

June 17, 2024

File No. 310460

BY EMAIL

Planning & Development Committee
City of Brampton
4th Floor, City Gall
2 Wellington Street West
Brampton, ON L6Y 4R2

cityclerksoffice@brampton.ca

Dear Committee Members:

**Re: Staff Report – Recommendation Report
Item 7.4 – June 17 2024 Meeting
Application to Amend the Zoning By-law, File OZS-2022-0023
Kaneff Group – 210 & 220 Steeles Avenue West, Ward 3**

Aird & Berlis LLP is counsel to Hillside TO Properties Inc. (“**Hillside**”). Hillside is the owner of the lands municipally known as ‘0’ Steeles Avenue West (the “**Hillside Site**”) in the City of Brampton. The Hillside Site is located west of Lancashire Lane and is south of Steeles Avenue West. Immediately north, on the opposite side of Steeles Avenue West from the Hillside Site are lands owned by Kaneff Group, at 210 & 220 Steeles Avenue West (the “**Kaneff Site**”).

We are aware of an application for a Zoning By-law Amendment with respect to the Kaneff Site. It is our understanding the application is to permit the development of the Kaneff Site with two 45-storey apartment buildings, a 40-storey apartment building, a 14-storey apartment building, and a 6-storey apartment building (the “**Kaneff Application**”).

Our client and their consultants have reviewed the materials with respect to the Kaneff Application, and while Hillside is generally supportive of the proposed development for the Kaneff Site, we are writing to express the following detailed concerns and comments.

Stormwater Management

In reviewing the materials in support of the Kaneff Application, our client and its engineering consultants, WSP Canada, have concerns with the implications of the Functional Servicing and Stormwater Management Report submitted in support of the development (prepared by Crozier Consulting Engineers dated March, 2024).

An existing 600mm culvert located under Steeles Avenue (the “**Culvert**”) runs from the Kaneff Site to the Hillside Site. Hillside submits that the existing development north of

Steeles, specifically the Kaneff Site, has caused adverse impacts to the Hillside Site since it was purchased in 1968. Specially, the existing development on the Kaneff Site has contributed an increased volume of storm runoff to the Culvert, causing additional stormwater to drain on the Hillside Site. These concerns have previously been raised by Hillside with both the Region of Peel (the “**Region**”) and the City of Brampton (the “**City**”). Hillside has engaged with both Region and the City to develop a proposal to address and rectify the adverse impacts from the drainage of the Culvert unto the Hillside Site. This proposal has included a request to the Region and the City to redirect storm flows to a City or Regional storm sewer under Steeles Avenue and away from the existing Culvert.

Based on its review of the Kaneff Application, Hillside is concerned that the impervious areas on the Kaneff Site have already increased above the original intended capacity and may continue to increase during the pre construction and construction phases of the redevelopment of the Kaneff Site, resulting in additional volumes of stormwater being directed to the Hillside Site. This will continue to aggravate the existing drainage issues noted above between the Kaneff Site and the Hillside Site.

Hillside and its consultants recognize that the proposed servicing concept by Crozier in support of the Kaneff Application includes stormwater tanks for storage and stormwater use on the Kaneff Site, which is intended to result in an overall improvement to the stormwater condition between the Kaneff and Hillside Sites. However, Hillside remains concerned that if the Kaneff Application is approved in its current form, it will result in further aggravation of existing adverse impacts on their property, even at the reduced volumes now proposed.

Holding (H) Provision

As noted above, Hillside is supportive of the principle of development on its site and in the surrounding area. Therefore, in order to mitigate the stormwater management concerns with the Kaneff Application while still permitting development approvals to proceed, Hillside requests that the zoning by-law amendment for the Kaneff Application be amended such that clearance of the following Holding Provision be required as a condition of approval:

“Conditions for Removing the H - Holding Symbol:

Removal of the H - Holding Symbol on land zoned (R4A (H) — 3783) shall be subject to the following conditions:

1. A Functional Servicing Report supporting interim and permanent servicing for any proposed phase of development has been approved by the Region of Peel (or successor) and City of Brampton, in consultation with the landowners at the southwest corner of Steeles Avenue West and Lancashire Lane, that incorporates stormwater management measures for the development which do not create adverse impact to the parcels located

within the Tertiary Plan Area bound by Malta Avenue, Steeles Avenue West and Lancashire Lane;”

It is our respectful submission that the above provision will ensure that the Kaneff Application does not create or exacerbate any existing adverse impacts on the Hillside Site or any other surrounding sites.

We note that Region of Peel staff have also indicated the need for a Holding (H) symbol to be used with the implementing zoning by-law amendment, which they recommend should be lifted once the Region confirms that the Functional Servicing Report (FSR) is satisfactory¹.

Conclusion

Hillside welcomes the opportunity to continue dialogue with the City and Kaneff Group regarding this application in order to address the concerns outlined above, as well as any additional concerns which may arise through further review.

Generally speaking, Hillside is supportive of the proposed development on the Kaneff Site, however we respectfully request that Planning and Development Committee recommend that City Council amend the proposed zoning by-law amendment to include the Holding Provisions addressing stormwater management concerns as outlined above, or in the alternative direct that this matter be referred back to staff so that the concerns outlined herein can be addressed in a revised version of the proposed zoning by-law amendment.

We ask that our office, as well as Hillside’s planning consultant (Richard Domes, GWD Professional Planners, rdomes@gwdplanners.com) and engineering consultant (Rick Knight, WSP Canada, Rick.Knight@wsp.com) be provided with notice of any future meetings and decisions related to this matter, including any notice of adoption of any zoning by-law amendment resulting therefrom.

¹ OZS-2022-0023 – Attachment 10 – Detailed Planning Analysis, pg 39

Thank you for your consideration of this request. Should you have any questions or concerns, please do not hesitate to contact the undersigned.

Yours truly,

AIRD & BERLIS LLP

A handwritten signature in dark ink, appearing to read "Alexander Suriano". The signature is fluid and cursive, with a large initial "A" and "S".

Alexander J. Suriano
AJS/nh

cc: Client

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