with a minimum area of 0.4 hectares (1.0 acre) in size.



- 1. Lands to be redesignated from “Low Density 1” to “Secondary Valleyland”
- 2. Lands to be redesignated from “Low Density 1” to “Parkette”
- 3. Lands to be redesignated from “Executive Residential” to “Low Density 1”
- 4. Lands to be redesignated from “Low Density 1” to “Medium Density Residential”
- 5. Lands to be redesignated from “Executive Residential” to “Medium Density Residential”
- 6. Lands to be redesignated from “Executive Residential” to “Medium-High Density Residential (Mid-Rise)”
- 7. Lands to be redesignated from “Low Density 1” to “Medium-High Density Residential (Mid-Rise)”
- 8. Lands to be redesignated from “Springbrook Settlement Area” to “Medium-High Density Residential (Mid-Rise)”
- 9. Lands to be redesignated from “Springbrook Settlement Area” to “Springbrook Tertiary Plan” and “Medium-High Density Residential (Mid-Rise)”
- 10. “Neighbourhood Park (NP)” designation to be removed.

RESIDENTIAL			
	Executive Residential		Springbrook Settlement Area
	Low Density 1		Neighbourhood Park
	Low Density 2		Potential Stormwater Management Ponds
	Medium Density 2	INFRASTRUCTURE	
	OPEN SPACE		Minor Arterial Roads
	Secondary Valleyland		Collector Roads
	Terrestrial Features		Springbrook Tertiary Plan Boundary



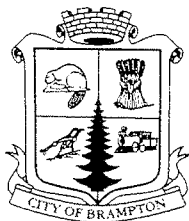


Lands to be redesignated from
“Low-Medium Density Residential” to
“Medium Density Residential (Mid-Rise)”

Lands to be designated
“Springbrook Tertiary Plan” and
“Medium Density Residential (Mid-Rise)”

Legend		Natural Heritage System	
	Tertiary Plan Boundary		Wetland (subject to further study)
	Existing Building Footprint		Woodland (subject to further study)
	Watercourses		Valleyland/Watercourse Corridor
	Existing Stormwater Management Pond		Proposed Stormwater Management Pond (subject to further study)
	Low Density Residential		Parkette - Conceptual
	Low-Medium Density Residential		Conceptual Road
			Conceptual Trail Opportunity
			Conceptual Access





THE CORPORATION OF THE CITY OF BRAMPTON

BY-LAW

Number 186 - 2023

To amend By-law 270-2004, as amended

WHEREAS 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 changing the zoning designation of the lands as shown outlined on Schedule A to this by-law:

FROM:	TO:
Residential Hamlet One (RHM1)	Residential Apartment A – Section 3721 (R4A-3721) (H)
	Residential Townhouse B – Section 3722 (R3B-3722) (H)
	Residential Single Detached A – Section 3723 (R1A-3723) (H)
	Open Space (OS)
	Open Space – Section 3724 (OS-3724)
	Floodplain (F)

(2) By adding the following sections:

“3721 The lands designated R4A – SECTION 3721 on Schedule A to this bylaw:

3721.1 Shall only be used for the purposes permitted within a R4A zone;

3721.2 Shall be subject to the following requirements and restrictions:

(a) Front Lot Line	For the purpose of this zone, Queen Street West shall be deemed to be the Front Lot Line.
(b) Minimum Lot Area	0.6 hectares
(c) Minimum Lot Width	30.0 metres
(d) Minimum Lot Depth	30.0 metres
(e) Minimum Front Yard Setback	3.0 metres
(f) Minimum Rear Yard Setback	6.0 metres
(g) Minimum Exterior Yard Setback	4.5 metres
(h) Minimum Interior Side Yard Setback	6.5 metres up to the fourth floor of a building; and, 7.3 metres above the fourth floor of a building
(i) Minimum Step-back along the front and exterior side lot lines for the portion of the building above six storeys	2.5 metres
(j) Minimum Step-back from a Daylight Triangle for the portion of the building above six storeys	0.0 metres
(k) Minimum Setback from any lot line to any portion of a building below finished grade	0.0 metres
(l) Minimum Setback from a Daylight Triangle	0.5 metres
(m) Minimum Setback for Utility Infrastructure including transformers, gas pads, or telecommunications infrastructure	0.0 metres
(n) Minimum Building Height	5 storeys
(o) Maximum Building Height (exclusive of any rooftop mechanical penthouse or architectural features)	12 storeys to a maximum of 45.0 metres
(p) Minimum Height of the Ground Floor fronting Queen Street West	4.5 metres

(q) Maximum Lot Coverage	50.0%
(r) Minimum Landscaped Open Space	30.0%
(s) Maximum Gross Floor Area	30,850.0 square metres
(t) Garbage, Refuse and Waste	All garbage, refuse and waste containers for any use shall be located within a building.
(u) Rooftop Mechanical Equipment	Mechanical equipment on the roof of a building shall be screened.
(v) Ground Floor Dwelling Unit Access	All dwelling units on the ground floor with a street frontage onto Queen Street West shall have individual entrances directly accessible from the street.
(w) Apartment Building Access	An apartment building shall have a primary pedestrian entrance that is directly accessible from a public street.
(x) Minimum Amenity Space	4.0 square metres total of indoor and outdoor amenity space per dwelling unit.

3721.3 Until such time as the Holding (H) is lifted, lands zoned R4A-3721 (H) shall only be used for purposes that are legally existing at the date of the passing of this by-law.

3721.4 The Holding (H) symbol for all or any part of the land zoned shall not be removed until such a time as the following conditions are met:

- (1) A revised Functional Servicing Report has been approved to the satisfaction of the Region of Peel and the Commissioner of Planning, Building and Growth Management.

3721.6 Shall also be subject to the requirements and restrictions relating to the R4A zone and all the general provision of the By-law that are not in conflict with those set out in Section 3721.

3722 The lands designated R3B – SECTION 3722 on Schedule A to this bylaw:

3722.1 Shall only be used for the residential purposes and purposes accessory to other permitted purposes permitted within a R3B zone;

3722.2 Shall be subject to the following requirements and restrictions:

(a) Minimum Lot Area	140.0 square metres per dwelling unit.
(b) Minimum Lot Width	Interior Lot: 6.0 metres

	Corner Lot: 7.5 metres
(c) Minimum Lot Depth	24.7 metres
(d) Minimum Front Yard Depth	3.0 metres provided that the front of any garage or carport shall not be closer than 6.0 metres to the front lot line.
(e) Minimum Interior Side Yard Width	1.5 metres between buildings
(f) Minimum Exterior Side Yard Width	3.0 metres
(g) Minimum Rear Yard Depth	6.0 metres
(h) Driveway Width	Shall not exceed the width of the garage.
(i) Encroachment	(i) A Balcony, Porch or Bay Window may project into the minimum front yard by a maximum of 1.8 metres. (ii) Eaves, Cornices and Gutters may project into the minimum front yard by a maximum of 0.6 metres. (iii) Steps may encroach a maximum of 1.0 metre from a porch or deck.
(j) Minimum Setback for Utility Infrastructure including transformers, gas pads, or telecommunications infrastructure	0.0 metres
(k) Maximum Building Height	13.0 metres
(l) Maximum Lot Coverage	65.0% of the lot area for a principal building.
(m) Minimum Landscaped Open Space	25.0 square metres for each dwelling.
(n) Minimum Distance between Driveway and Actual or Projected Point of Intersection of Two Streets	4.0 metres as measured along a lot line.
(o) Garbage, Refuse and Waste	All garbage, refuse and waste containers for any use shall be screened from the street.
(p) Rooftop Mechanical Equipment	Mechanical equipment on the roof of a building shall be

	screened.
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- 3722.3 Until such time as the Holding (H) is lifted, lands zoned R3B-3722 (H) shall only be used for purposes that are legally existing at the date of the passing of this by-law.
- 3722.4 The Holding (H) symbol for all or any part of the land zoned shall not be removed until such a time as the following conditions are met:
- (1) A revised Functional Servicing Report has been approved to the satisfaction of the Region of Peel and the Commissioner of Planning, Building and Growth Management.
- 3722.5 Shall also be subject to the requirements and restrictions relating to the R3B zone and all the general provision of the By-law which are not in conflict with those set out in Section 3722.
- 3723 The lands designated R1A – SECTION 3723 on Schedule A to this bylaw:
- 3723.1 Shall only be used for the residential purposes and purposes accessory to other permitted purposes permitted within a R1A zone;
- 3723.2 Shall be subject to the following requirements and restrictions:

(a) Minimum Lot Area	100.0 square metres
(b) Minimum Lot Depth	12.0 metres
(c) Minimum Front Yard Depth	3.0 metres
(d) Minimum Side Yard Width	4.0 metres
(e) Minimum Rear Yard Depth	2.5 metres
(f) Driveway Width	Shall not exceed the width of the garage
(g) Minimum Setback for Utility Infrastructure including transformers, gas pads, or telecommunications infrastructure	0.0 metres
(h) Maximum Building Height	10.6 metres
(i) Maximum Lot Coverage	35.0%

- 3723.3 Until such time as the Holding (H) is lifted, lands zoned R1A-3723 (H) shall only be used for purposes that are legally existing at the date of the passing of this by-law.
- 3723.4 The Holding (H) symbol for all or any part of the land zoned shall not be removed until such a time as the following conditions are met:
- (1) A revised Functional Servicing Report has been approved to the satisfaction of the Region of Peel and the Commissioner

of Planning, Building and Growth Management.

3723.5 Shall also be subject to the requirements and restrictions relating to the R1A zone and all the general provision of the By-law which are not in conflict with those set out in Section 3724.

3724 The lands designated OS – SECTION 3724 on Schedule A to this bylaw:

3724.1 Shall only be used for the following purposes:

- (1) Private road;
- (2) At-grade, above or below-grade stormwater management or other flood and erosion control facilities;
- (3) A structure ancillary to flood and erosion control facilities; and,
- (4) Publicly accessible open space;

3724.2 Shall be subject to the following requirements and restrictions:

(a) Minimum Front Yard Setback	3.0 metres
(b) Minimum Rear Yard Setback	3.0 metres
(c) Minimum Exterior Yard Setback	3.0 metres
(d) Minimum Interior Side Yard Setback	3.0 metres
(e) Minimum Setback from any lot line to any portion of a building or structure below grade	0.3 metres
(f) Minimum Setback from a Daylight Triangle	0.0 metres
(g) Minimum Setback for at-grade, above and below-grade stormwater management, flood and erosion control facilities, utility Infrastructure including transformers, gas pads, or telecommunications infrastructure	0.0 metres
(h) Maximum Height of a Building	1 storey
(i) Minimum Landscaped Open Space	50.0%
(j) Garbage, Refuse and Waste	All garbage, refuse and waste containers for any use shall be located within a building or screened from a street or

	private street.
(k) Rooftop Mechanical Equipment	Mechanical equipment on the roof of a building shall be screened.

3724.3 Shall also be subject to the requirements and restrictions relating to the OS zone and all the general provision of the By-law which are not in conflict with those set out in Section 3724.”

ENACTED and PASSED this 1st day of November, 2023.

Approved as to
form.

2023/10/26

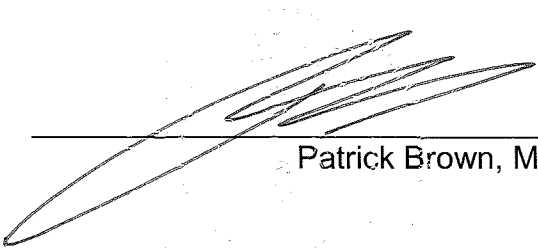
SDSR

Approved as to
content.

2023/10/23

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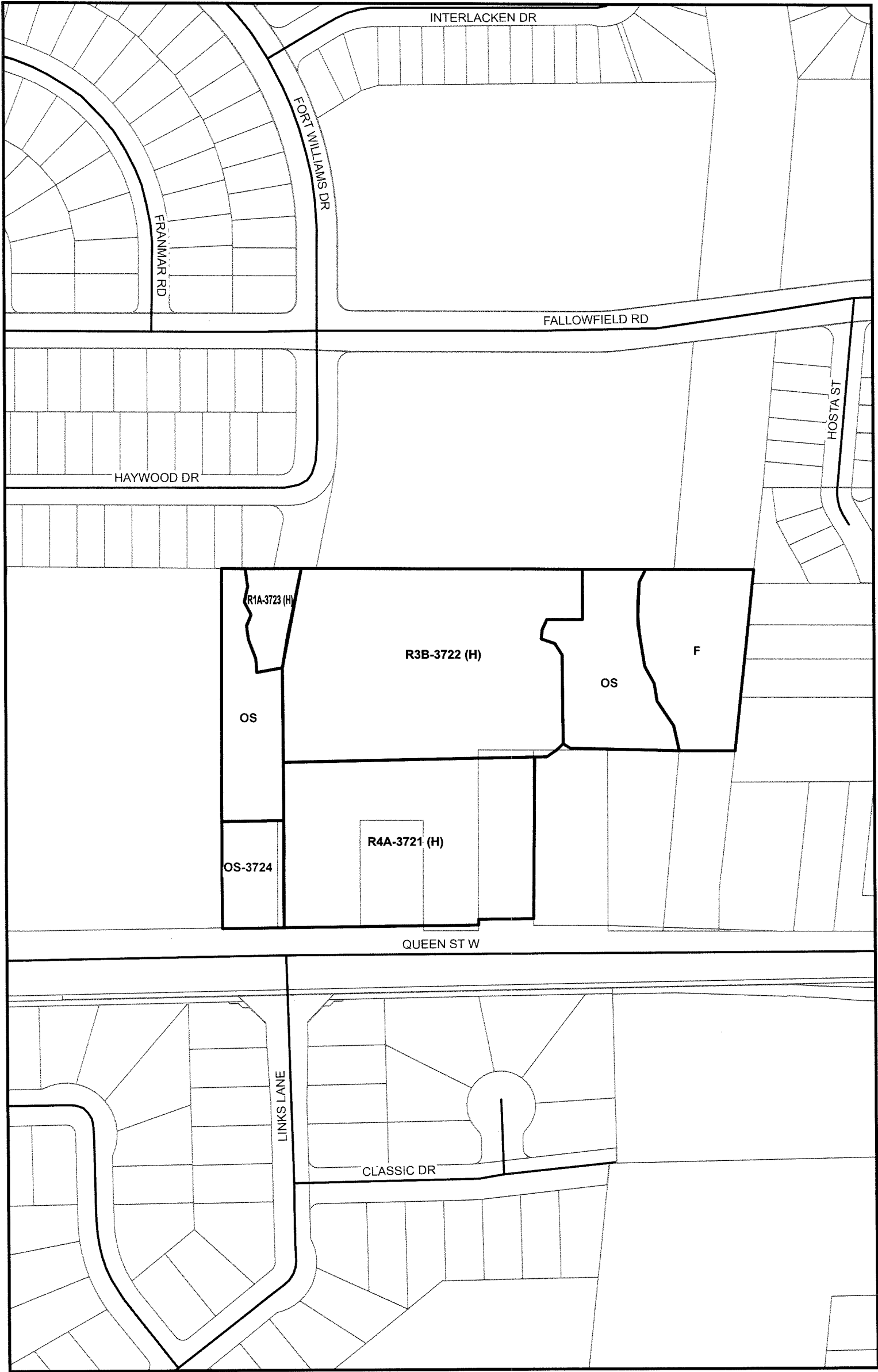
(OZS-2020-0029)



Patrick Brown, Mayor



Peter Fay, City Clerk





Subject Lands



KEY MAP