

Date: 2024-01-15

Subject: **Recommendation Report**
Application to Amend the Official Plan and Zoning By-law (To permit an eight (8) storey residential apartment building consisting of 82 dwelling units including a retail use at grade)
Glen Schnarr & Associates Inc. – Soneil Clarence Inc.
75 Clarence Street, Part Block A, Plan 521
Ward 3

File: OZS-2019-0006

Contact: Harsh Padhya, Planner III, Development Services & Design
Alex Sepe, Manager, Development Services & Design

Report Number: Planning, Bld & Growth Mgt-2024-058

Recommendations:

1. That the report from Harsh Padhya, Planner III, Development Services & Design, to the Planning and Development Committee of February 12th, 2024 titled, **Recommendation Report** Application to Amend the Official Plan and Zoning By-law (To permit an eight (8) storey residential apartment building consisting of 82 dwelling units including a retail use at grade), **Glen Schnarr & Associates Inc. – Soneil Clarence Inc.** 75 Clarence Street, Part Block A, Plan 521, Ward 3, be received;
2. That the Official Plan and Zoning By-law Amendment submitted by Glen Schnarr & Associates Inc. on behalf of Soneil Clarence Inc, Ward 3 File: OZS-2019-006 be approved, on the basis that it represents good planning, including that it is consistent with the s. 22 and s. 34 of the Planning Act, is consistent with 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 Official Plan generally in accordance with the attached Attachment 10 to this report be adopted;
4. That the amendment to the Zoning By-law generally in accordance with the attached Attachment 11 to this report be adopted; and

5. That no further notice or public meeting be required for the attached Official Plan and Zoning By-law Amendment pursuant to Section 22 and Section 34 of the Planning Act, R.S.O. c.P. 13, as amended.

Overview:

- **The report recommends approval of amendments to the Official Plan and Zoning By-law to permit the development of an eight (8)- storey apartment building containing 82 residential units and 443 square metres of ground floor retail space.**
- **The subject property is designated ‘Residential’ on Schedule A of the Official Plan and ‘Service Commercial’ within the Flowertown Secondary Plan (SP6). An amendment to the Secondary Plan is proposed (attached as Attachment 10) to permit the intended residential development.**
- **The property is zoned ‘Service Commercial’ which permits a variety of retail uses such as personal services, banks, offices, dry cleaning and laundry, and restaurants. The proposed Zoning By-law Amendment (attached as Attachment 11) will permit the intended residential development.**
- **A statutory public meeting for the above-referenced development proposal was held on February 10, 2020, at the Planning and Development Committee. Due to the file’s inactivity, a second Public Meeting was held to present the updated concept plan and seek additional feedback from members of the public on August 22, 2022 at the Planning and Development Committee. Details of that meeting are noted in this report.**
- **The proposal is consistent with the Strategic Focus Area – Growing Urban Centres & Neighbourhoods. The proposed apartment development will contribute to building complete communities that support housing and invest in strategic growth areas.**
- **The proposed Official Plan and Zoning By-law Amendment represents good planning, has regard for the Planning Act, is consistent with the provincial Policy Statement, and is in conformity with a Place to Grow: The Growth Plan for the Greater Golden Horseshoe, the Regional Official Plan and City of Brampton Official Plan.**

Background:

This application proposes to amend the Flowertown Secondary Plan (SPA6) and Zoning By-law to facilitate the development of an eight (8)-Storey apartment building with 82 residential units and 443 square metres of ground floor retail. Glen Schnarr and

Associates Inc. submitted the subject application on behalf of Soneil Clarence Inc. on September 13, 2019, which was determined to be Complete for the purposes of the Planning Act on October 17, 2021. The Statutory Public Meeting for the application was held at the Planning and Development Committee Meeting on February 10, 2020 and on August 22, 2022.

Current Situation:

Proposal:

The applicant is proposing to amend the Flowertown Secondary plan (SPA6) and Zoning By-law to permit the development of an apartment building with ground floor retail uses.

Details of the proposal are as follows:

- An 8-storey apartment building with 82 residential units comprised of:
 - 33 one bedroom plus den units
 - 33 two-bedroom units
 - 16 three-bedroom units
 - 443 square metres of ground floor commercial area
 - A total of 106 parking spaces (82 underground, 24 surface)
 - 82 resident parking spaces
 - 24 shared parking spaces – retail / visitor
- A Floor Space Index (FSI) of 2.8.
- An outdoor amenity area and landscape buffer (9 metres) towards the rear portion of the building.
- The rear portion of the building contains building 'stepbacks' on the 6th, 7th and 8th floor. This creates a 45-degree angular plane at the rear of the building as each higher floor is 'stepped back' from the previous floor, mitigating shadow impacts on the abutting neighbourhood.

Application to Amend the Official Plan and Zoning By-law

The subject property is located within the Brampton Flowertown Secondary Plan (SPA 6) and is designated 'Service Commercial'. Lands designated Service Commercial are intended to be used for predominantly service commercial purposes comprising of small-scale retail and convenience stores, service uses, restaurants, recreation facilities and small offices. The draft Secondary Plan Amendment (Attachment 10) proposes a designation to permit high-density uses in addition to the service commercial uses. The proposed Zoning By-law amendment (Attachment 11) seeks to amend the zoning by-law on the subject properties from 'Service Commercial' (SC) to Residential Apartment A (R4A). The proposed zoning by-law includes site-specific zoning standards, which include, but are not limited to maximum lot coverage, a maximum floor space index (FSI) of 2.8, and a maximum commercial and retail gross floor area of 443 square metres. The detailed planning analysis (Attachment 7) provides a detailed overview of the Official Plan and Zoning By-law Amendment.

Property Description and Surrounding Land Use (Attachment 6):

The lands have the following characteristics:

- Located south of Clarence Street, west of Sterne Avenue;
- A rectangular shaped lot with a total site area of approximately 0.34 hectares (0.84 acres);
- A frontage of approximately 46.1 metres on Clarence Street; and
- Currently contains a single-storey retail plaza with surface parking.

The surrounding land uses are described as follows:

| | |
|--------|--|
| North: | Clarence Street and existing single-detached dwellings |
| South: | Existing single detached dwellings and Helen Wilson Public School |
| East: | An existing 4-storey apartment building and an Esso Gas Station at the southwest corner of Clarence Street and Sterne Ave. |
| West: | Existing 4-storey and 3-storey apartment buildings. |

Summary of Recommendations

This report recommends the approval of an Official Plan and Zoning By-law Amendment to facilitate the proposed development. The proposed Official Plan Amendment is attached hereto as Attachment 10 and the proposed Zoning By-law Amendment is attached as Attachment 11.

Matters of Provincial Interest

Planning Act

The application has been reviewed for compliance and regard for matters of Provincial interest as set out in Section 2 of the Planning Act R.S.O 1990. The proposed Official Plan Amendment and Zoning By-law Amendment represent orderly development in a desired location that is suitable for urban growth and development.

In accordance with section 2 of the Planning Act, the application has regard to, among other matters of Provincial interest such as:

- (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;
- (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.

The recommendations are consistent with the above-noted matters by adding housing stock and directing intensification and redevelopment in a compact form. These sections of the Planning Act are guiding principles included in the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe. These are described in the relevant sections below.

Provincial Policy Statement (PPS)

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 proposed Official Plan Amendment and Zoning By-law Amendment applications conform to Sections 1.1.1 and 1.1.2 of the PPS as the subject lands are located within a Settlement Area and contribute to the existing housing stock and maintain retail/commercial opportunities in the area which will assist in meeting the long-term needs of a healthy, livable and safe community. The proposed residential component will contribute to an appropriate mix of housing types in an area that is predominantly comprised of single detached dwellings.

The proposed development integrates with the existing sidewalks and pedestrian network and is serviced by public transportation systems providing options for alternative modes of transportation.

As per section 1.1.3.2 of the Provincial Policy Statement, land use patterns within settlement areas shall be based on densities and a mix of land uses which (a) efficiently use land and resources and (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.

The subject property is located within an existing Settlement Area, the proposed eight (8)-storey apartment structure will offer a variety of dwelling sizes, providing housing options for current and future Brampton residents. City of Brampton and Region of Peel staff review of the submission materials it was determined that existing public services and infrastructure will adequately service the proposed development, mitigating the need for unjustified and/or uneconomical expansion.

Staff is satisfied that the recommendations of this report for the development are consistent with the applicable sections of the Provincial Policy Statement (PPS).

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 proposed development demonstrates consistency with the policies of the Growth Plan as it proposes to gently intensify an existing settlement area. The mixed-use development will support the creation of a complete community as it proposes both residential and commercial uses and is situated in close proximity to existing commercial areas along Main Street and Kennedy Road, in addition to institutional uses such as elementary and secondary schools and recreational uses.

The location provides ease of access to multi-modal transportation options and will therefore encourage residents to engage in alternative modes of transportation such as public transit and active transportation. The proposal demonstrates conformity with the Growth Plan's objective to promote the integration of transportation and land use planning and supports intensification objectives.

Therefore, Staff is satisfied that the recommendations of this report conform to the policies of the Growth Plan for the Greater Golden Horseshoe.

Municipal Planning Documents:

Region of Peel Official Plan

The Regional Official Plan (the "ROP") is the primary long-range strategic land use policy document for the Region of Peel. It is a broad land use policy document, which provides Regional Council with a long-term policy framework for guiding growth and development in Peel Region while having specific regard for protection of the natural environment, managing renewable and non-renewable resources, and outlining a regional structure that manages such growth. It also provides guidance to the area municipalities in the preparation and implementation of their local Official Plans. The subject lands are designated "Urban System" in schedule E-1 of the Region of Peel Official Plan.

The goal of the defined Regional Plan's land use structure, in conjunction with the allocated growth forecasts, is to facilitate the development of healthy complete communities by offering a wide range and mix of housing, employment, recreational and cultural activities. The Official Plan and Zoning By-law Amendment proposes permitting a mixed-use development that is transit-supportive, serviced and is representative of pedestrian friendly development.

The proposal will result in a compact, well-designed development that provides various housing options to meet the needs of different households. Furthermore, the proposal

demonstrates conformity to this plan by being a compact urban form that will intensify underutilized land. Accordingly, the subject applications conform to the policies of the Region of Peel Official Plan.

City of Brampton Official Plan

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 as 'Residential' on Schedule A of the Official Plan. 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.

The Brampton Flowertown Secondary Plan Area 6 (SPA6)

The lands subject to Brampton Flowertown Secondary Plan Area (SPA6) are generally bounded by Bovaird Drive West to the north, Highway 410 and Kennedy Road South to the east, Steeles Avenue West to the south and Chinguacousy Road to the west. The Brampton Flowertown Secondary Plan Area (SPA 6) sub-designates the subject property as "Service Commercial". The proposed Official Plan amendment to the Flowertown Secondary Plan (SPA6) seeks to create a Special Site Area, permitting high-density residential uses in addition to commercial uses.

The development proposal is planned in a manner that is expected to achieve a physical environment that is attractive, safe, and sensitive to the neighbourhoods evolving character and existing built form. The submission materials provided by the applicant confirm that the proposed development satisfies a 45-degree angular plane from the southerly property line. A development that is contained within a 45-degree angular plane when adjacent to adjacent low-rise residential properties helps to ensure that the massing of the development is sensitive to the adjacent lands by not having an imposing character that blocks sight lines, further it helps to mitigate shadow and privacy concerns on abutting lots, allowing the development to harmoniously integrate into the existing neighborhood context. Attachment 9, displays the 45 degree angular plane in relation to the proposed development. The 45-degree angular plane analysis helps ensure that the massing of the proposed development is appropriate to abutting land uses. The proposed development satisfies the angular plane requirement, helping mitigate shadow and privacy concerns on abutting lots. The Detailed Planning Analysis (Attachment 7) includes a detailed overview of the Official Plan Amendment.

As per Brampton Flowertown Secondary Plan Area (SPA6), the subject lands are designated Service Commercial (SC). The permitted uses within the Service Commercial designation consist of small-scale retail and convenience stores, service uses, restaurants, recreation facilities and small offices. Although the proposed Official Plan Amendment requests additional land use permissions related to the provision of high-density residential units, the original intent of the service commercial designation is maintained.

The subject proposal helps to provide a diverse range and mix of dwelling options for residents in the City. The proposed apartment has been designed in a manner that is compact, transit-supportive and within the Downtown Core, and will have access to multiple transit opportunities. It makes efficient use of the existing and planned infrastructure.

Zoning By-law Amendment

The subject property is currently zoned ‘Service Commercial’ (SC) by By-law 270-2004, as amended. This zone permits retail establishments, service shops and other permitted uses. The draft Zoning By-law (Attachment 11) proposes to re-designate the subject lands to a site-specific Residential Apartment A (R4A) zone and will also maintain permissions for a range of commercial uses including but not limited to; a retail establishment having no outside storage, a service shop, a commercial school, a take-out restaurant, an office, and purpose accessory to other permitted purposes. The proposed Zoning By-law amendment contains performance standards requiring a minimum front yard depth of 6 metres, minimum interior side yard width (east) 0 metres, interior side yard width (west) of 2 metres, a maximum floor space index (FSI) of 2.8 and a maximum commercial and retail GFA of 443 square metres.

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. Notice signs were placed on the subject lands to advise members of the public that the application had been filed with the City. This report along with the complete application requirements, including studies have been posted to the City’s website.

A formal Notice of Complete Application dated October 17, 2019, was provided to the applicant. The Statutory Public Meeting for the application was held at the Planning and Development Committee Meeting on February 10, 2020, and August 22, 2022. The February 10, 2020, public meeting had 16 delegations from members of the public and August 22, 2022, public meeting had two delegations and four written submissions received by the Clerk’s Office. Details of the Statutory Public Meeting, including a summary of the issues raised and a response to those issues are included in the summary chart below.

| Issue Raised At Public Meeting | Response |
|---------------------------------------|---|
| <i>Increased Traffic and Speeding</i> | <ul style="list-style-type: none"> • Through consultations with City staff and the applicant, the proposed development will be required to be constructed with the installation of a left turn signal at Clarence Street and Stern |

| | |
|--|---|
| | Avenue. This improvement will help alleviate traffic congestion and provide further traffic calming. |
| <i>Safety Issues for Pedestrian</i> | <ul style="list-style-type: none"> • Paved sidewalks on the north side of the property fronting Clarence Street will provide a safe area for pedestrian movements. These sidewalks will provide connections to existing public transit to parks, schools, and outdoor amenities within the surrounding neighbourhood, which will reduce the need for automobile use. |
| <i>Built form, height and transition</i> | <ul style="list-style-type: none"> • The proposed 8 storey building will be contained within a 45-degree angular plane from the southerly property line, which will be achieved through the use of a 'stepping' of the building at the 6th, 7th and 8th floors. This will help to create a sensitive built form transition to the abutting low-density residential lots to the south. This will also help to reduce any shadowing and privacy concerns on abutting properties. In addition, the applicant revised the proposal to provide considerable rear yard setbacks which creates an opportunity for additional buffering through vegetation or tree planting, which will be further refined through the forthcoming Site Plan application. |

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 that have not been noted elsewhere.

Strategic Focus Area:

The application is consistent with the '**Growing Urban Centres & Neighbourhoods**' strategic focus area. It supports the building of complete communities to accommodate growth for people and jobs. The proposal satisfies this by:

- Efficiently using land and resources;
- Directing development to an existing settlement area that is within proximity of existing commercial areas and institutional uses; and,
- Providing opportunity for efficient growth within an existing community.

Conclusion:

Staff recommend approval of the proposed Official Plan Amendment (Attachment 10) and Zoning By-law Amendment (Attachment 11). The proposed development represents good planning and satisfactorily addresses all technical and financial matters of the City. The application is consistent with the Planning Act, the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe, the Region of Peel Official Plan, City of Brampton Official Plan and the Brampton Flowertown Secondary Plan Area (SPA6). The proposed development provides an opportunity to direct growth to an existing settlement area and provides a range of residential dwelling types. Technical requirements have been satisfactorily addressed through studies submitted in support of the proposal and approved by City staff.

Authored by:

Reviewed by:

Harsh Padhya, M.Plan., CAHP,
Planner III, Development Services
Planning, Building and Growth
Management

Allan Parsons, MCIP, RPP
Director, Development Services
Planning, Building and Growth
Management

Approved by:

Approved by:

Steve Ganesh, MCIP, RPP
Commissioner
Planning, Building and Growth
Management

Marlon Kallideen
Chief Administrative Officer

Attachments:

- Attachment 1 – Concept Plan
- 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 – Detail Planning Analysis
- Attachment 8 – Sustainability Score
- Attachment 9 – Massing and Angular Planes
- Attachment 10 – Draft Official Plan Amendment
- Attachment 11 – Draft Zoning By-law Amendment
- Attachment 12 – Results of Circulation
- Attachment 13 – Results of Public Meeting