

Date: 2024-02-23

File: **OZS-2022-0030**

Subject: **Recommendation Report**
Application to Amend the Zoning By-law and for a Draft Plan of Subdivision
(To facilitate the development of 8 detached dwelling units, a buffer block, and the addition of a new municipal road)
Glen Schnarr & Associates Inc. / Argo Summer Valley Limited
12197 Hurontario Street
North of Highwood Road and East of Hurontario Street
Ward: 2

Contact: Marco Gerolini, Development Planner III, Development Services and Design

Mana Zavalat, Manager, Development Services and Design,

Report Number: Planning, Bld & Growth Mgt-2024-154

Recommendations:

1. That the report from Marco Gerolini, Development Planner III, Development Services and Design, to the Planning and Development Committee of March 18th, 2024, re: **Recommendation Report**, Application to Amend the Zoning By-law and for a Draft Plan of Subdivision, **Glen Schnarr and Associates Inc. / Argo Summer Valley Limited**, 12197 Hurontario Street, Ward 2, 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 Argo Summer Valley Limited. (File: OZS-2022-0030) be approved, on the basis that it represents good planning, has regard for the Planning Act, 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, 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 11 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 of the Planning Act, R.S.O., as amended.

Overview:

- **The applicant has submitted an application to amend the Zoning By-law and for a Draft Plan of Subdivision to facilitate the development of 8 single detached dwelling units, a buffer block, and a new municipal road. The developer of the subject lands also intends to construct 57 dwelling units on the adjacent lands to the north located in the Town of Caledon.**
- **The lands are designated ‘Residential’ on Schedule A of the Official Plan, which permits a range of residential uses. An Amendment to the Official Plan is not required.**
- **The subject property is designated ‘Low Density Residential’ in the Snelgrove-Heart Lake Secondary Plan which permits single detached housing. An Amendment to the Secondary Plan is not required.**
- **The subject property is zoned ‘Agricultural’ which permits agricultural uses on site. An Amendment to the Zoning By-Law is required to permit the proposal. The Draft Zoning By-law is attached as Attachment 11.**
- **A Statutory Public Meeting for this application was held of February 13th 2023. No members of the public spoke at the public meeting and one (1) written submissions was received by an area resident, and one (1) letter from the developer that had constructed the existing residential community surrounding the subject lands. Details of the Statutory Public Meeting are included in Attachment 10 of this report.**
- **The proposal represents good planning, has regard for the Planning Act, 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’s.**
- **The proposal is consistent with the Strategic Focus Area – Growing Urban Centre and Neighbourhoods. The proposal will facilitate an economy that thrives with communities that are strong and connected.**

Background:

A pre-application consultation meeting occurred on October 20th, 2021, where staff provided the applicant with comments and an application checklist. Glen Schnarr & Associates Inc. submitted the formal application on behalf of Argo Summer Valley Limited. The application had been reviewed for completeness and found to be complete

in accordance with the Planning Act. The application was formally submitted on August 12th, 2022, and deemed to be complete on September 9th, 2022 by staff.

A Community Open House occurred on November 23rd, 2022 with the developer and consultant team, along with Brampton and Caledon staff at St. Rita's Elementary School. The purpose of that meeting was to provide an opportunity for the local residents to hear about the development that is being proposed on the lands located in both Brampton and Caledon, and to solicit feedback, prior to the subsequent statutory public meetings.

A Statutory Public Meeting for the Brampton lands was held on February 13th, 2023. There were 2 written letters of correspondence received. Details of the Statutory Public Meeting are included in Attachment 10 of this report. A separate Statutory Public Meeting, for the remainder of the development application located within the Town of Caledon, occurred on February 21st, 2023. The associated file number with the Town of Caledon proposal is: POPA 2022-0005, RZ 2022-0008, and 21T-22005C. Details of the full joint proposal can be found within Attachment 1C – Composite Plan.

Current Situation:

Proposal

The proposal to amend the Zoning By-law and for a Draft Plan of Subdivision has been filed with the City to develop the approximately 0.54 hectares (1.33 acres) site. The details of the proposal area are as follows (refer to Attachment 1B):

- A total of 8 single detached dwelling units with minimum lot widths of 12m
- A 14m wide, 0.05 hectare (0.12 acre) Ministry of Transportation (MTO) buffer block (MTO setback) fronting Hurontario Street (known as Block 9)
- A new municipal road (known as “McAlpine Road”) providing access to the lands proposed to develop in the Town of Caledon.

Property Description and Surrounding Land Uses (Refer to Attachment 6):

The lands having the following characteristics:

- Are municipally known as 12197 Hurontario Street
- The subject property is currently vacant
- The subject property is rectangular in shape and has a total site area of approximately 0.54 hectares (1.33 acres).

The surrounding land uses are described as follows:

North: Proposed future residential uses in the Town of Caledon

East: Existing detached residential dwellings

South: Vacant lands intended for future residential uses along with residential detached dwellings

West: Hurontario Street, beyond which are residential detached dwellings, and a commercial use building.

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 11 and approve the Draft Plan of Subdivision conditions generally in accordance with Attachment 12.

Planning Analysis Summary:

The proposed development represents good planning, has regard for the Planning Act, 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 attached associated details and comprehensive analysis in Attachment 8 – Detailed Planning Analysis.

Matters of Provincial Interest

Planning Act

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 is also in close proximity to 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

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, and 1.1.3.2 which speaks to accommodating a mix of residential housing types, promoting intensification, utilizing the connections to existing infrastructure, and optimizing the use of existing transit routes. The PPS states that settlement areas shall be the focus of growth and development. The new development will efficiently use land and resources to bring a further mix of land uses and densities that are appropriate for the area.

Pedestrian and vehicular connections were contemplated with Brampton and Caledon staff to ensure that public streets and sidewalks were safe and provided appropriate access for pedestrians and motorists to local parks, trails, and open space where social interaction could occur, which is consistent with Section 1.5.1.

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

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" and will contribute to achieving a complete community in accordance with Sections 2.2.1.2, 2.2.1.4, and 2.2.6.3 through optimization of land use and overall expansion of land use diversity.

Staff is satisfied that the proposed development is consistent with the applicable sections of the Growth Plan for the Greater Golden Horseshoe.

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" and "Built-up Area" designation in the Regional Official Plan. The site is also located along a "Local Intensification Corridor" and "Other Rapid Transit Corridor". 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, and utilize existing infrastructure in the area.

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 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 and other associated uses. The proposal conforms to the "Residential" designations of the Official Plan. The Draft Plan

of Subdivision includes 8 single detached units to add to the variety of housing types and built forms in the City.

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

Council Adopted - Brampton Plan

The subject lands are located within the “Neighbourhoods” Designation of Schedule 2 within the Brampton Plan. The general intent of “Neighbourhoods” is where most residents live and comprise a mix of uses and lower scale built forms. It is the goal of the plan to develop “Neighbourhoods” into a 15-minute neighbourhood where most daily needs are met with an area that can be accessed in a 15-minute walk from home. The site is also located along the “Priority Bus or Zum” – Schedule 3B Transit Network. This promotes active transportation and access to public transit for the local residents.

Snelgrove-Heart Lake Secondary Plan

The subject lands are designated “Low Density Residential” within the Snelgrove-Heart Lake Secondary Plan which permits development in accordance with that of the “New Housing Mix and Density Categories” of Section 4.2.1.2 of the City of Brampton Official Plan. Within Brampton’s Official Plan Section 4.2.1.2, it is noted that low density residential should have a maximum density of 30 units per net hectare within the housing form being that of single detached units. The proposal for 8 detached units is calculated at a rate of 21.05 units/hectare, which is below the above threshold.

Staff is satisfied that the proposed development conforms to the Snelgrove-Heart Lake Secondary Plan.

Application to Amend the City of Brampton Zoning By-law

The subject property is zoned “Agricultural” (A) as per the 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 type 1 and type 2, home occupation, cemetery, animal hospital and kennel. A Zoning By-law Amendment is required to permit the proposed development. The proposed Zoning By-law Amendment seeks to delete and replace the Agricultural (A) designation with three site-specific Residential Zones (R1F-12.0) and an Open Space (OS) zone to permit a buffer from Hurontario Street and the MTO interchange. The site-specific zoning will include performance standards to regulate building height, building setbacks, garage widths, encroachments, and other items as attached in Attachment 11.

Community Engagement

The application was circulated to City departments, commenting agencies, and property owners within 240 metres of the subject lands in accordance with and exceeding the

Planning Act requirement of 120 metres for such applications. A copy of all department / agency comments are attached as 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.

An Open House occurred on November 23rd, 2022, with Town of Caledon staff, City of Brampton staff, the developer and consultant team. A Statutory Public Meeting for this application was held on February 13th, 2023. Two letters of written correspondence were received from members of the public noted in Attachment 10. A summary of staff responses to resident concerns are shown below:

Concern Raised	Staff Response
Increase in local traffic	A Traffic Impact Study (TIS) was prepared by BA Group, which assessed the transportation, traffic, and parking issues with respect to the proposed development. Based on the analysis conducted, the forecasted vehicle traffic generated by the proposed development will have minimal impacts on the overall operation of the network.
Access to the Town of Caledon portion of the subdivision from Hurontario Street	There were concerns from residents that the portion of the subdivision that is physically within the Town of Caledon should have direct access to Hurontario Street, rather than only have access through the City of Brampton limits. Staff consulted with the Ministry of Transportation to confirm if an access could be granted from Hurontario Street. The Ministry stated that this portion of Hurontario Street is part of the Highway 410 Controlled Access Highway Limits, and direct access to Controlled Access Highway Limits is not permitted. The portion of the subdivision that is within the Town of Caledon limits is considered landlocked and therefore can only have access through the City of Brampton. This is currently the same arrangement that is occurring with the Summer Valley Drive/Lightheart Drive/Donherb Crescent Subdivision within the Town of Caledon.

<p>Request from the developer of the existing dwellings for the subject applicant to provide contribution to payment for installed services - Cost sharing compensation for 43M-1276 land and construction costs</p>	<p>Staff consulted with Legal and Policy staff to determine if a cost sharing condition should be imposed on the subject lands prior to the zoning bylaw enactment. It was concluded that there is no policy basis for the City to impose this condition. There is no block plan or secondary plan policies that require this condition. From a legal perspective, the original subdivision agreement has a “reasonable/best efforts clause”, where the City shall make reasonable efforts to impose on each of the owners of the “benefiting lands” cost sharing, where the landowners are to pay a proportionate share of the costs of the benefitting works to the original subdivision developer. However, within the subdivision agreement, there is a 15-year termination clause, which has since expired. It has been 25 years since the subdivision agreement has been registered. The subject lands are also not part of any City of Brampton Cost Sharing Agreement Areas, where this condition could be required.</p>
<p>Integration of development within existing neighbourhood</p>	<p>The development plans include eight (8) single detached dwelling units to build out the remainder of the vacant lands along Highwood Road and Hurontario Street. The dwellings are compatible with the existing residential uses in terms of tenure and building form. The two (2) units along Highwood Road are maintaining the same height standards, building setbacks, and lot configurations as the existing adjacent housing forms. The remainder of the six (6) units share compatible zoning standards with those units that share the same street frontage as the Town of Caledon portion of the subdivision. Proper vehicular and pedestrian access within the City of Brampton limits and the remainder of the development plan located within the Town of Caledon were coordinated with both municipal staff, regional staff, and the applicant.</p>

Corporate Implications:

Financial Implications:

There are no financial implications 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 application.

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 the 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 Snelgrove subdivision along Highwood Road with additional housing opportunities. This report has been prepared in full consideration of the overall vision that the people of Brampton will ‘Live the Mosaic’.

Conclusion:

This report recommends that Council adopt the Zoning By-law Amendment generally in accordance with Attachment 11 attached hereto. The proposal provides:

- an opportunity to develop an underutilized parcel of land with additional housing opportunities;
- the proposed development remains consistent with the existing built form through both typology and architectural treatments;
- as confirmed through the circulation of the applications, all financial and technical requirements have been addressed.

The proposed development complies with the Planning Act, is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe, Region of Peel Official Plan and the City’s Official Plan. Staff is satisfied that the application represents good planning and recommends approval of the Zoning By-law Amendment and Draft Plan of Subdivision.

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Attachments:

- Attachment 1A – Concept Plan
- Attachment 1B – Draft Plan of Subdivision
- Attachment 1C – Composite Plan
- Attachment 2 – Location Map
- Attachment 3 – Official Plan Designation
- Attachment 4 – Secondary Plan Designation
- Attachment 5 – Zoning Designation
- Attachment 6 – Aerial and Existing Land Use
- Attachment 7 – Heritage Resources
- Attachment 8 – Detailed Planning Analysis
- Attachment 9 – Results of Circulation
- Attachment 10 – Results of Public Meeting
- Attachment 11 – Draft Zoning By-law and Schedule
- Attachment 12 – Draft Conditions of Draft Approval