



Report
Staff Report
 The Corporation of the City of Brampton
 4/8/2024

Date: 2024-03-22

File: OZS-2022-0031 & 21T-22007B

Subject: **Recommendation Report**
Application for a Draft Plan of Subdivision and to Amend the Zoning By-law
(To facilitate the development of twenty-six (26) freehold residential dwellings – comprising of two (2) single-detached and twenty-four (24) semi-detached residential dwellings.)
Seven Developments Inc. – Blackthorn Development Corp.
 10378 Torbram Road
 Ward: 9

Contact: Andrew Ramsammy, Development Planner, Development Services & Design
 Alex Sepe, Manager(A), Development Services & Design

Report number: Planning, Bld & Growth Mgt-2024-210

RECOMMENDATIONS:

1. That the report from Andrew Ramsammy, Development Planner, Development Services & Design, to the Planning and Development Committee meeting of April 8, 2024, re: **Recommendation Report – Application for a Draft Plan of Subdivision and to Amend the Zoning By-law**, from Seven Developments Inc. – Blackthorn Development Corp, 10378 Torbram Road. Ward 9, be received;
2. That the Amendment to the Zoning By-law be approved, and the Draft Plan of Subdivision be endorsed, as they are consistent with Section 51(24) and Section 34 (10.4) of the Planning Act, is consistent with the Provincial Policy Statement, and 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, and for the reasons set out in this Recommendation Report;
3. That the amendment to the Zoning By-law generally in accordance with the by-law attached as Attachment9 of 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 of the Planning Act, R.S.O. c.P. 13, as amended.

OVERVIEW:

- This report recommends approval of an amendment to the Zoning By-law and for a Draft Plan of Subdivision to accommodate the proposed residential development consisting of twenty-six (26) residential units, comprised of two (2) single detached dwellings and twenty-four (24) semi-detached dwellings.
- The subject property is designated “Residential” in Schedule A of the City of Brampton Official Plan, an amendment to the Official Plan is not required.
- The subject property is located within the Springdale Secondary Plan (SPA2) and is sub-designated “Low Density Residential”, an amendment to the Secondary Plan is not required.
- The property is zoned “Agricultural (A)” by By-law 270-2004, as amended. The Zoning By-law Amendment recommended by staff, as attached in Attachment 9, will implement the proposed residential uses.
- A Statutory Public Meeting for this application was held on September 12, 2022. Written correspondence was received from fifteen (15) residents, including two petitions with a total of sixty-eight (68) signatures. One (1) member of the public delegated at the meeting. Details of the Statutory Public Meeting are summarized in Attachment 11 of this report.
- The proposal is consistent with the City of Brampton Strategic Focus Area of Growing Urban Centres and Neighbourhoods by contributing to an economy that thrives with communities that are strong and connected.
- The application 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 Region of Peel Official Plan, and the City of Brampton Official Plan.

BACKGROUND:

This application has been reviewed for completeness and found to be complete in accordance with Section 51 (19.1) and Section 34 (10.4) of the *Planning Act*. A formal Notice of Complete Application was provided to the applicant on July 5th, 2022.

A Statutory Public Meeting was held on September 12, 2022, to provide information about the application to the public which satisfies the notice and statutory public meeting

requirements in the Planning Act and the Public Meeting policies in S. 5.30 of the Official Plan.

A Site Plan application (File: SPA-2022-0100) has been submitted to be reviewed concurrently with the application for a Draft Plan of Subdivision and Zoning By-law Amendment. The Site Plan is currently under review.

CURRENT SITUATION:

Proposal (Attachment 1)

The application is proposing to amend the Zoning By-law to permit residential uses. In addition, the applicant has submitted an application for a Draft Plan of Subdivision to create a singular block, which is a required technical step to be able to facilitate a common element condominium tenure for the proposed units. Details of the proposal are as follows:

- The Draft Plan of Subdivision will create one single residential block (Attachment 1);
- An amenity area is proposed in the south-east portion of the subject property, with an area of 285 square metres which includes privacy and noise fencing, walls, seating and landscape planting;
- A portion of the Silktop Trail cul-de-sac and 'Private Street A', sidewalk and amenity area are partially located within Part 9 on Plan 43R-19607 which is currently owned by the City.
- Part 7 on Plan 43R-19607 contains an easement in favour of the Trans Canada Pipeline (TCPL). The City has received conditions of approval from Trans Canada Pipeline that are included within the subdivision conditions of draft approval (Attachment 10). Zoning performance standards have also been included in the draft Zoning by-law to protect for TCPL setback requirements (Attachment 9).
- A future Draft Plan of Condominium application will also be submitted to create a condominium road (Privat Street A), fourteen (14) residential lots consisting of two (2) single-detached dwellings and twenty-four (24) semi-detached dwellings.
- External works to the Silktop Trail cul-de-sac will be completed to create a permanent cul-de-sac for vehicular access to the site;
- A pedestrian sidewalk will be extended from Silktop Trail along Private Street A;

Property Description and Surrounding Land Use (Attachment 2)

The lands have the following characteristics:

- Have a total site area of approximately of 0.76 Ha (1.87 Acres);
- Have a frontage of approximately 94 metres (308 feet) along Torbram Road;
- Currently contains a single detached dwelling with two accessory structures and access to Torbram Road, which are to be demolished to accommodate this development proposal.

The surrounding land uses are as follows:

North	Single detached homes, Stephen Llewellyn Trail, Sandalwood Heights Secondary School and Torbram Sandalwood Cricket Ground, and a commercial plaza and institutional uses north of Sandalwood Parkway East;
East	Torbram Road, and beyond are single detached residential homes, Stephen Llewellyn trail and Robert J. Lee Public School and Carabram park;
South	Steeplebush Ave, and beyond is a commercial plaza that includes a grocery store, convenience store, pharmacy and dentist office, and single detached residential homes;
West	Single detached residential homes.

Surplus Land Declaration of City Owned Lands & Holding (H) Provision

The southerly portion of the development proposal encroaches onto City owned lands, legally described as Part 9 on Plan 43R-19607. As shown on the conceptual Site Plan (Attachment 1a), the proposed sidewalk, visitor parking and portion of the amenity area encroaches upon Part 9 on Plan 43R-19607.

The landowner has engaged with the City Realty Department to purchase and subsequently re-zone Part 9 on Plan 43R-19607 to accommodate their development. City Realty staff have advised that Part 9 on Plan 43R-19607 is anticipated to be declared surplus, and subsequently be purchased at fair market value as determined by appraisal. The Surplus Land Declaration may be subject to Council approval if the fair market value exceeds the Financial Limit under Administrative Authority. Staff are currently recommending the use of a Holding (H) provision in the Zoning By-law to protect the City's land interest to proceed with this application. The Holding (H) symbol shall not be removed until such time as the following has been provided:

- A. Confirmation that arrangements have been made amongst the owner and the City to purchase Part 9 on 43R-19607, or, that satisfactory alternative arrangements are made should Part 9 on 43R-19607 not be declared surplus, to the satisfaction of the Commissioner of Planning, Building and Growth Management.

Trans Canada Pipeline Easement

The City owned lands that are located south of the subject property, being legally described as Part 7 on Plan 43R-19607 (Attachment 14 – Reference Plan), is subject to an easement in favour of the Trans Canada Pipeline. TCPL's pipelines and related facilities are subject to the jurisdiction of the Canada Energy Regulator (CER) – formerly the National Energy Board (NEB). As such, certain activities must comply with the Canadian Energy Regulator Act (Act) and the National Energy Board Damage Prevention Regulations (Regulations). City staff and the applicant have worked closely with TCPL staff to ensure the proposed development satisfies regulatory requirements for development within proximity to the TCPL infrastructure.

At the request of the TCPL, the following provisions have been included within the proposed zoning by-law (Attachment 9) to ensure the proposed development maintains adequate setbacks to the TCPL easement limits:

3779.3 Trans Canada Pipeline Easement Requirements:

- (1) A minimum setback of 7.0 m shall be required from any part of a principal building or structure from the edge of the TransCanada pipeline right-of-way.
- (2) A minimum setback of 3.0 m shall be required from any part of an accessory building or accessory structure from the edge of the TransCanada pipeline right-of-way.
- (3) With the exception of the cul-de-sac, a private road, six (6) on-street visitor parking spaces, a noise wall, a minimum setback of 7.0 m from the nearest portion of a TransCanada pipeline right-of-way shall also apply to any other parking area or loading area, including any parking spaces, loading spaces, stacking spaces, bicycle parking spaces, and any associated aisle or driveway.

TCPL staff have also provided conditions of draft approval for the draft plan of subdivision and have been included accordingly (Attachment 10). TCPL have also advised City staff that at the time of Site Plan approval there may be additional comments and conditions to be included in the Site Plan agreement.

Sustainability Score

The subject application achieved a sustainability score of 35, attaining the bronze threshold. 5 additional points would be required to achieve the silver threshold. There

may be opportunity to attain more points by considering additional metrics at the detailed design phase. Through the Site Plan and Subdivision registration process, staff will continue to work with the applicant in attempt to achieve the silver threshold.

Application to Amend the Zoning By-law

The subject property is zoned “Agricultural – (A)” as per Zoning By-law 270-2004, as amended. The zoning designation does not permit the proposed residential use.

An amendment to Zoning By-law 270-2004 is required to facilitate the proposed residential development. The application seeks to rezone the lands from the current Agricultural Zone to a site-specific “Residential Townhouse C (H)” zone (R3C(H) – 3779). Staff found it appropriate to use the Residential Townhouse C Zone as it lends itself to the condominium tenure of the proposed development and includes provisions (16.8.3) to treat a private road as a street for zoning purposes (lot, lot area, frontage). It also establishes that a private road shall mean a road established as a common element. The schedule depicting the proposed zone can be found attached in Attachment 9.

The “Residential Townhouse C (H) – 3779” zone is proposed with site-specific provisions relating to uses, setbacks, height, parking, fencing and garage control. Also, appropriate provisions have been included in the Zoning By-law amendment to accommodate the necessary setback requirements identified by TransCanada Pipeline Limited.

Furthermore, a Holding (H) provision is proposed to be applied to the Zoning By-law to the portion of City owned lands, Part 9 on Plan 43R-19607. The Holding Provision will require the developing landowner to purchase Part 9 on Plan 43R-19607 from the City, or, that satisfactory alternative arrangements are made should Part 9 on 43R-19607 not be declared surplus, to the satisfaction of the Commissioner of Planning, Building and Growth Management.

Planning Analysis Summary

This proposal and implementing documents have regard for matters of provincial interest that are set out in the Planning Act. The Draft Plan of Subdivision and application to amend the Zoning By-law is consistent with the Provincial Policy Statement, the goals and objectives of the City’s Official Plan, and conforms to the Growth Plan for the Greater Golden Horseshoe and the Region of Peel Official Plan.

Matters of Provincial Interest

Planning Act

This development proposal has regard for the matters of Provincial interest as set out in Section 2 of the Planning Act. The proposed development has regard for Section 2(f)(h)(j)(o)(p)(q) and (r), as well as Section 51(24)-(a)(b)(c)(d)(f) and (i) of the Planning Act.

Staff is satisfied that the proposed development is consistent with the matters of provincial interest as set out in the Planning Act.

Additional analysis is found in Attachment 8 - Detailed Planning Analysis.

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 application is consistent with *Section 1.1.1, 1.1.2, 1.1.3, 1.5.1, 1.6.7.2 and 1.8.1* of the PPS which speaks to promoting efficient development and land use patterns over the long term by providing residential intensification that will connect with municipal infrastructure, services, and amenities. The proposal will also allow for an appropriate and supportable form of residential intensification.

Staff is satisfied that the proposed development is consistent with the applicable sections of the Provincial Policy Statement.

Additional analysis is found in Attachment 8 - Detailed Planning Analysis.

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

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, and 2.2.1.4.10*. The recommendations conform to the applicable sections of the Growth Plan.

Additional analysis is found in Attachment 8 - Detailed Planning Analysis.

Municipal Planning Documents

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” designation in the Regional Official Plan. 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, and enhance the public open space system. Staff is satisfied that the proposed development conforms to the Region of Peel Official Plan.

Additional analysis is found in Attachment 8 - Detailed Planning Analysis.

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” designation of the Official Plan. The Draft Plan of Subdivision includes twenty-six (26) freehold residential dwellings (24 semi-detached and 2 detached dwellings) to contribute to the mix of housing types and a variety of built form in the City.

The application has demonstrated that the proposal adheres to the policies of the designated land uses identified in the Official Plan. Staff is satisfied that the proposed Zoning By-law Amendment and Draft Plan of Subdivision is consistent with the policies of the City of Brampton Official Plan.

Additional analysis is found in Attachment 8 - Detailed Planning Analysis.

Brampton Plan, Draft Brampton Official Plan, 2023

On November 1, 2023, Brampton Council adopted the City of Brampton’s new Official Plan, ‘Brampton Plan’. The Official Plan provides clear direction and principles to guide city building, attaining its vision for the future and support the city to become a vibrant, urban city of over 1 million people by 2051. The Council adopted Official Plan is currently with the Region for review and approval, as the Region remains the approval authority for local Official Plan Amendments.

The subject lands is designated as “Community Areas” on Schedule 1A – City Structure and “Neighbourhoods” on Schedule 2 – Designations. The Neighbourhoods designation is found throughout the city and will support the achievement of 15-minute neighbourhoods. Neighbourhoods include a broad range of residential uses together with neighbourhood-supportive commercial and community services and facilities, such as libraries, recreation centres, schools and daycares, that serve and support the residents of these neighbourhoods. The application contemplates semi-detached and detached residential dwellings that are in close proximity to existing transit infrastructure on

Torbram road which will aide residents in reaching community amenities, services and destinations within and around the City to help achieve the 15-minute.

The application has demonstrated that the proposal adheres to the policies of the designated land uses identified in the Draft Brampton Plan. Staff is satisfied that the proposed Draft Plan of Subdivision and Zoning By-law Amendment is consistent with the policies of the Draft Brampton Plan.

Additional analysis is found in Attachment 8 - Detailed Planning Analysis.

Secondary Plan Area 2 – Springdale Secondary Plan Policy Review

The subject property is designated “Low Density Residential” in the Springdale Secondary Plan (Area 2).

The proposal will provide appropriate residential intensification while contributing to a mix of housing types and a variety of built form in the City that are in conformity with the existing land use designation.

Based on the information above, staff is satisfied that the proposed development aligns with the policies of the Springdale Secondary Plan (Area 2).

Additional analysis is found in Attachment 8 - Detailed Planning Analysis.

Community Engagement

The proposed Zoning By-law amendment and Draft Plan of Subdivision 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 requirements. Notice signs were also placed on the subject lands to advise members of the public that an 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 Statutory Public Meeting for this application was held on September 12, 2022. In addition to the Statutory Public Meeting, a meeting was held between City Staff and area residents on Thursday, October 20, 2022 at 10:30am to discuss the application and the planning process. Following the Statutory Public Meeting, written correspondence was received from fifteen (15) residents, including two petitions with a total of sixty-eight (68) signatures throughout the application review process. One (1) member of the public delegated at the meeting. A summary of the issues raised and a response to those issues are included in the summary chart below:

Matters raised by the public	Staff Response
Traffic Impact and Parking	A Traffic Impact Study (TIS), dated March 25, 2022 with a subsequent amending memo dated July 25 2023, was prepared by CGE Transportation Consulting to assess the transportation-related aspects of the proposed

	development. The report includes a review and assessment of the existing road network, traffic volumes, vehicle maneuvering and circulation. The City Traffic Services Department have reviewed the TIS and have found the document to be satisfactory, with the proposal being functional, and with levels of service being appropriate. Any additional traffic concerns will be addressed during the site plan application process.
Loss of Greenspace and Tree Removal	There are no environmentally significant lands that comprise any portion of the subject site, such as wetland, valleyland, forested areas that are legislated to be protected from redevelopment. An Arborist Report and Tree Inventory & Preservation Plan, prepared by Canopy Consulting., dated June 2023 was submitted by the applicant for staff to review. The Arborist Report identified eighty-nine (89) trees on the subject lands; five (5) of which are located within the municipal road allowance will be removed. Compensation guidelines for the removal of healthy tableland trees require one hundred and seventy-nine (179) replacement trees. A 'prior to registration' condition is applied to the draft plan of subdivision to require the owner to provide restoration-planting drawings that detail compensation plantings for the tableland trees removed to accommodate the development. For compensation plantings that are not able to be accommodated on site, Cash-in-Lieu will be provided for the difference at the site plan stage.
Construction Disturbance	All construction activity associated with the proposed development will occur-on-site. However, some noise and dust can be expected during construction. The applicant is required to adhere to City By-laws in place regarding noise to minimize disruption to the local community during construction. The City will also hold securities from the applicant during construction to ensure the area of construction and adjacent areas are maintained and cleaned regularly.
Decline in Property Values	Planning staff cannot comment on the future potential valuation of land. This application is reviewed on the merits of criteria set out in the "Planning Act" and City, Regional and Provincial policies regarding land use planning. Further, there is no information that staff have seen to demonstrate that any comparable development would lead to reduced property values.

CORPORATE IMPLICATIONS:

Financial Implications:

There are no financial implications associated with this application. Revenue that was collected through the development application fees is accounted for in the approved operating budget.

Other Implications:

There are no other implications associated with this application.

STRATEGIC FOCUS AREA:

This application for a Draft Plan of Subdivision and Zoning By-law Amendment is consistent with the “Growing Urban Centres & Neighbourhoods” strategic focus area. The proposal will result in the intensification of an underutilized parcel of land to implement the policies of the Springdale Secondary Plan (SPA2) and will contribute to the diversity of housing options that are offered in Brampton.

CONCLUSION:

Staff are satisfied that the proposed Draft Plan of Subdivision and Zoning By-law Amendment, subject to the Draft Conditions of Draft Approval in Attachment 10, represent good planning. The proposal has regard for matters of provincial interest in Section 2.0 of the Planning Act, and the proposed development conforms to provincial plans including the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement. Furthermore, the proposal conforms to the principles and policy direction of the Region of Peel Official Plan, the City of Brampton Official Plan and the Springdale Secondary Plan (Area 2).

The report recommends that Council enact the Zoning By-law Amendment attached hereto as Attachment 9. The Zoning By-law Amendment and Plan of Subdivision application is appropriate for the orderly development of the lands considering the following:

- The proposal conforms to the Planning Act, the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement;
- The development proposes residential typologies and densities which conform to the City of Brampton Official Plan and Springdale Secondary Plan (Area 2);
- The application has been circulated to the appropriate internal reviewers and external agencies to ensure technical matters have been adequately addressed.

The application is appropriate for the orderly development of the lands and represents good planning. Staff recommends approval of the Zoning By-law Amendment and endorsement of the Draft Plan of Subdivision as the proposal is in the public interest.

Authored by:

Reviewed by:

Andrew Ramsammy
Development Planner, 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: Draft Plan of Subdivision
- Attachment 1a: Concept Site Plan
- Attachment 1b: Conceptual Elevations
- Attachment 2: Location Map
- Attachment 3: Official Plan Designations
- Attachment 4: Secondary Plan Designations
- Attachment 5: Zoning Designations
- Attachment 6: Existing Land Use Plan
- Attachment 7: Heritage Resources Plan
- Attachment 8: Detailed Planning Analysis
- Attachment 9: Draft Zoning By-law Amendment
- Attachment 10: Draft Conditions of Draft Plan Approval
- Attachment 11: Results of Public Meeting
- Attachment 12: Results of Application Circulation
- Attachment 13: Sustainability Snapshot
- Attachment 14: Reference Plan

