



Report
Staff Report
The Corporation of the City of Brampton
5/6/2024

Date: 2024-04-17

File: OZS-2022-0017

Subject: **SUPPLEMENTARY RECOMMENDATION REPORT –**
Application to Amend the Official Plan and the Zoning By-law (*To permit a six-storey apartment building, and six three-storey residential back-to-back stacked townhouse buildings, containing a total of 255 standard condominium units*)
Glen Schnarr & Associates Inc. - 13514161 Canada Inc.
8654 Mississauga Road
Ward: 6

Contact: Nasir Mahmood, Development Planner, Development Services & Design, Planning, Building and Growth Management

Mana Zavalat, Manager, Development Services & Design, Planning, Building and Growth Management

Report number: Planning, Bld & Growth Mgt-2024-358

RECOMMENDATIONS:

1. That the report from Nasir Mahmood, Development Planner, Development Services & Design Division to the Planning and Development Committee meeting of May 06, 2024, re: **SUPPLEMENTARY RECOMMENDATION REPORT -** Application to Amend the Official Plan and Zoning By-law (To permit a six-storey apartment building, and six three-storey residential back-to-back stacked townhouse buildings, containing a total of 255 standard condominium units) **Glen Schnarr & Associates Inc. - 13514161 Canada Inc. 8654 Mississauga Road, Ward 6**, be received;
2. That in accordance with the direction received by Council on April 17, 2024, revisions to the staff recommended zoning by-law amendment, as appended to this report as Attachment #7 and #7A, to require alternative access arrangements to the proposed development site to improve traffic safety, be approved.

OVERVIEW:

- **This Supplementary Recommendation Report is provided in response to the Council direction received on April 17, 2024 for staff to work to facilitate alternative access arrangements in an effort to improve traffic safety.**
- **In response to the Council direction, staff have identified three alternative access arrangements for this proposed development that we believe could satisfy Council's concerns about traffic safety. The three alternative arrangements are:**
 1. **A full turns signalized access at Mississauga Road to the satisfaction of the Commissioner of Planning, Building and Growth Management, and the Region of Peel, or**
 2. **A public road over the City-owned lands located to the west and south of the subject site connecting to Lionhead Golf Club Road to the satisfaction of the Commissioner of Planning, Building and Growth Management, or**
 3. **A private road/access drive over the City-owned lands located to the west and south of the subject site (via and easement) connecting to Lionhead Golf Club Road, to the satisfaction of the Commissioner of Planning, Building and Growth Management.**
- **Costs associated with the implementation of these access arrangements would be borne by the applicant, and may be able to be cost shared through private arrangements with the owners of any other properties that would use the implemented access (i.e. owner of Terrace on the Green Restaurant site, and others).**
- **The draft Zoning By-law Amendment uses a 'Holding (H)' symbol and provisions to require that arrangements for one of the noted alternative access arrangements be made to the satisfaction of the Commissioner of Planning, Building and Growth Management prior to the lifting of the H, and the land use permissions applying to the site.**
- **Other 'H' provisions from staff's prior Recommendation Report (from April 8, 2024 PDC mtg) are maintained with the attached draft Zoning By-law. A new H provision is also added to require that the Trustee for the Riverview Heights Plan 40-3 Landowners Group confirm that all cost sharing obligations are satisfied.**

BACKGROUND:

Consideration at April 08, 2024 Planning and Development Committee Meeting:

A Recommendation Report (Attachment 8) for this application was considered by the Planning and Development Committee at its meeting of April 08, 2024. Committee approved the report, but directed staff to work with City staff, and the applicant, to accommodate an alternative access arrangement for the development of the lands (in lieu of the proposed Mississauga Road access) in order to improve traffic safety, and report back to the Committee prior to the enactment of an amending Zoning By-law for the development proposal.

The access arrangement that had been recommended by staff at the April 8, 2024 Planning and Development Committee meeting was the implementation of an interim restricted (right-in/right-out) access to the site from Mississauga Road, with a signalized pedestrian crossing on Mississauga Road. Further, an easement over the subject lands would be provided in favour of the northerly site (8672 Mississauga, Road-Terrace on the Green restaurant) to allow the existing access for the northerly property to be removed at a future date, which would accommodate one shared Mississauga Road access for both properties. Regional staff had informed that they were agreeable to both the interim right-in/right-out access, as well as a future full turns signalized access when the independent access to the northerly property was closed. Associated costs would be borne by the applicant, with private arrangement for cost sharing between the subject landowner and the owner of the neighbouring property to the north.

CURRENT SITUATION:

Staff have worked with cross disciplinary staff to review technical matters, as well as related Legal and Realty matters, associated with the alternative access options. Staff's findings are outlined below:

Potential Access Options

Staff are of the view that there are three alternatives for access arrangements to this proposed development site that may satisfy Council's concerns regarding traffic safety. The three alternatives are described below, along with their anticipated costs (high-level costs based on cursory review), and association considerations.

1. Full turns signalized access to Mississauga Road:

Arrangements with the abutting property owner to the north, and the Region of Peel, may be able to be achieved to close the existing access for the northerly property and create a shared, full-moves, and fully signalized access.

Staff believes that this option could mitigate any traffic safety concerns with having an access from Mississauga Road by stopping traffic on Mississauga Road for vehicles exiting the site.

- Cost estimate (high-level): \$300,000 to \$350,000.
- Considerations:
 - Construction costs for this access would be borne by the applicant, with private arrangements for any cost sharing between the subject property owner and any other benefiting property owners.
 - The Region of Peel would need to agree to allow the installation of an unwarranted traffic signal. Staff notes that signal spacing between the new access and the intersection of Mississauga Road and Lionhead Golf Club Road (to the south) would meet the Region of Peel's spacing requirements.

2. Public road over City-owned lands:

In lieu of an access to Mississauga Road, a public road could be constructed over the City-owned land located to the west and south of the subject site, which are also planned to be used for stormwater management & servicing blocks (Blocks 1049 and 1050 on the Great Gulf/Scottish Heather Plan of Subdivision). These two functions could co-exist. This option involves the construction of a 390 metre long public road that connects the site to Lionhead Golf Club Road (generally shown on Attachment 9). The public road would also need to be constructed with a cul-de-sac at it's northerly terminus, immediately to the west of this site.

- Cost estimate (high-level): \$1.6 million
- Considerations:
 - Construction costs for this access would be borne by the applicant, with private arrangements for any cost sharing between this landowner and any other benefiting property owners.
 - Constructing this public road may require some existing infrastructure in the stormwater management & servicing Blocks 1049 and 1050 to be relocated.
 - Parks staff have informed that the park site could accommodate this alternative, but adjustments would need to occur with that plan, which may impact the timeline and budget of the Embleton Community Centre project.
 - Fencing treatment would be required between the road and the adjacent stormwater management pond to stop errant vehicles from entering the pond, requiring some additional cost.

3. Private road/access drive (via easement) over City-owned lands:

Similar to alternative #2 above, in lieu of an access to Mississauga Road, a private road/access drive could be constructed over the City-owned lands (Blocks 1049 and 1050

on the Great Gulf/Scottish Heather Plan of Subdivision), via an access easement in favour of the applicant (refer to Attachment 9).

- Cost estimate (high-level): \$2 million. This is comprised of a construction cost (marginally less than a public road), as well as land costs to purchase an easement (estimated at \$380,000 for the 6 metre wide private road).
- Considerations:
 - Construction costs for this access would be borne by the applicant, with private arrangements for any cost sharing between the subject property owner and any other benefiting property owners.
 - The actual cost of the easement is contingent upon the final easement terms (i.e. the future maintenance costs - who is responsible for what, exclusive right of use (except for City's SWM servicing) vs. non-exclusive right of use (will other lands have access to the private road), etc.
 - Constructing this public road may require some existing infrastructure in the stormwater management & servicing Blocks 1049 and 1050 to be relocated.
 - Parks staff have informed that the park site could accommodate this alternative, but adjustments would need to occur with that plan, which may impact the timeline and budget of the Embleton Community Centre project.
 - Fencing treatment would be required between the road and the adjacent stormwater management pond to stop errant vehicles from entering the pond, requiring some additional cost.
 - Potential liability issues for the City resulting from the public's use of the private road over the City-owned lands.

Implementation of alternative access

A 'Holding (H)' provision is included in the attached draft zoning by-law amendment (Attachment #7 and #7A) that would require that arrangements for any of the three alternatives to be implemented before land use permissions for the development were to apply.

If any of the access alternatives are not considered desirable by Council, direction to staff may be provided to adjust the H provisions accordingly.

The H provision included in the draft Zoning By-law Amendment is:

- a) Arrangements to the satisfaction of the Commissioner of Planning, Building and Growth Management are completed to accommodate vehicular and pedestrian access to the site, which is to be achieved by any one or combination of the following:
 - i) a full turns signalized access at Mississauga Road to the satisfaction of the Region of Peel,

- ii) a public road over the City-owned lands located to the west and south of the subject site connecting to Lionhead Golf Club Road,
- iii) a private road/access on an easement over the City-owned lands located to the west and south of the subject site connecting to Lionhead Golf Club Road.

Applicant response to staff regarding alternative accesses

Staff has spoken with the applicant and a representative of the landowner and has heard that the applicant is understanding of the direction received from Council regarding the alternative access arrangements to try and accommodate safer traffic movements, and that they are generally agreeable to the arrangements and bearing the costs for the alternative arrangement. It is understood that the applicant prefers an arrangement for an access to Mississauga Road, due to the reduced costs, and that their second preference would be for a public road over the City owned property.

Further addition to ‘Holding (H)’ provision

Staff have added an additional H provision to the draft Zoning By-law Amendment to help ensure that any and all cost sharing obligations of the landowner to the Landowners Group are completed at the time of site plan application approval. In this regard the H provision states that a confirmation is to be received from the Riverview Heights Block Plan 40-3 Cost Sharing Agreement trustee that this landowner has completed all cost sharing agreement obligations.

CONCLUSION:

Staff believe that the three alternative access arrangements for the development of the site offered through this report and the accompanying draft Zoning By-law Amendment (Attachment #7 and #7A) are aligned with the Council direction received on April 17, 2024 to try and improve traffic safety.

Authored by:

Reviewed by:

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Attachments:

Attachment 1: Concept Site Plan
Attachment 1A: Rendering
Attachment 2: Location Map
Attachment 3: Official Plan Designations
Attachment 4: Secondary Plan Designations
Attachment 4A: Block Plan
Attachment 5: Zoning Designations
Attachment 6: Aerial and Existing Land Use
Attachment 7: Draft Zoning By-law Amendment
Attachment 7A: Schedule A to Draft Zoning By-law Amendment
Attachment 8: April 08, 2024 Recommendation Report
Attachment 9: Scottish Heather Subdivision with a private access/road depicted.