



June 3, 2024

Peter Fay, City Clerk
City Clerk's Office, Legislative Services Department The Corporation of the City of
Brampton
2 Wellington St. West Brampton, ON
L6Y 4R2

Dear Mr. Fay,
Re: Delegation to Planning & Development Committee
Request to waive the Zoning By-law Amendment Application Fee 9281 Goreway
Drive, Brampton

New Life Community Church ('NLCC') respectfully requests the opportunity to
delegate to Council, Planning & Development Committee, for their consideration of a
request to waive the Application Fee for a Zoning By-law Amendment application
submitted by NLCC for lands at 9281 Goreway Drive,

Request

NLCC requests that Council, in accordance with Section 69 (2) of the Planning Act
(Reduction or Waiver of Fees), waive the planning application fee for a Zoning By-law
(ZBL) Amendment application for the lands municipally known as 9281 Goreway
Drive. The ZBL Amendment fee is established by City of Brampton Tariff of Fees for
Planning Applications (By-law 85-96 as amended most recently by By-law 28-2023).
NLCC was advised by staff that the fee for the ZBL Amendment application was
approximately \$320,000.

Application

NLCC on February 28, 2023, filed a ZBL Amendment application for lands located at
9281 Goreway Drive ('the site') to facilitate a proposed development consisting of:
A proposal is to develop the approx. 0.793-hectare property for 2 apartment buildings;
one of which is designed as 3 visually separate towers (Tower 1,2,3), each with Unit
Mix designed separately for seniors, families, single mothers with children, and other
singles, with common and separate amenity space on the ground and second floors,
conjoined with 2 'links' of 3-bedroom 2 storey residential units, and the 2nd tower as a
free standing 'Independent Living' type apartment building adjunct to the Sienna Long
Term Care building and is submitted to generally reflect the "High Density Residential"

designation of the Official Plan. A Site-Specific Official Plan and Zoning Bylaw Amendment will be applied for, followed by a Site Plan Application for the proposal outlined herein. Also included is ground floor retail & a daycare, and an approximate density/Floor Space Index of 6.32.

“ The City appreciates the provision of purpose-built rental housing through this development in a strategic location in Brampton, which falls within a planned MTSA.”
Ref. Planning and Development Services Department.

Background

NLCC, a Charitable organization, under its parent the Pentecostal Assemblies of Canada, previously developed the Dayspring Community, totaling 700 condominium apartments, 160 bed Long Term Care, retail, and the NLCC Church serving the Community, and rather than build a Conference Centre for themselves on the subject property, has made an Application for PreConsultation in April 2023 to rezone the last approx. 2 acres to high density residential, providing 649 units of high quality yet affordable purpose built rental apartments plus community amenity spaces to address the current housing crisis (lack of affordable housing) such in Brampton, and the Province's requirement for Brampton to produce 113,000 additional units.

Basis For Request

It is NLCC's intention to position the site with the residential zoning to allow NLCC to facilitate the necessary ownership structure to produce the project in the near term. NLCC has undertaken considerable expense with consultants to progress through the PreConsultation process to this stage, and it is NLCC's full intention to complete the ZBA process and advance the Development, but the new ZBA Application fee has created a roadblock for the project to proceed further.

NLCC is of the opinion that the \$320,000 fee for this application is unreasonable also for the following reasons:

Planning Act

The Planning Act provides that:

"The council of a municipality, by by-law, and a planning board, by resolution, may establish a tariff of fees for the processing of applications made in respect of planning matters, which tariff shall be designed to meet only the anticipated cost to the municipality or to a committee of adjustment or land division committee constituted by the council of the municipality or to the planning board in respect of the processing of each type of application provided for in the tariff. R.S.O. 1990, c. P.13, s. 69 (1); 1996, C. 4, S. 35 (1).

The Planning Act also provides for a Reduction or Waiver of Fees as follows:

Despite a tariff of fees established under subsection (1), the council of a municipality, a planning board, a committee of adjustment or a land division committee in processing an application may waive the amount of or waive the requirement for the payment of a fee in respect of the application where the council, planning board or committee is

satisfied that it would be unreasonable to require payment in accordance with the tariff. R.S.O. 1990, C. P.13, s. 69 (2); 1996, C. 4, s. 35 (2).

The legislation indicates that the fees may be designed to recover the "anticipated cost" of processing each type of application.

Existing Planning Context

The principle of land use (i.e., mixed use, with apartments) and density for 9281 Goreway Drive is already established as the site is:

- submitted to generally reflect the "High Density Residential" designation of the Official Plan.
- in an area where the current Brampton Official Plan, as well as Brampton Plan, is intentional about trying to direct significant intensification to Brampton East.
- designated as a Primary Major Transit Station Area (PMTSA) by the approved Peel Region OP. The Province's Notice of Decision (November 4, 2022) approving the Peel Region Official Plan specifically deleted the reference to maximum densities being established by the local municipality in an MTSA, and only permits minimum densities to be prescribed.

In addition:

- the City's Official Plan is required to conform to the Region's within one year of its approval by the Province. The City has commenced the process to bring its' Official Plan into conformity with the approved Peel Region OP and a Zoning by-law will follow within one year. The Zoning By-law must implement "as-of-right" zoning for transit supportive densities in MTSA's. If the application submission were delayed approximately one-year, it may not even be required.
- the fee is only for Zoning By-law Amendment application. Additional Site Plan Application fees will be required for each Phase of the development.
- By contrast, the same ZBL Amendment application filed by a similar Charity or Non-Profit Housing Provider at the City of Ottawa using the current Tariff of Fees By-law would result in a ZBL in a fee of \$0.
- Ref.

Development application fees

Expand all

Collapse all

- Fees related to planning applications



All fees identified are effective as of July 1, 2023.

Fees are required with the submission of planning applications. These fees cover some of the work undertaken by planning, infrastructure, legal, financial and public works staff in their review of development proposals. In addition, the City collects the initial fees for the Conservation Authorities.



Housing organizations that are charitable or non-profit are exempted from paying any Planning Application Fees. Conservation Authority and Engineering Design Review and Inspection fees are not subject to this exemption.

In some cases the [Development Charges](#) for a project may be collected through the processing of a planning application, for example when a subdivision agreement is entered into.

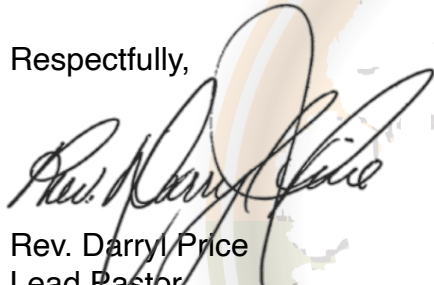
For information on application specific fees, please refer to the appropriate [development application](#). For further information on additional fees related to development applications, please refer to the below sections.

Anticipated Cost to the Municipality

In consideration of the specific planning context outlined above for this site which has already established land use and previous density permissions, approved Regional policy regarding MTSAs, the lands being located in an area potentially being considered for increased density, and existing OP policy that identified this site is in a location where development of high density was approved in the existing Dayspring project, the ZBL Amendment application fee of \$320,000 is considered unreasonable to process the ZBL Amendment application which is essentially required to implement an existing and emerging planning policy, and in particular a submission by a Charitable Institution who produced the then affordable Dayspring community already.

On this basis and to continue the Planning process, NLCC requests that Council, in accordance with Section 69 (2) of the Planning Act (Reduction or Waiver of Fees), waive the ZBL Amendment application fee for the lands municipally known as 9281 Goreway Drive to advance the delivery of 649 purpose built rental apartments which are seriously needed in the City..

Respectfully,



Rev. Darryl Price
Lead Pastor
New Life Community Church

copy:

Marlon Kallideen, Chief Administrative Officer
Steve Ganesh, Commissioner of Planning Building & Growth Management